



Appeal Decision

Site visit made on 30 June 2025

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2025

Appeal Ref: APP/D5120/D/25/3364671

28 Shirley Avenue, Bexley DA5 3AZ

- 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 Mr A Hoadley against the decision of The London Borough of Bexley.
 - The application Ref is 25/00161/FUL.
 - The development proposed is a part double storey rear extension along with a loft conversion.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue raised by this appeal is the effect of the proposed development on living conditions of the occupiers of the adjoining residential property, No. 30 Shirley Avenue, with particular regard to outlook.

Reasons

3. The occupiers of neighbouring properties should reasonably expect to enjoy an acceptable outlook as part of their residential lives.
4. The rear extension would be of a considerable height and depth running along the shared boundary with the adjoining property, No.30 Shirley Avenue. Unlike other properties in the locality No.30 has not been extended to the rear at ground level. The ground floor extension of the size proposed along with its close proximity to No.30 would be extremely dominant in the outlook from the habitable living space within this neighbouring property, as well as within the outlook from the outdoor living space at the rear of the dwelling. The proposal would diminish the enjoyment of the residential living environment that the neighbouring occupiers should reasonably expect to enjoy.
5. There are rear extensions to other properties within the locality, including neighbouring properties. It is also highlighted that in the wider area dwellings have been granted planning permission for similar sized rear extensions to that proposed here. However, I am unaware of the full details of the circumstances relating to those cases such as would enable me to determine whether they are directly comparable to this case. Notwithstanding this, even if similarity could be drawn, this does not justify other development where harm would result.

6. The occupiers of No.30 Shirley Avenue did not raise an objection to the planning application and no other third party objections were received by the Local Planning Authority. Whilst this may be so, this does not make an unacceptable development acceptable or justify the proposed development.
7. For these reasons, I conclude that the proposed development would be harmful to the living conditions of the occupiers of the adjoining residential property, No. 30 Shirley Avenue, with particular regard to outlook. The proposal would, therefore conflict with Policies SP5 and DP11 of the Bexley Local Plan, the Design and Development Control Guidelines Supplementary Planning Document (SPD) and the provisions of the National Planning Policy Framework. These policies and SPD seek, amongst other matters, development to ensure that existing properties' amenity is appropriately protected.

Conclusion

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

Nicola Davies

INSPECTOR