



Appeal Decision

Site visit made on 26 May 2022

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th July 2022

Appeal Ref: APP/D5120/W/21/3289247

30 Manor Road, Erith DA8 2AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Ms P S Baines against The London Borough of Bexley Council.
 - The application Ref 21/00933/FUL, is dated 13 March 2021.
 - The development proposed is part conversion part redevelopment to create 4 new flats (4 no. 1 bed flats) with parking space, amenity area, cycle store and new boundary wall.
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Decision

1. The appeal is dismissed and planning permission for part conversion part redevelopment to create 4 new flats (4 no. 1 bed flats) with parking space, amenity area, cycle store and new boundary wall is refused.

Main Issues

2. As part of their submissions of this appeal the appellant has provided more detail on fire safety to comply with Policy D12 (A) of the London Plan. From my reading of the material submitted for the purposes of this appeal, the main reasons are, therefore, the effect of the proposal on:
 - The character and appearance of the local area with reference to design quality and building line; and
 - The living conditions of potential occupiers with reference to the size of the residential units and the quality and potential overlooking of amenity space.

Reasons

Character and appearance

3. The appeal property is a two storey end of terrace house. It has the appearance of a late 19th/early 20th Century stock brick building, with what appears to have once been a corner shop at ground level. There is a small hard paved forecourt to the front and partly to the side of the existing house, with a side and rear garden separated from the street by a red brick boundary wall. The appeal property is located in an area predominantly made up of similar terraced properties that lend a cohesive character to the local area.

4. The proposal is to extend the existing property by adding a two storey wrap around extension to the side and rear of the property and to alter the shop appearance at ground floor. This would close off the existing main entrance to the property and locate a new entrance to one of the proposed ground floor flats into the Manor Road elevation. The proposed extension would be slightly set back from the front elevation and only very slightly set back from the boundary of the appeal plot with the highway. This boundary would be defined by a replacement wall, which would include two pedestrian gateways. One to provide access to a door to the 2 proposed first floor flats and one to the door to the second proposed ground floor flat. Two parking spaces would be provided to the rearmost part of the garden, which would be accessed from the existing rear lane.
5. The proposed extension would have windows and doors that would reflect the character of the existing house, it would, however, have a crown roof form, with an engaged dormer feature above a first floor window on Alexandra Road. This proposed roof form would not reflect the existing hipped roof form of the existing house. Further, the roof of the proposed extension would extend to approximately half of the height of the roof of the existing house and would not reflect the form or junctions of the existing roof form. Due to its form, height and awkward junction with the existing roof profile, the roof of the proposed extension would not reflect the character and appearance of the existing property or that of the local area. The combination of the roof form with the extent and scale of the proposed extension and its proximity to the boundary of the appeal plot with the highway on Alexandra Road, would result in the proposed extension appearing as a dominating and intrusive addition to the existing property.
6. Although the existing house is not completely orthogonal to Alexandra Road, its existing set back and garden wall on the highway boundary means that this existing misalignment is not directly apparent in street views. The proximity of the proposed extension to the highway boundary of the appeal plot with Alexandra Road would, however, result in it standing significantly further forward of the established building line on this side of the street and the misalignment of the proposed extension and the established building and highway boundary lines would be very apparent and visually jarring.
7. The corner location of the appeal property would result in these misalignments, and the mismatched effect of the roof to the proposed extension with that of the existing house identified above, being very apparent in immediate and longer views along both Manor Road and Alexandra Road. The proposal would, therefore, result in the appeal property having an incongruous appearance that would detract from the appearance of the streetscene of the local area and its coherent character.

Living Conditions

8. The proposal would result in 4 x 1 bedroom flats that would be between approximately between 40 and 47 Square Metres and would have separate bedrooms from other living spaces. Although the appellant indicates that they regard the proposed dwellings as being for single occupants, the proposed size

of the bedrooms in each of the proposed flats would be significantly greater than the minimum space for a single person. I find, therefore, that the proposed flats are 1 bedroom dwellings for 2 persons, and I have considered the proposal on that basis.

9. Given the above, the size of the proposed flats would be smaller than the required 50 Square Metres for a two person dwelling as set out in Policy 6 of the London Plan (2021). The proposal would therefore not meet this policy requirement and would result in substandard accommodation.
10. The proposal includes garden amenity spaces for both ground floor flats and the front first floor flat. The proposed rear first floor flat would have a covered terrace. The proposed amenity spaces all meet the space requirements for such amenity spaces. However, the proposed amenity space for Flat 1 would replace the existing hard paved forecourt at the front of the property and would be directly adjacent to a busy road. Whilst small front gardens are a feature of the palisaded terraced houses in the area, these were originally intended for garden displays. I find, therefore that the proposed users of the garden space proposed for Flat 1 would not enjoy any reasonable degree of privacy and this proposed garden would not constitute a private amenity space.
11. The covered terrace proposed for Flat 4 would overlook the proposed garden amenity spaces for Flats 2 and 3. A degree of overlooking from the rear first floor windows of neighbouring properties is to be expected in a residential area of this type, and the overlooking of the more separated garden space proposed for Flat 3 would not significantly affect the privacy of the users of this garden space. However, the overlooking of the proposed amenity space for Flat 2 from the terrace of Flat 4 would be direct. This degree of overlooking would be experienced by the occupants as intrusive and would not provide for sufficient privacy to the users of this garden space.
12. The appellant has drawn my attention to other extensions in the local area, these all vary in different ways from the proposal and would have been considered on their own individual merits. I have done likewise with the proposal, which is a fundamental part of the planning system.
13. Although I acknowledge that the appellants have sought to overcome issues resulting in refusal of earlier applications, I find, for the reason given above, that the proposal would result in significant harm to character and appearance of the local area and the living conditions of the potential occupiers. This would be contrary to policies ENV 39, H3, H6 and H7 of the Bexley Unitary Development Plan (2004) (Saved Policies), policies D3 and D6 of the London Plan (2021) and Section 12 of the Framework. These collectively seek to ensure that developments are of a high standard of design and integrate with the local area and create a high standard of amenity for future users.

Conclusion

14. The appeal is dismissed.

Victor Callister

INSPECTOR