



Appeal Decision

Site visit made on 15 December 2022

by B Pattison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 February 2023

Appeal Ref: APP/D5120/D/22/3302503

33 Westbrooke Road, Sidcup DA15 7PH

- 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 Mrs Jayne Cox against the decision of London Borough of Bexley.
 - The application Ref 21/03720/FUL, dated 11 December 2021, was refused by notice dated 14 June 2022.
 - The development proposed is erection of a garden room in a far corner of the plot as shown on plans.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a garden room in a far corner of the plot as shown on plans at 33 Westbrooke Road, Sidcup, DA15 7PH, in accordance with the terms of the application, Ref 21/03720/FUL, dated 11 December 2021 and the plans submitted with it, subject to the attached schedule of conditions.

Preliminary Matters

2. The planning application form did not contain the appellant's name. I have therefore taken the appellant's name from the planning appeal form.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. Westbrooke Road is residential in character and defined by properties set back a uniform distance from the highway. The plots are linear with car parking to the front and gardens to the rear. The appeal property is a large two storey detached house. The site is anomalous to the prevailing pattern of development, being a triangular plot with a generous area of garden beyond the house's side elevation.
5. Due to its smaller footprint and single storey, flat roof design the outbuilding would be subordinate to the large, two storey host dwelling. The height of the outbuilding would be similar to the height of the eaves of the property's ground floor projections. However, it would clearly remain subordinate to the dwelling's principal eaves height at first floor level.
6. The flat roof design would minimise the overall height of the outbuilding. It would be located close to, but set back from, the timber boarded fence on the site's front boundary. Whilst the top half of the outbuilding would be visible

above the boundary fence, it would provide an effective visual screen of the outbuilding. This would successfully reduce the outbuilding's visual prominence, ensuring that it would not have an overbearing presence when viewed from Westbrooke Road.

7. The outbuilding would be sited forward of the dwelling's front elevation and the prevailing building line on this side of Westbrooke Road. The proposed location within the corner of the site would ensure that a generous separation distance to the host dwelling would be maintained. The subordinate design of the outbuilding means that it would be read quite separately in the street scene to the two storey houses on this side of the road. The separation distance between the outbuilding and host dwelling combined with its low height and boundary fence screening ensures that the outbuilding would not have the effect of intruding into an otherwise open street scene. I therefore find that its positioning beyond the building line would not be harmful to the character and appearance of the area.
8. For the reasons outlined above, I conclude that the proposed outbuilding would not cause harm to the character of the area. Accordingly, I find no conflict with the Bexley Core Strategy (2012) Policy CS01 and Unitary Development Plan (2004) Policies H9 and ENV39 which, amongst other aims, seek to ensure high quality design which is sympathetic to the local area. Although the Council also alleges a conflict with the UDP Design Guidance, my attention has not been drawn to how the appeal proposal would be contrary to it. It has therefore not been determinative in my decision.

Other Matters

9. Concerns have been raised about the potential for the outbuilding to have an enclosing effect whilst reducing the natural light to the garden of 50 Brooklands Avenue. However, given the scale of the outbuilding, its flat roof design and its location to the rear of No. 50's garden, I do not find that it would harm the living conditions of neighbouring occupiers. Although concerns have also been raised about the potential to cause excessive water runoff to the neighbouring property, I have not been presented with compelling evidence to demonstrate that the appeal proposal would result in unacceptable effects in relation to runoff and drainage issues. Consequently, these matters do not lead me to a different overall conclusion that the appeal should be allowed.

Conditions

10. The Council has provided a list of conditions, which I have assessed in regard to the advice provided in the National Planning Policy Framework (2021) and Planning Policy Guidance. In addition to the standard time limit, I have imposed an approved plans condition in the interests of certainty. I have also included the Council's suggested condition requiring that the outbuilding is used solely for purposes incidental to the host property, to prevent an over intensive use of the site.
11. The application form states that the proposed materials would be predominantly larch timber, which would not match with the existing property. Consequently, I have declined to impose the suggested condition which would require the outbuilding materials to match the existing property.

Conclusion

12. For the above reasons, and having had regard to all other matters raised, I conclude that the proposed development would accord with the development plan. The appeal is therefore allowed.

B Pattison

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: BGR002/C (Proposed Elevation – Side Facing South); BGR002/C (Proposed Elevation – Side Facing North); BGR003/B (Proposed Block Plan); 001/C (Floor Plan); BGR002/C (Proposed Elevations – Front (West) & Rear (East); BGR003/B (Existing Site Plan).
- 3) The outbuilding hereby approved shall be used solely for purposes incidental to the enjoyment of the private dwelling house at 33 Westbrooke Road, Sidcup, DA15 7PH, and shall not be used as a separate unit of accommodation, or for any business, trade or profession. The outbuilding shall not contain sleeping accommodation at any time.

END OF SCHEDULE