
Appeal Decision

Site visit made on 24 September 2019

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th October 2019

Appeal Ref: APP/D5120/W/19/3233004
25-27 Watling Street, Bexleyheath DA6 7QJ

- 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 Movemind Ltd against the decision of the Council of the London Borough of Bexley.
 - The application Ref 18/02356/FUL, dated 6 September 2018, was refused by notice dated 18 April 2019.
 - The development proposed is the introduction of a second floor addition to existing building and creation of rear extension to building to enable the provision of 3 additional dwellings comprising 2 x split level two bedroom maisonettes (lower ground, ground, first and second floor level) and 1 x 2 bedroom apartment (second floor level) with associated car parking, bin and cycle storage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (i) the character and appearance of the area; and (ii) the living conditions of existing occupiers of the appeal site and adjacent properties, with regard to their outlook.

Reasons

Character and appearance

3. The appeal site, a 3-storey building now divided into flats, fronts Watling Street and sits between a pair of semi-detached houses and a new, 4-storey block of flats. Despite changes to the rear, it generally retains its original proportions and appearance as a reasonably high-status building. Although the front elevation is asymmetric, its appearance is clearly deliberate and measured with an attractive rhythm and form.
4. The street-scene is mixed, with various building sizes, styles and heights which reflect the varying uses in the immediate area. Despite the number of newer residential and office buildings, the immediate area retains a number of older buildings, on both sides of Watling Street. This mixed appearance contributes positively to the character of the area.

5. The proposed increase in height would be clearly apparent from the front of the building and in views along the road. The rear extension would also be visible in views along the road, set against the backdrop of a taller building behind it, and the existing, shorter rearward projecting element.
6. This increase in height would appear awkward and unbalanced from the front, particularly given the width of the remaining, unaltered portion. I also consider that the rear extension, because of its height, length, relatively shallow roof-pitch and level of fenestration would appear large and heavy in comparison to the existing building.
7. I note the argument of the appellant that the increased height of the proposal would better match the new block adjacent to it. However, the appeal site is already slightly raised from the level of the road and taller than the adjacent semi-detached houses. In my view, the height of the appeal site contributes to the character of the area, with buildings rising in height towards the junction, from the houses, through the appeal site and on to the new, 4-storey block. The proposed increase in height would interrupt this and appear at odds with the established character and appearance of the building and the area.
8. The Council state that the building is locally listed. It is therefore a non-designated heritage asset, and whilst of a lower status than designated heritage assets, the National Planning Policy Framework (the Framework) requires that the significance of it should be taken into account and a balanced judgement should be made, having regard to the scale of any harm or loss and the significance of the heritage asset.
9. According to the Council, the significance of the building lies in its largely unchanged form, particularly from the front, which hints at the historic significance of the road as the main London to Dover route.
10. Given the level of change to the area in the recent past, which the Council acknowledges, and given the lack of a dominant or consistent typology or height in the immediate area, the appeal site makes a positive, significant contribution to the character and appearance of the area, as a marker of the past form and function of the area. For that reason, I consider that the proposal would unacceptably harm the significance of the building as a non-designated heritage asset through the change to its form and scale.
11. I note the comment of the appellant that the adjoining 4-storey building now forms a part of the changing character of Bexleyheath. Whilst that is of course true, it does not, in itself, justify the appeal proposal. The character of an area, particularly this one, is not static, and the recent and ongoing change in this area is clear to see. However, I do not agree that the proposal is required to fit into this new character, or that the height and scale of the proposal, relative to the other new buildings nearby would mitigate against the harm that would be caused to the character and appearance of the building itself.
12. The proposal would therefore be harmful to the character and appearance of the area and would cause harm to the significance of the building as a non-designated heritage asset.

13. It is therefore contrary to Policies 3.5, 7.4 and 7.8 of the London Plan (2016), Policy CS01 of the Bexley Core Strategy, adopted 2012 (the Core Strategy) and Policies ENV39, H3 and H9 of the 2004 Bexley Council Unitary Development Plan (the UDP). These policies seek to ensure that development protects and enhances the quality of the built environment, is compatible with the character of the area and of existing buildings, and that it is of a height, mass, design and scale which enhances the character of an area.
14. The proposal also conflicts with the aims of Policy CS19 of the Core Strategy for failing to conserve and enhance the locally listed building, and the aim of the Framework to conserve and enhance the historic environment.

Living conditions

15. The rear extension of the appeal proposal would be set between the rear-facing windows of the flats in the main building. As a result of the width, the side walls of the extension would be immediately adjacent to those windows. The appellant has provided details of a previously approved appeal¹ on this site which was broadly similar in width to that before me but detached from the main building and not as tall.
16. Whilst I note the comments of the Inspector in that appeal, the relationship between the walls of this proposed extension and the existing windows would give a much greater sense of enclosure and more limited outlook than the previous, detached, proposal. The proposal would also result in parts of the existing rear projection facing a tall, largely blank wall.
17. Regarding the effect of the proposal on the outlook of occupiers of the ground floor unit on the adjacent building, the window in question already faces the boundary fence, so is likely to already have a fairly limited outlook. However, I am concerned that the increased height and depth of the proposal would further reduce what limited outlook that room enjoys at present.
18. The impact on the outlook from, and therefore living conditions in, the main building would be greater than likely to arise from the previous appeal proposal and would cause harm to the living conditions of existing occupiers of the appeal site and adjacent properties, with regard to their outlook.
19. The proposal is therefore contrary to the aims of Policies ENV39 and H9 of the UDP which seek to ensure development is satisfactorily located, reflects high-quality design and layout, and does not harm the amenity of residents of adjoining properties.
20. The proposal also conflicts with the aims of the Local Development Framework Supplementary Planning Document, Design For Living, adopted 2006 which seeks to ensure that development does not compromise the outlook or quality of space within dwellings, and maintains existing expected levels of outlook and amenity.

¹ Appeal Decision App/D5120/A/12/2170690

Other Matters

21. I accept that small sites have an important cumulative role in the delivery of housing. However, the development plan balances this against the need to ensure that development is not harmful to the existing character and appearance of an area or buildings, and that levels of amenity for current and future users are protected, and I have found above that the proposal conflicts with the development plan in these aims.

Conclusion

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

S Dean

INSPECTOR