



Appeal Decision

Site visit made on 15 March 2022

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 APRIL 2022

Appeal Ref: APP/D5120/W/21/3278135

373 Long Lane, Bexleyheath DA7 5JJ

- 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 and Mrs Digra against the decision of the Council of the London Borough of Bexley.
 - The application Ref 21/00452/FUL, dated 11 February 2021, was refused by notice dated 16 April 2021.
 - The development proposed is for the construction of a detached two storey three bedroom single dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area,
 - highway safety with regard to the adequacy of on-site turning and visibility, and
 - the living conditions of the neighbouring occupants of 375 Long Lane with particular reference to outlook and privacy.

Reasons

Character and appearance

3. The appeal site comprises a detached garage which sits in open land to the side of 373 Long Lane. No 373 is located to the westerly end of a row of similar semi-detached dwellings which have a common building line and broad unity to their materials and appearance. These dwellings also face onto Long Lane with off street parking to their frontages.
4. The wider properties in the surrounding area are, however, more mixed in character including 375 Long Lane to the west of No 373. No 375 sits in a small cul-de-sac of 4 dwellings immediately adjacent to No 373. No 375 is orientated so it faces away from Long Lane facing into the cul-de-sac at approximately 45 degrees.

5. The proposed development seeks to demolish the garage and erect a two-storey detached dwelling to the side of No 373 with a parking area and vehicular access to the front of the proposed development. No 373 would be retained on a reduced plot and parking would be provided to the front.
6. While the front elevation of the proposed dwelling would be stepped in design, the whole front elevation would be set significantly forward of No 373. This would disrupt the common building line and pattern of development which runs from east to west along this side of Long Lane. This forward projection beyond the building line with reduced space to the frontage when viewed in the wider street scene would create a cramped and unsympathetic development.
7. Although No 375 also departs from this pattern of development, No 375 is more generously separated from No 373 and is orientated away from both Long Lane and No 373 facing into the cul-de-sac. These factors reduce the visual impact of No 375 within the street scene. The proposed development would be sited closer to No 373, facing Long Lane and would be more visually prominent along this section of Long Lane.
8. Properties either side of the proposed development have similar design features such as gable roofs or smaller gable elements. The proposed development does not incorporate these features, although, it does aim to mix render and brick which is part of the local character and appearance. However, the forward siting makes this building prominent and as set out above, it would be read in the context of the row of uniform dwellings in which No 373 sits rather than No 375. The proposed development does not follow the uniform design of the dwellings to the east and this in combination with its prominent forward siting would be harmful to the character and appearance of the immediate area.
9. The proposed development would consequently harm the character and appearance of the area. Accordingly, I find conflict with the relevant provisions of Policies H3, H8 and ENV39 of the Bexley Council Unitary Development Plan 2004 (the UDP) and Policies CS01 and CS02 of the London Borough of Bexley Core Strategy 2012 (the Core Strategy) which, amongst other things, seek to ensure that development is sympathetic to the character and appearance of the area.

Highway safety

10. Off street parking for 2 vehicles would be provided to the front of the proposed development with access to two vehicular crossovers onto Long Lane. No 373 would be retained on a reduced plot with off street parking for 2 vehicles also provided to its front and No 373 would have access to a new vehicular crossover onto Long Lane.
11. While a snapshot in time, during my site visit I noted that Long Lane is well trafficked. The Council confirm that Long Lane is a classified road and is designated as a London Distributor Road within the UDP's road hierarchy. The UDP identifies London Distributor Roads as the most important traffic roads except for Strategic Roads.
12. Development Control Guideline 5, Paragraph 5.3.1 of the UDP sets out that limited access to London Distributor Roads may be approved if, amongst other things, a turning area can be provided within the property. This is required to

prevent vehicles reversing into or out of the site with reduced visibility. Additionally, the Council has provided evidence that there has been a 2-vehicle collision at or in the proximity of the junction of Long Lane with Bostall Park Avenue over the latest 5 years of data.

13. While 2 vehicles would be accommodated off street within the proposed development and at No 373, the limited size of both parking areas mean that when one car is parked within each parking area there appears to be limited manoeuvrability to turn the other vehicle so it can enter and leave the site in forward gear. It has not been shown, from the evidence before me, that vehicles can safely turn to enable leaving and re-joining of this London Distributor Road in a forward direction.
14. The appellant states that the Council have approved development for residential properties elsewhere in the immediate area along Long Lane which only allow vehicles to reverse out onto the highway, unless they first reverse in. However, I have not been provided with any examples of these decisions or the rationale the Council used in approving them. This therefore has limited bearing on my decision.
15. It has not been demonstrated that the proposed development would maintain highway safety with regard to the adequacy of on-site turning and visibility. This would conflict with the relevant provisions of Development Control Guideline 5, Policy G18 of the UDP and Policy CS15 of the Core Strategy, all of which, amongst other things, seek to ensure proposals are not prejudicial to local highway conditions.

Living conditions

16. The proposed development would be orientated away from No 375 and faces onto Long Lane. This orientation would cause the rear wall of the proposed development to run along the boundary with No 375 and extend significantly beyond the rear wall of this neighbouring dwelling. However, the rear wall has a staggered design which reduces its proximity to No 375. The side projection of the proposed development would also be single storey further reducing its presence when viewed from the garden of No 375. For these reasons the proposed development would not unduly harm outlook from the garden of No 375.
17. A first-floor bedroom window facing the garden of No 375 is also shown in the rear elevation of the proposed development. This would be a small circular window within a bedroom which would also be served by another larger window on the side elevation of the proposed development. This larger window would be angled away from the garden and does not directly face any primary windows. I have not been made aware of any objections the Council has to this larger window. Had the appeal been acceptable in all other regards a condition could have been imposed to secure glazing and openings to the smaller circular window to protect the living conditions at No 375.
18. The proposed development, subject to conditions, would therefore not have a harmful effect upon the living conditions of the neighbouring occupants of 375 Long Lane with particular reference to outlook and privacy. It would therefore be in accordance with the relevant provisions of Policies H3, H8 and ENV39 of the UDP and Policies CS01 and CS02 of the Core Strategy. These policies,

amongst other things, address the need for high quality housing design and to respect the amenity of neighbouring occupants.

Other Matters

19. The appellant refers to recent development approved at 381 Long Lane. However, no analysis of the Council's decision or how this decision specifically relates to the current appeal has been provided. No 381 and its neighbouring context also appear to be different to the appeal proposal. This matter therefore has limited bearing on my decision.

Conclusion

20. Whilst I have found no harm in respect of the impact upon living conditions of neighbouring properties, subject to conditions, clear harm arises in respect of the impact upon the character and appearance of the area. Additionally, it has not been demonstrated that the proposed development would not prejudice highway safety. The appeal scheme would conflict with the development plan for the reasons I have given. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

N Praine

INSPECTOR