



Appeal Decision

Site visit made on 20 February 2024

by N Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st February 2024

Appeal Ref: APP/D5120/D/23/3333397

38 Cleveland Road, Welling, Bexley DA16 3JP

- 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 A T Mannikeri against the decision of the London Borough of Bexley.
 - The application Ref 23/01056/FUL, dated 7 May 2023, was refused by notice dated 13 September 2023.
 - The development proposed is 6.0m deep single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A revised version of the National Planning Policy Framework (the Framework) has been published since the planning application was determined by the Council. Both main parties have had the opportunity to comment on any relevant implications for the appeal. I have had regard to the latest version of the Framework in reaching my decision.

Main Issue

3. The main issue raised by this appeal is the effect of the proposed development on the living conditions of the existing occupiers.

Reasons

4. The Council's adopted Supplementary Planning Document Design and Development Control Guideline 2 states that on semi-detached and terraced houses, single storey extensions at the rear and on the boundary with the adjoining half of the property should not normally exceed 3.5m in depth from the rear of the property.
5. The proposed rear extension would be 6m in depth from the rear of the property. The attached semi-detached property, No 40 Cleveland Road, has not been extended to the rear. The extension would be in extremely close proximity to the common boundary of this property. The proposal would also be in close proximity to the unattached neighbouring property, No 36 Cleveland Road.
6. The occupiers of neighbouring properties should reasonably expect to enjoy an acceptable outlook as part of their residential lives. Given the height and

length of the rear extension it would be extremely dominant in the outlook from the rear habitable living space within the neighbouring properties, as well as from their outdoor living space at the rear of the dwelling. The side elevations of the proposal in such close proximity to the adjoining properties would diminish the enjoyment of the residential living environment for the neighbouring occupiers and would harm the enjoyment the existing occupiers should reasonably expect to enjoy.

7. It is contended the local planning authority has granted planning permission for 6m extensions at other properties. However, although addresses have been given, I have not been provided with the details of those other examples in order to consider what similarity, if any, those developments may have to that of the proposal before me. This offers little weight in support of the proposal. In any event, this proposal can and should be considered on its own individual merits.
8. For these reasons, I conclude that the proposed development would be harmful to the living conditions of the existing occupiers. The proposal would, therefore conflict with Policies SP5 and DP11 of the Bexley Local Plan and the provisions of the Framework. These policies seek, amongst other matters, development to secure good design for new development and to protect neighbouring occupiers' amenities. Furthermore, the depth of the proposed rear extension would be far in excess of the guidance set out within the Design and Development Control Guideline 2 and therefore would conflict with this guideline.
9. Whilst no objections may be raised to the proposal by neighbouring occupiers there remains the need to consider the proposal in terms of the living conditions of the existing adjoining occupiers.

Conclusion

10. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR