The Planning Inspectorate

Appeal Decision

Site visit made on 17 May 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th June 2023

Appeal Ref: APP/D5120/D/23/3316970
289 Long Lane, Bexley, Bexleyheath, DA7 5JD

- 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 and Mrs Uppal against the decision of the Council of the London Borough of Bexley.
- The application Ref 22/02710/FUL, dated 1 November 2022, was refused by notice dated 17 January 2023.
- The development proposed is the erection of a single-storey extension.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made retrospectively. At the time of my visit, I saw that works were reasonably well advanced with the shell of the proposed extension largely complete. I saw this also to be the case for the ground floor part of development that was granted planning permission in June 2019 described as '*Part 1/part 2 storey rear and side extension. Single storey front extension incorporating porch and canopy*' (Ref 19/00750/FUL).

Main Issue

3. The main issues are the effects of the extension upon the character and appearance of the host property and the wider area, and upon the living conditions at 287 Long Lane, with particular regard to visual impact.

Reasons

4. The appeal property is a two-storey, semi-detached dwelling within a predominantly residential area. The property has been extended to the rear across its full width with a ground floor addition that is largely complete and which is part of a larger part single-storey, part two-storey extension that was granted planning permission in 2019. The appeal proposal has added a further, single-storey extension to the rear across the majority part of the original extension and adjoining the boundary with No 287. The appellants give the accumulated depth of extensions beyond the rear wall of the original house as 5.4m. The plans show the depth as 6.0m.

5. Based upon the application drawings, the appeal proposal would be seen as an integrated part of substantial alterations to the rear of No 289. However, the

dominance of extensions resulting from its remodelled form would be largely due to the 2019 planning permission, with the current appeal proposal contributing only a reasonably small additional component part that, when complete, would be appropriately residential in scale and appearance, and finished with materials and a fenestration pattern that would match the rest of the building.

6. The property, together with others along this part of Long Lane, has a reasonable sized garden. There is an existing outbuilding at the foot of the garden which spans the full width of the plot. The separation distance from the façade of the appeal extension to the outbuilding measures around 9.7m. From my assessment on site, this was sufficient space to ensure that the plot appears neither cramped nor overdeveloped, with adequate amenity space retained.

7. I recognise that the accumulated depth of additions represents a significant proportional increase over the depth of the original dwelling. However, the appeal proposal itself is fairly modest in size and represents a modification to the house as already partially extended by the 2019 permission which adds little in terms of visual dominance to the character or appearance of the property overall.

8. Notwithstanding, the Council's *Design and Development Control Guidelines* (DDCG) advises that for semi-detached houses, single-storey rear extensions should not normally exceed a depth of 3.5m from the rear of the property. The previously approved extension satisfied the Council's guidelines in this regard along the boundary with No 287.

9. I saw during my visit that the neighbouring attached property is un-extended to the rear, with a walled enclosure along the boundary between both properties, estimated by the appellants to be around 1.2m high. The circumstances and relationship between the appeal property and No 287 are routine and typical of those between most conventional semi-detached dwellings.

10. The depth of the extension the subject of this appeal exceeds the Council's guidelines by a considerable margin. The flank wall of the extension also rises noticeably above the height of the boundary. When combined with the depth of the original extension it imposes itself upon the outlook from the ground floor living space of No 287, and upon the most private part of the rear garden nearest to its rear elevation, as a large expanse of unrelieved solid construction that I consider to be visually intrusive and overbearing, resulting in an uncharacteristic and unneighbourly sense of enclosure. The resulting impact of the extension appears to me to be precisely that which the DDCG seeks to advise against.

11. The appellants have put forward examples of other rear extensions in the area, and cases where planning permissions have been granted for a variety of different rear extensions, including on appeal elsewhere within the borough. However, I do not know the background or precise circumstances to any of these cases, specifically the relationships with neighbouring properties.

12. My decision in this instance is based upon the specific circumstances at the appeal property and the merits of the individual case. Notwithstanding my findings with regard to the effect of the extension upon the character and

appearance of the area, I find that due to the accumulated size and position of the extension, it is harmful to the living conditions at 287 Long Lane. As such, there is conflict with Policies ENV39 and H9 of the Bexley Unitary Development Plan 2004 as far as they seek to maintain and improve suburban character with development which is compatible with the surrounding area having regard to matters such as scale, massing, height and intensity of development. For the same reasons, there would be conflict with the National Planning Policy Framework's objectives for achieving well-designed places. These conflicts mean that the extension fails to achieve a sustainable form of development.

13. The appellants have suggested that the extension could have been constructed with the benefit of prior approval. However, in order to achieve this there is a formal process to be undertaken and I have been presented with no clear evidence to show that procedures have been followed to support this claim. I therefore attach no weight to this argument as a fallback option.

14. I have noted and carefully considered the appellants' personal circumstances. I understand that improved accommodation in the form of bedroom space and a level access shower is required for a physically disabled family member. However, there is no evidence to suggest that this must, or can only be accommodated, within the appeal extension. As a consequence, the weight I attribute to the needs of the appellants is insufficient to outweigh the harm that I have identified to the neighbour's living conditions and the conflict with local and national planning policy.

15. I have noted that there was no objection from the neighbouring occupier but this does not alter my conclusions as far as they relate to the effect of the extension upon the living conditions at No 287. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR