
Appeal Decision

Site visit made on 3 April 2017

by Claire Victory BA (Hons) BPI MRTPI

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

Decision date: 23 May 2017

Appeal Ref: APP/D5120/W/16/3165489

50 Standard Road, Bexley, Bexleyheath DA6 8DR

- 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 Surindar Sehra against the decision of the Council of the London Borough of Bexley.
 - The application Ref 16/01228/FUL, dated 1 February 2016, was refused by notice dated 6 October 2016.
 - The development proposed is the erection of a two storey two bedrooms detached house at the rear of 50 Standard Road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are the effect of the proposal on the character and appearance of the surrounding area, and on the living conditions of the occupiers of No 50 Standard Road, with regard to privacy.

Reasons

Character and appearance

3. The appeal site lies to the south of the rear garden of No 50 Standard Road, within a predominantly residential area. To the east is the rear garden of No 48 and a block of single storey garages within a garage court are sited close to the western boundary. About half of the site is occupied by a single storey flat roofed garage, set back several metres from the site access with an area of hardstanding to the front. The side and rear boundaries of the site are enclosed by timber fencing.
 4. The proposed dwelling would be two storeys in height and would cover the entire width of the plot. The vertical emphasis of the narrow dwelling and lack of space to either side boundary would result in an unacceptably cramped appearance. This would be exacerbated by the fact that there are no other two storey buildings in the immediate vicinity of the site along the Paddock Road frontage. The dwelling would therefore appear incongruous within the street scene.
 5. I acknowledge that the dwelling would be broadly in line with the London Plan density guidelines, would only slightly exceed the Council's site coverage requirements, and would be similar in appearance to dwellings at 9-13 Paddock
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Road. However, those two storey dwellings are grouped together as a terrace, and the appeal property would be isolated within the street scene with an open garden to one side and a garage court to the other side. In this prominent location the dwelling would appear at odds with its surroundings.

6. The appellant has referred to other infill developments at 255 Upper Wickham Lane, Welling, and 20 Hawthorn Road, Bexleyheath. Whilst I do not have the full details of each of these cases, the dwelling at Upper Wickham Lane approved by the Council was set away from the side boundaries and so is materially different to the proposal before me. The Council stated that the dwelling at Hawthorn Road would not be cramped as the adjacent bungalow would abut a garage attached to the proposed dwelling, but in any case, each proposal falls to be considered on its own merits, based on the particular circumstances of each site.
7. I conclude that the proposal would harm the character and appearance of the surrounding area. Thus it would conflict with policies H3, H8 and ENV 39 of the Unitary Development Plan (LP) (2004) and Policies CS01 and CS02 of the Core Strategy (CS) (2012), insofar as they require proposals to reflect the prevailing pattern of development in the surrounding area, have a layout, height, scale, massing, space around buildings and plot separation which are compatible with local character.

Living Conditions

8. There would be two windows within the rear facing bedroom of the appeal dwelling, about 6m from the rear garden of No 50. However, whilst the Council are concerned that this would lead to an unacceptable loss of privacy, such views are already possible from first floor windows in neighbouring properties on Standard Road from a similar or closer distance. Furthermore, the existence of a shed within the garden of No 50 close to the rear boundary would screen part of the garden when viewed from these bedroom windows.
9. I therefore conclude that the proposal would not materially harm the living conditions of the occupants of No 50 Standards Road, by reason of overlooking and loss of privacy. As such the proposal would accord with LP policies H7, H8 and ENV39 of the Unitary Development Plan (2004), and CS Policies CS1 and CS2. These require, amongst other things, that proposals provide a reasonable degree of privacy and outlook for space within and outside dwellings.

Conclusion

10. I have found in the appellant's favour in respect of the living conditions issue, but the harm to the character and appearance of the area is decisive.
11. For the reasons set out above I conclude that the appeal should be dismissed.

Claire Victory

INSPECTOR