The Planning Inspectorate

Appeal Decision

Site visit made on 26 July 2022 by M Long BA (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th August 2022

Appeal Ref: APP/D5120/D/21/3289257
8 Orchard Road, Welling DA16 1QG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Paragraph A.4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).
- The appeal is made by Ms Vanita Naik against the decision of the Council of the London Borough of Bexley.
- The application Ref 21/02970/GPDE, dated 2 September 2021, was refused by notice dated 27 October 2021.
- The development proposed is a single storey rear extension.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. Under Article 3(1) and Schedule 2, Part 1, Class A of the GPDO (as amended), planning permission is granted for the enlargement of a dwellinghouse subject to limitations and conditions.

4. Paragraph A.4(7) to Part 1 requires the local authority to assess the impact of the proposed development on the amenity of all adjoining premises, taking into account any representations received. As an objection was received by the Council, they assessed the impact of the proposal on all adjoining neighbours. My consideration of this appeal has been made in the same manner.

Main Issue

5. I consider that the main issue in this appeal is the impact of the proposed development on the amenity of adjoining premises (particularly No 6).

Reasons for the Recommendation

6. Located on the western side of Orchard Road, the appeal site is a semi-detached property with a sizeable rear garden bounded by relatively tall boundary treatments. The appeal dwelling and its attached neighbour to the north, No 6, have aligned rear elevations. The rear elevation of No 6 contains large, glazed doors that appear to serve habitable accommodation; these are

located close to the shared boundary with the appeal site. The neighbouring property to the south, No 10, has a large two-storey rear extension and is set back from the boundary with the appeal site.

7. The proposed single-storey extension would cover the full width of the dwelling and extend to a depth of approximately 6 metres. The proposed extension would incorporate a flat roof and roof lantern. It would have a height of approximately 3 metres at the eaves, rising to 3.4 metres at its highest point.

8. The proposal would extend a substantial depth alongside the shared boundary with No 6 and, while the addition would be single-storey, it would still project a considerable distance above the height of the existing fenced boundary. As a result, there would be an unacceptable reduction of outlook from the rear of the neighbouring property, particularly from the glazed doors.

9. Due to the orientation of the semi-detached pair, the proposed extension would be positioned to the immediate south of No 6's rear doors and so would unduly block sunlight reaching the dwelling. Moreover, the large size of the proposal would harmfully reduce the available light to the rear of the attached neighbour and would unacceptably overshadow its rear garden. Given the two-storey extension at No 10, in addition to the property's setback from the proposed extension, there would be no harm to the amenity of its residents.

10. Although the size of the proposed extensions meets the dimensions set out in the GPDO, where there is a prior approval process, it is necessary to assess the impact of the proposal on the amenity of adjoining premises. In this respect, the proposal would result in undue harm and so would not comply with the criteria established in the GPDO.

11. Given the above, the proposed extension would result in a harmful reduction of outlook and light available to the occupiers at neighbouring No 6. As such there would be an unacceptable impact on the amenity of adjoining premises.

Conclusion and Recommendation

12. For the reasons given above, I recommend that the appeal should be dismissed and prior approval should be refused.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR