



Appeal Decision

Site visit made on 20 March 2025 by Finlay Bradford BA (Hons)

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 16 April 2025

Appeal Ref: APP/D5120/D/24/3351529

127 Northdown Road, Welling, Bexley, DA16 1NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Bishnu Budathoki against the decision of the Council of the London Borough of Bexley.
 - The application Ref is 24/01780/FUL.
 - The development proposed is described as the erection of part one/part two rear extension following demolition of existing garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues relating to the proposed development are its effects on:
 - the character and appearance of the appeal dwelling and wider locality; and,
 - the living conditions of the occupiers at 125 Northdown Road with regard to outlook.

Reasons for the Recommendation

Character and Appearance

4. The prevailing character of the area is that of semi-detached dwellings. The appeal property is a right-hand, semi-detached dwelling sharing its party wall with Number 125 Northdown Road (No. 125). Its rear elevation, and row of four semis it is part of, remain largely unaltered in terms of their massing, making a particular positive contribution to the appearance of the streetscapes of Ivedon Road and Hazeldene Road through their established uniformity.
5. The proposed extension would result in a significant rear projection from both the existing outrigger at first floor and full width elevation at ground floor. The resulting impact would be an observable and substantial increase in scale of the appeal dwelling when viewed from the rear within the row of semis. In this instance, harm would arise from the visibility of the proposed development from Ivedon Road and Hazeldene Road. It would disrupt the established sense of uniformity held by the row

of semis, and instead introduce a dominant addition to both the street scene and host dwelling.

6. For these reasons I conclude that the proposed development would be harmful to the character and appearance of the host dwelling and wider street scene. I therefore find conflict with the development plan with particular regard to policy SP5 (Placemaking through good design) and DP11 (Achieving high-quality design) of the Bexley Local Plan which, amongst other objectives, seeks to ensure high-quality design standards that respect the existing character and context, and compliment the surrounding area in terms of character to positively contribute to the street scene.
7. The appellant has identified development within the locality of similar merit in design terms. Whilst the extension at No. 172 Northdown Road does somewhat reflect the appeal scheme, it is obscured from the public street scene. Furthermore, whilst there is resemblance between the extension at No. 105 Northdown Road (No. 105) and the appeal scheme, the extension at No. 105 is nevertheless exclusively single storey. For these reasons, I find that the above developments fail to hold comparative merit in terms of context to the appeal scheme and therefore possess limited relevance within considerations. Having given due regard to the above, these developments have been afforded limited weight within this decision.

Living Conditions

8. The existing massing of single storey structure to the rear elevation of the appeal property mirrors that of the attached neighbouring dwelling (No. 125), resulting in a consistent building line. The existing conditions mean that the occupiers of No. 125 enjoy unobstructed outlook from their ground floor rear window when looking down their garden.
9. The proposed development would introduce a ground floor extension projecting significantly beyond the existing rear building line at ground floor. The height of the proposed extension would be relatively modest, though would project vertically beyond the existing boundary. The cumulative impact of the height and depth of the extension would result in a dominant mass directly on the boundary with No. 125. The scale of the proposed extension would result in a sense of overbearing to the occupiers of No. 125, resulting in an unacceptable impact to living conditions in terms of outlook.
10. For these reasons I conclude that the proposed development would result in an unacceptable impact on the living conditions of the occupiers of 125 Northdown Road by way of overbearing. I therefore find conflict with the development plan with particular regard to policies SP5 (Placemaking through good design) and DP11 (Achieving high-quality design) of the Bexley Local Plan which, amongst other objectives, seeks to ensure that proposed development does not unacceptably impact the “amenity” of existing properties.
11. The council’s Design and Development Control Guidelines (2004) Supplementary Planning Document (SPD) notes that rear extensions should not normally exceed 3.5 metres in depth. In any instance, the SPD represents guidance as opposed to policy and a maximum depth of 3.5m is not an absolute resolution for acceptability. Therefore, to only consider the difference between the SPD’s maximum depth and the proposed extension’s depth, would be unsuitable. Furthermore, the extension would still introduce one overall mass, the whole effect of which must be considered.

12. I do not assert the development's accordance or lack thereof with the '45-degree rule'. Regardless, the proposed development would result in an unacceptable impact to the living conditions of No. 125 Northdown Road by way of overbearing for the reasons above.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

F Bradford

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr A Spencer-Peet

INSPECTOR