



Appeal Decision

Site visit made on 8 July 2019

by C J Leigh BSc(Hons) MPhil MRTPI

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

Decision date: 18 July 2019

Appeal Ref: APP/D5120/W/19/3227111
147 Hurst Road, Sidcup, DA15 9AH

- 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 Mrs Lisa Wright against the decision of the Council of the London Borough of Bexley.
 - The application Ref 18/03041/FUL, dated 4 December 2018, was refused by notice dated 29 January 2019.
 - The development proposed is to continue using annexe as a separate dwelling.
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Procedural matters

1. The appellant's statement of case says that their submission was never to have the annex considered as a separate dwelling. However, that was the description on the application form sent to the Council (as set out above) and that application form further answered 'yes' to the question asking whether the proposal was for the gain or loss of residential units, with one proposed 1-bedroom house indicated.
2. The appellant also says that she is willing to amend or alter the submitted scheme. However, to accept or suggest any amendments at the appeal stage would be prejudicial to the interests of the local planning authority and other parties as they would not have the opportunity to be fully consulted on such changes.
3. I have therefore determined the appeal on the basis by which it was submitted to the Council, as set out in the description above.

Decision

4. The appeal is dismissed.

Reasons

5. The main issue in this appeal is whether the proposed dwelling would provide satisfactory living accommodation for future and existing occupants.
 6. I am informed by the Council that the annexe at the property was granted planning permission under application 15/01584/FUL and that a condition was attached preventing its use as a separate unit of accommodation, with the reason being that this *'would give rise to an over-intensive use of the site and to an unsatisfactory relationship between independent dwellings'*.
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7. The proposed dwelling would have an internal floor area below the minimum set out in Technical Housing Standards: Nationally Described Space Standard (2015), and the Minimum Space Standards of the London Plan (2016). Having regard to this fact, and from my observations at the site visit, I share the Council's concern that the dwelling is of insufficient size to provide a satisfactory standard of accommodation.
8. The proposed dwelling would then open out onto a raised decking area and into the garden which is shared with No. 147, with no demarcation shown between those properties. The close proximity of the rear openings to both dwellings and the mixing of amenity space would create a poor residential environment for existing and future occupants by virtue of the conflict of users in the same space and the size of amenity space provided.
9. On the basis of all I have read and seen it is clear to me that the development for which planning permission is sought would not provide satisfactory living accommodation for both future and existing occupants. Thus the proposal would conflict with Policies ENV39, H6 and H11 of the London Borough of Bexley Unitary Development Plan (2004), Policy CS01 of the London Borough of Bexley Core Strategy (2012), Policy 3.5 of the London Plan, and the Technical Housing Standards which, amongst other matters, seek to ensure new development is of a high standard of design and layout, and provides adequate amenity space. The appeal is dismissed accordingly.

C J Leigh

INSPECTOR