



Appeal Decision

Site visit made on 19 May 2022

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30TH June 2022

Appeal Ref: APP/D5120/D/22/3294543

35 Sandcliff Road, Erith DA8 1NZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Sarunas Sarass against the decision of the London Borough of Bexley Council.
 - The application Ref 21/03039/FUL, dated 30 September 2021, was refused by notice dated 31 December 2021.
 - The development proposed is the erection of a rear/side single storey extension incorporating flat roof and roof lights.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the living conditions of neighbouring residential occupiers, with reference to 34 Sandcliff Road (No.34).

Reasons

3. The appeal property is a traditional two storey mid terraced palisaded terraced house, located in an area made up of similar residential properties. It has already been the subject of a single storey lean-to rear extension that is the same width as, and extends from, the original outrigger.
4. The proposal is to replace the existing single storey rear extension with a larger flat roofed extension with roof lights. This would extend from the original outrigger to the same extent as the existing extension but would wrap around the outrigger and extend to the boundary of the appeal property with No.34.
5. The proposal would have a flank wall extending approximately 6.78 metres along the boundary of the appeal property with No.34. The adopted design guidelines contained in Design and Development Control Guidelines No.2 of the Bexley Unitary Development Plan (2004) set out that such extensions on the boundary should extend only 3.5 metres. The flank wall of the proposed

extension would be 3.28 in excess of this guidance. The extent of the proposal would result in a significant enclosure of the outlook from the rear ground floor of the appeal property and its small rear garden.

6. The height, extent, and location of the proposed extension on the boundary between the two properties, would result in it having a tunnelling effect that would be domineering and overbearing, particularly when viewed and experienced from the rear ground floor room of No.34 and its small rear garden. The proposal would, therefore, be experienced as oppressive, thereby causing unacceptable loss of outlook for the residential occupiers at No.34.
7. Due to the height of the proposed extension, it would be considerably higher than the existing boundary fence, which, in combination with its extent along the boundary and its proximity to a ground floor window to a habitable room in No.34, would result in a considerable loss of indirect light entering the room.
8. Furthermore, due to the orientation of the properties in the terrace, there would be a significant loss of direct sunlight, which may be exacerbated in winter when the sun is lower. Overall, the proposal would result in overshadowing and loss of light to the rear ground floor room of No.34. There would be a similar overshadowing and loss of light experienced on its small rear garden.
9. For these reasons, I find that the proposal would result in significant harm to the living conditions of the residential occupiers of No.34. This would be contrary to policies ENV39 and H9 of the of the Bexley Unitary Development Plan (2004) (Saved Policies), Policy D3 of the London Plan (2021) and Section 12 of the Framework, which collectively seek to ensure that developments create a high standard of amenity for existing and future users.

Conclusion

10. The appeal is dismissed.

Victor Callister

INSPECTOR