



Appeal Decision

Site visit made on 6 January 2023

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 February 2023

Appeal Ref: APP/D5120/D/22/3306581

16 Perry Street, Crayford, Dartford DA1 4RD

- 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 R Broadbent against the decision of the Council of the London Borough of Bexley.
 - The application Ref 22/01534/FUL, dated 9 June 2022, was refused by notice dated 16 August 2022.
 - The development proposed is the erection of a "garden leisure room".
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my visit a single-storey outbuilding with a hipped roof similar to that shown on the application drawing was at an advanced stage of construction. This appeal therefore relates to an application for retrospective planning permission.

Main Issues

3. The main issues are the effects of the proposal on:
 - (i) the character and appearance of the host property and the surrounding area, and
 - (ii) the living conditions of the occupiers of neighbouring properties, with particular regard to outlook and shading.

Reasons

Character and Appearance

4. The appeal property is a 2-storey semi-detached house. It has been extended to the rear and includes a detached single garage to the side behind which there are a pair of garden outbuildings. The garden is bounded by the rear gardens serving the properties in Walker Close and Wyatt Road to one side and the rear respectively, and by 14 Perry Street to the other side. This is a typical garden environment containing lawns, vegetation and small outbuildings.
5. The appeal scheme comprises a single-storey "garden leisure room" with a hipped roof and a large aperture facing the garden. It occupies almost the full-

width of the rear half of the garden, is similar in size to a typical 3-bedroom bungalow and has a footprint that is larger than that of the application property. Due to its size and siting it is entirely incongruous and an overly prominent addition to the garden environment within which it is located and consequently has a harmful urbanising effect.

6. For these reasons the appeal scheme has an unacceptable effect on the character and appearance of the application site and its surroundings. It therefore fails to accord with Policies H9 and ENV39 of the Bexley Unitary Development Plan (2004), and Policy CS05 of the Bexley Core Strategy (2012) which seek to ensure new developments are of a high standard of design and compatible with the character of existing and adjacent buildings, having regard to matters such as scale, massing, height and intensity of development. The proposal is also contrary to the aims of the National Planning Policy Framework (2021) and the Council's Design and Development Control Guideline No 2, the latter of which advises that extensions should protect the character of the property and the area.

Living Conditions

7. The appeal scheme is large for a garden environment and is sited close to the site boundaries shared with the neighbouring dwellings. However, the building has a shallow pitched roof and the eaves are similar in height to surrounding boundary enclosures. As such, the effect of the height and massing of the scheme on outlook from, and shading within, neighbouring properties is small. For these reasons I am satisfied that the appeal scheme does not result in an unacceptable effect on the living conditions of occupiers of neighbouring properties. In this respect the appeal scheme accords with the aforementioned policies in so far as they relate to this matter.

Other Matters

8. I note the appellant's view that the appeal scheme is permitted development. This however is not a matter before me for consideration in the context of an appeal following the refusal of planning permission. Without a clearly established fall-back scenario, I attribute limited weight to what the appellant may be able to build within the garden under permitted development rights.

Conclusion

9. For the reasons set out under the first main issue, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR