
Appeal Decision

Site visit made on 19 April 2022

by E Grierson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 May 2022

Appeal Ref: APP/D5120/W/21/3282511

22 Beckett Close, Belvedere DA17 5RY

- 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 Alvarez against the decision of London Borough of Bexley.
 - The application Ref 21/00889/FUL, dated 12 March 2021, was refused by notice dated 12 July 2021.
 - The development proposed is the erection of a self-contained 2-storey 2-bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

1. The main issues in the appeal are:
 - the effect of the proposed development on the character and appearance of the surrounding area, and
 - whether the proposed development would provide satisfactory living conditions for the future occupiers, with regard to outlook.

Reasons

Character and Appearance

2. The appeal site is occupied by a two-storey, semi-detached dwelling and a detached garage. It is located within a residential estate, on a corner plot at the junction between Beckett Close and Tunstock Way. The buildings are well set back from the road, separated by an open space and a small picket fence at the boundary. This open space gives the site a spacious feel which contributes positively to the character and appearance of the area.
3. The proposed development would replace the existing garage with a new two-storey dwelling attached to the host property. The proposed dwelling would be consistent with the size and design of other dwellings within the area. However, the building would be much larger and closer to the junction than the existing garage and would be a more dominant addition to the streetscene. Its presence would diminish the open and spacious character of the plot to the detriment of the surrounding area, where spacious corner plots are integral to the character of the streetscene.
4. The proposed private amenity space would be located to the rear and side of the new dwelling, in close proximity to Tunstock Way. It would therefore be

expected that a tall close-boarded fence would be erected around the boundary to secure privacy of the future occupants. At approximately 1 metre from the highway, this would be much closer to the road than the existing building line and would also be to the detriment of the open nature of this prominent corner plot.

5. The appellant has indicated that the use of landscaping could soften the appearance of the proposed development along the boundary. However, even if hedging was used, this would still create a tall and visually solid boundary in close proximity to the road and would not significantly reduce the impact.
6. For the reasons above, the proposed development would result in harm to the character and appearance of the surrounding area and would conflict with the relevant sections of Policies ENV39, H3 and H8 of the Bexley Council Unitary Development Plan (2004). These policies collectively seek to ensure that new residential development and the spaces around buildings are compatible with and have no adverse effect upon the character or appearance of the surrounding area.

Living Conditions

7. The rear elevation of the dwelling would be located in close proximity to an existing garage to the rear of the appeal site. However, the neighbouring garage is modest in height with the eaves of the pitched roof closest to the boundary. Consequently, the outlook of the future occupiers from the ground floor windows on the rear elevation of the proposed dwelling would not be significantly impeded by this structure. Furthermore, the room served by the rear ground floor windows is dual aspect which ensures the room receives sufficient daylight.
8. The neighbouring garage would also partially adjoin the garden space of the proposed dwelling. However, due to the height of this outbuilding and the extent of the garden to the rear and side of the proposed dwelling, it would receive sufficient daylight and provide satisfactory living conditions for the future occupiers. The surrounding dwellings are a sufficient distance from the proposed garden and would not result in an overly enclosed space or a lack of daylight.
9. Therefore, the proposed development would provide satisfactory living conditions for the future occupiers and would comply with the relevant sections of Policies ENV39 and H8 of the Bexley Council Unitary Development Plan (2004) and Policy D6 of The London Plan (2021). The sections of these policies relating to living conditions seek to ensure that new development is of a high standard of design and layout, providing sufficient daylight and sunlight that is appropriate for its context and that proposed dwellings are adequately separated from other dwellings in terms of their amenities.
10. The proposal would also comply with the sections of the Bexley Council Design for Living Supplementary Planning Document (2006) which states that where new development abuts existing residential development, existing expected levels of outlook should be maintained. Along with the London Plan Housing Supplementary Planning Guidance (2016) which requires new dwellings to meet the nationally described space standard.

Other Matters

11. The proposal would provide one additional dwelling and the appellant contends that this would put the land into effective use. However, as the proposal is for one dwelling only, these benefits would not be sufficient to outweigh the harm to the character and appearance of the area that I have identified.
12. It is noted that an extension has been added to the dwelling at 13 Benedict Close, on a junction opposite the appeal site, bringing the dwelling closer to the roadside. However, a large open space to the side of the dwelling remains and therefore is not comparable to the appeal proposal before me.
13. Three proposals have also been brought to my attention which have been granted planning permission and are considered, by the appellant, to be similar to the appeal proposal. However, these examples all have a vastly different setting to the appeal site before me and therefore do not set a precedent for the development proposed.

Conclusion

14. Whilst I have found that the proposed development would provide satisfactory living conditions for future occupiers, this is a neutral factor and does not outweigh the harm it would have to the character and appearance of the surrounding area. Therefore, for the reasons given above and having had regard to all other matters raised, the proposal would conflict with the development plan taken as a whole and I conclude that the appeal should be dismissed.

E Grierson

INSPECTOR