
Appeal Decision

Site visit made on 30 August 2016

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 October 2016

Appeal Ref: APP/D5120/W/16/3152564
45 Swanton Road, Erith, Bexley DA8 1LP

- 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 Lee Wilkinson against the decision of the Council of the London Borough of Bexley.
 - The application Ref 16/00148/FUL, dated 25 January 2016, was refused by notice dated 23 March 2016.
 - The development proposed is a detached one bedroom dwelling to rear of property.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal has been described on the application form as a dwelling, however the Council in their statement has refers to the development as a granny annex. For the avoidance of doubt, I confirm that I have considered the proposal as a detached dwelling.

Main Issues

3. The main issues raised in respect of the appeal are the effect of the development on: -
 - (a) The character and appearance of the area;
 - (b) The living conditions of adjoining occupiers; and,
 - (c) Whether the proposed dwelling would provide satisfactory accommodation for its occupants.

Reasons

The character and appearance of the area

4. The character of the area, in general, is formed by two-storey houses which front on to the highway with gardens to the rear. I observed on site that other properties in the area have greenhouses and outbuildings within their rear gardens. Most of these are sited to the end of the long rear gardens, although there are a few larger outbuildings positioned closer to the main house.
 5. The proposed dwelling would be positioned approximately midway along the rear garden. It would be larger than other existing outbuildings to the rear of
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adjacent properties and would occupy the full width of the appeal plot. A separate single-storey dwelling in the rear garden sited behind two-storey road frontage development would be at odds with the prevailing pattern of development in the area. Although the rear garden of the appeal site is not readily visible from Swanton Road or other local streets, the proposed dwelling would be clearly visible from a number of neighbouring properties and their gardens.

6. Whilst I acknowledge that there is a large structure in place to the end of the rear garden of No.27 Swanton Road, this structure does not in its own right justify a new independent dwelling behind, and inconsistent with, the established existing road frontage development in the locality.
7. For these reasons I conclude that the proposal would be harmful to the character and appearance of the area. The proposed development would be contrary to Policies H3, H8 and ENV39 of the Unitary Development Plan (UDP) which seek new development to be compatible with, and have no adverse effect on, the character or appearance of the area in which it is located, amongst other matters.

The living conditions of adjacent occupiers

8. The building would be reached by a pedestrian access path adjacent to the side boundary with No.47 Swanton Road. I observed that this adjacent property has a conservatory to the rear with landscaped outdoor area immediately beyond. Although the uplift in occupation at the appeal site would be relatively modest, the creation of a dwelling in the rear garden would nonetheless result in an intensification of activity at the appeal site. The new dwelling would generate increased and more frequent people movement along the boundary of No.47. Whilst a taller means of enclosure could be erected along the common boundary with No.47 and a suitably surfaced pathway could be constructed, these would not, in my opinion, overcome the general noise and disturbance generated by the regular comings and goings of occupiers of this dwelling and those servicing it.
9. For these reasons I conclude that the proposal would be harmful to the living conditions of adjoining occupiers. The proposed development would be contrary to Policies ENV39 and H8 of the UDP, which seek new development not to prejudice the environment of the occupiers of adjoining properties and not to have any unreasonable effect on the surrounding area by reason of noise, amongst other matters.

The standard of living conditions of future occupiers

10. The proposal illustrates a 1 bedroom dwelling. Whilst the Council comment that the dwelling would be occupied by a couple rather than a single person, I have no evidence before me that would indicate this to be the case. As a result I cannot conclude that the internal space within the new dwelling would fall short of that required by Policy 3.5 of the London Plan and the Department for Communities and Local Government 'Technical Housing Standards – nationally described spaces standard' (the Technical Housing Standards).
11. Overall on this issue, I consider that the proposed dwelling would provide satisfactory accommodation for its occupants. The proposed development accords with Policy ENV39 of the UDP, Policy 3.5 of the London Plan and the

Technical Housing Standards which seek new dwellings to be of a high standard of design and layout and to have adequately sized rooms, amongst other matters.

Other Matters

12. I note the appellant wishes to provide extended living accommodation to enable other family members to occupy the main house as they have been unable to obtain economically priced housing locally. Whilst I sympathise with the personal circumstances of the appellant and the future accommodation needs of his family, I am mindful that the harm identified would be permanent and is not outweighed by the appellant's particular circumstances.

Conclusions

13. For the reasons given above, I conclude that the appeal should be dismissed.

Nicola Davies

INSPECTOR