
Appeal Decision

Site visit made on 15 March 2022

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21ST March 2022

Appeal Ref: APP/D5120/D/22/3291981

38 Montrose Avenue, Sidcup, DA15 9DS

- 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 Miss Gore and Mr Penny against the decision of the Council of the London Borough of Bexley.
 - The application Ref 21/03120/FUL, dated 12 October 2021, was refused by notice dated 10 January 2022.
 - The development proposed is demolition of an existing garage and erection of a new garage with integral outbuilding to the rear.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of an existing garage and erection of a new garage with integral outbuilding to the rear at 38 Montrose Avenue, Sidcup, DA15 9DS in accordance with the terms of the application, Ref 21/03120/FUL, dated 12 October 2021, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: PL/648/02 and PL/648/05.
 - 2) The materials to be used in the construction of the development hereby permitted shall be carried out in accordance with the approved plans.

Preliminary Matter

2. On my site visit I observed that the development had commenced, with the block work shell and roof structure of the building already constructed.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the surrounding area.

Reasons

4. The appeal property is a two-storey, semi-detached dwelling, located at the junction of Montrose Avenue and Hill Crest. It is located within an irregular shaped plot, with garden areas to the rear and side of the dwelling.
5. The appeal proposal is for a single storey outbuilding, comprising a garage accessed from Hill Crest and a rear section that would provide for a multi-functional area. The building is of a flat roof design and is proposed to be clad with vertical timber cladding, with a roller shutter door on its front elevation

and sliding glass doors and two small windows on the elevation facing the garden of the host dwelling.

6. The outbuilding is positioned adjacent to the rear boundary, in a similar location to a smaller garage that previously existed on the site, which has now been demolished. The host dwelling is located at an angle to the rear boundary of the site such that the outbuilding that has been partly constructed does not dominate the outlook from windows on either the side or rear elevation of the dwelling.
7. Whilst the garage / outbuilding is of greater depth than the garage that previously existed on the site, it is of a single garage width and is relatively low due to its flat roof design. Although the building is of considerable depth, I nonetheless consider that it is not out of scale or disproportionate to the main two storey dwelling on the site. Moreover, its positioning adjacent to the rear boundary of the site ensures that it does not dominate the garden of the host dwelling. The building is proposed to be clad in vertical timber cladding which would soften the appearance of the structure and ensure that it would not have a harmful effect on the character and appearance of the host dwelling.
8. The majority of the side boundary of the appeal site with Hill Crest is formed by a high wall with inset timber panels and gates although the Council explain in their officer report that the current raised side boundary does not have planning permission. Whilst visible in the street scene, the garage / outbuilding is viewed in conjunction with the adjacent outbuilding associated with 1 Somerhill Avenue which has an apex roof that is slightly higher than the flat roof of the proposed building.
9. I acknowledge that the proposed building is slightly closer to Hill Crest than the adjacent outbuilding and is overall of a greater scale. However, the outbuilding is proposed to be finished with vertical timber cladding which, in my view, would soften its appearance and would help ensure that it assimilates satisfactorily into its surroundings. I also noted on my site visit that flat roof garages are not uncommon in the surrounding area and that there are examples of garages and other outbuildings of a similar scale. I therefore conclude, on balance, that the proposal would not be materially harmful to the character and appearance of the surrounding area.
10. In conclusion, I find that the proposal would not have a significant harmful effect on the character and appearance of the host dwelling or the surrounding area. Thus, it would comply with the relevant provisions of Policies H3, H9 and ENV39 of the Bexley Unitary Development Plan (2004) and Policy CS01 of the Bexley Core Strategy (2012). Amongst other matters these policies seek development that is of a high standard of design and compatible with the character of the existing property and surrounding area. The proposal would also comply with the design objectives set out in Section 12 of the National Planning Policy Framework (2021).

Conditions

11. I have had regard to the suggested conditions provided by the Council.
12. The standard implementation condition is not necessary as the development has already commenced. I have imposed a condition controlling materials to

ensure a satisfactory external appearance. The approved plans condition is imposed for clarity.

13. The Council also suggest the imposition of a condition preventing the future use of the building as an independent dwelling. However, such a condition is not necessary as planning permission would be required for its use as a separate dwelling and thus would be subject to the Council's control.

Conclusion

14. For the reasons given above, and having regard to all other matters, I conclude that the appeal should be allowed.

J Davis

INSPECTOR