



Appeal Decision

Site visit made on 4 September 2019

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th November 2019

Appeal Ref: APP/D5120/W/19/3231120

Land Adjoining 15 and 15A Pickford Road, Bexleyheath DA7 4AT

- 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 M Ford against the decision of the Council of the London Borough of Bexley.
 - The application Ref 19/00571/FUL, dated 6 March 2019, was refused by notice dated 30 April 2019.
 - The development proposed is the demolition of a triple garage and redevelopment to provide a single 2 bedroom house with associated work.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The address in the banner heading above is taken from the Council's decision notice. This address is also used by the appellant on the appeal form and more accurately describes the site than the address originally given on the application form.

Main Issues

3. The main issues are:
 - i) the effect of the proposed development on the character and appearance of the area;
 - ii) the effect of the proposed development on the living conditions of the occupiers of 9 Pickford Road with particular regard to outlook; and
 - iii) whether or not the proposed development would provide acceptable living conditions for future occupiers with regard to outlook.

Reasons

Character and Appearance

4. Pickford Road is a predominantly residential street, although there are some commercial uses towards the south. Dwellings are of varying designs with a mixture of bungalows, two or three-storey detached, semi-detached and terraced dwellings and flatted blocks of up to three-storeys in height. Despite the range of architectural styles, materials and roof forms present, the dwellings are positioned within a traditional layout of linear plots, and while the separation distances vary, spacing provided between buildings offers distinction

between individual dwellings of different designs. Notwithstanding some variations on individual plots, there is a relatively consistent building line overall, with dwellings addressing the street and set behind relatively shallow frontages which generally reduce in depth towards the south.

5. 15 and 15A Pickford Road are flats within a two-storey detached building with a part two, part single-storey outrigger projection across part of the rear elevation closest to the neighbour at 17A Pickford Road. A flat roofed triple garage is positioned to the rear of the appeal site with a gated access set between Nos. 15/15A and 9 Pickford Road resulting in generous spacing between these dwellings and affording views through the site.
6. Policies CS01 and CS02 of the Core Strategy 2012 (CS), saved Policies ENV39, H3 and H8 of the Unitary Development Plan 2004 (UDP) and Policies 3.5 and 7.4 of the London Plan - The Spatial Development Strategy for London Consolidated with Alterations Since 2011 (LP) together establish a requirement for high quality development which maintains and improves Bexley's suburban character. Saved Policies H3 and H8 of the UDP specifically refer to new housing and seek development that is compatible with local character in terms of its layout, scale, massing, elevational treatment, materials and the spaces around buildings.
7. The Council have raised no concern over the design of the dwelling, and given the varied designs of other dwellings in the area I agree that its appearance would not stand out as a prominent feature of the street scene. However, it would be set back significantly from Pickford Road with the front elevation set behind the main two storey part of Nos. 15/15A. I note the details provided by the appellant of distances between dwellings and the front boundaries of some plots along Pickford Road and acknowledge that there are variations. However, none are set back to such a considerable degree as is proposed on the appeal site. The position of the proposed dwelling, which would be behind the main rear elevation of many of the buildings to this side of the road, would be in stark contrast to the overall building line and the characteristic layout that I observed of dwellings addressing the street.
8. The development would also be positioned on the boundary with No. 9 and would extend across to partially infill the inset area between the main building and outrigger projection of Nos. 15/15A. From the street, it would therefore fill the entirety of the plot width with built form and this overlap would result in an awkward and uncomfortable relationship between the proposed dwelling and this existing building.
9. Although distances between buildings on Pickford Road vary and I note examples of some dwellings built up to site boundaries to one flank and the presence of terraces, there are nevertheless gaps provided differentiating between individual buildings. Given this, the absence of visual separation to either side of an otherwise apparently detached dwelling would be anomalous and despite the set back of the dwelling within the site, it would be clearly visible from the street scene. The development would therefore appear cramped and unsympathetic on the site.
10. I recognise that the existing garages are positioned at the rear of the site and that the proposed dwelling would be positioned closer to the road. However, while they have a relatively large footprint and are of greater width than the proposed dwelling, the garages are nevertheless a single-storey structure

which is clearly read as an ancillary building. As a result, the impact of the garages on the street scene is limited and there is not the same expectation that they should follow the typical layout of dwellings in the area. The uncharacteristic residential development would not therefore represent an improvement so as to offer support for the proposal.

11. I therefore conclude that the proposed dwelling would be a cramped and incongruous feature which would result in unacceptable harm to the character and appearance of the area. Accordingly, the development would be contrary to CS Policies CS01 and CS02, saved Policies ENV39, H3 and H8 of the UDP and Policies 3.5 and 7.4 of the LP.

Living Conditions of Neighbouring Occupiers

12. Saved Policies ENV39, H7 and H8 of the UDP seek a high standard of design and layout which provides for a reasonable degree of privacy and outlook within and outside dwellings, and require that proposed development should be adequately separated from other dwellings in terms of their amenities, light, privacy and garden space. These requirements are consistent with the National Planning Policy Framework (the Framework) which requires at paragraph 127 that development creates a high standard of amenity for existing and future users
13. No. 9 Pickford Road has a deep flank elevation along the boundary with the appeal site. The two-storey part of the proposed dwelling would not project significantly beyond the ground floor level to this neighbour, although the single-storey part would be much deeper. However, the siting of the proposed development would ensure no harmful impact to the only window in the flank elevation of No. 9. Additionally, the closest part of the rear elevation to No. 9 includes only obscure glazing at ground floor level and in comparison to the existing boundary treatment, I am satisfied that there would not be unacceptable harm to outlook from these windows.
14. However, the proposed dwelling would project along much of the depth of the main rear garden serving No. 9. There is an existing two-storey building with a high pitched roof form adjacent to 1 Pickford Road which extends for most of the depth of the garden. Notwithstanding the separation provided by the intervening gardens, I saw that this already results in a dominant feature, limiting the outlook available from the garden of No. 9. Additionally, the tall outbuilding to the rear of 2 Sandford Road adjoins part of the rear boundary to No. 9 and provides some further enclosure. While the proposed dwelling would be single-storey for much of the depth beyond the rear of No. 9, it would nevertheless be set on the boundary and would extend for a significant distance at greater height than the existing treatment. The resulting height, depth and proximity of the development would have an unacceptable enclosing effect on the garden to No. 9, exacerbating the already restricted outlook.
15. I note that the existing garages at the rear of the appeal site are to be removed. However, these are set at the rear part of the site which is already influenced by the outbuilding at the rear of 2 Sandford Road allowing for an open outlook from the amenity space closer to the rear of No. 9. They are also of lesser height and depth than the single-storey part of the proposed dwelling. In my view, they are less harmful than the proposed development and their removal does not therefore offset or mitigate the harm that would arise.

16. I therefore conclude that the proposed development would result in unacceptable harm to the living conditions of occupiers of 9 Pickford Road with particular regard to outlook. It would therefore conflict with Saved Policies ENV39, H7 and H8 of the UDP as well as paragraph 127 of the Framework.

Living Conditions for Future Occupiers

17. The Council have raised concern over the outlook for future occupiers from the living room at the rear of the proposed dwelling. While this would be positioned relatively close to the rear plot boundary, there would be no two-storey development in close proximity to the windows serving this space and sufficient distance would be provided to the boundaries to ensure that the outlook would not be subject to an unacceptable degree of enclosure. Furthermore, generous full height glazing is shown to both the rear and to the flank elevation with outlook across the proposed shared garden, and the open plan internal layout would additionally provide for outlook towards the front of the dwelling.
18. I therefore conclude that there would be acceptable living conditions for future occupiers with regard to outlook. On this issue, the development would comply with the requirement of saved UDP Policy for provision of a reasonable outlook for space within dwellings. The Council's reason for refusal also refers to saved UDP Policy H7. However, this refers to the provision of adequate usable on-site amenity space, and is of limited relevance.

Other Matters

19. In support of the appeal, I have been referred to 6 Sandford Road to the rear of the appeal site. While I note that this building is set behind the front elevations of its neighbours and that it projects deeper to the rear, it is not set back from the established building line to such a degree as is proposed here. Furthermore, as a single storey building in use as a surgery, it does not present a direct parallel to the appeal proposal and I have in any case considered the proposal before me on its own merits. The appellant also refers to possible permitted development rights, although the parties are in agreement that no such rights are available to the appeal site.
20. The appeal site is within walking distance of shops and services as well as public transport, and provision of an additional dwelling would be a benefit. However, this would be limited by the small scale of the development and these are not factors that would outweigh the harm that I have identified.

Conclusion

21. While I have found no harm in relation to the living conditions of future occupiers, there would be unacceptable harm to the character and appearance of the area and to the living conditions of the occupiers of 9 Pickford Road. For these reasons, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR