



Appeal Decision

Site visit made on 26 July 2023

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2023

Appeal Ref: APP/D5120/W/23/3315067

20 and Land Rear Of 22-28 St James Way, Sidcup DA14 5ER

- 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 Adamline Ltd against the decision of the Council of the London Borough of Bexley.
 - The application Ref 21/03519/FUL, dated 20 January 2022, was refused by notice dated 20 July 2022.
 - The proposed development is for the demolition of 20 St James Way and the erection of 8 dwellings with associated access, parking and landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development having regard to a) the character and appearance of the surrounding area; and b) fire safety.

Reasons

Character and appearance

3. The appeal site comprises an area of land bounded by the curtilages of properties on St James Way and The Grove. The locality is broadly characterised by residential properties set within suburban surrounds.
4. My attention is drawn to the planning history of the site, with plots 1-4 having been approved under Council reference 18/03181/FUL; these units are not in dispute under the appeal before me. I am also aware that a further scheme has since been permitted under Council reference 22/02548/FUL, which allowed six dwellings on the site.
5. Plots 5-8 the subject of this appeal would be located in the southern part of the site, visible along the driveway to the side of plot 3 and from the rear windows and gardens of other properties in the locale. To my mind, they would represent a cramped form of development, with insufficient space separation between the semi-detached buildings to provide visual relief. The elevation plans show that the eaves overhangs would virtually touch, which emphasises the constrained nature of this part of the scheme. The parking and turning area to the front would be wholly hardscaped, with no space for planting, thereby resulting in an oppressive and car-dominated environment.

6. I appreciate that the plots would have limited public impacts, being only visible in glimpses from the street scene between the gaps in surrounding houses which front the highways in the area. However, just because a proposal cannot readily be viewed from the public domain does not obviate the obligation to ensure that it would be well designed.
7. Although not forming part of the reason for refusal, the Council's delegated report states that the proposed plots would be harmful to the High Beeches Conservation Area (CA). Whilst the site is not within the CA itself, I consider that the close-knit arrangement of the built form and over-engineered nature of the proposal would result in detriment on the boundary of the heritage asset, which would not preserve its setting or significance.
8. The appellant has sought to compare the refused layout with that approved under 22/02548/FUL, arguing that there are minimal external differences between the two schemes and the subdivision of the plots makes no difference to the street scene.
9. I disagree. The arrangement of the permitted detached houses shows a greater separation distance between the built form, which is more reflective of those in the vicinity, and dwelling 6 is further from the southern boundary. Moreover, the reduction in the amount of parking to the front would provide space for planting that would soften the appearance of the area.
10. I recognise that there are a variety of dwellings and plot sizes in the locality, and that the scheme comprises a mix of housing types. However, these matters do would outweigh the harm identified above.
11. On this basis I am drawn to conclude that the scheme would result in harm to the character and appearance of the surrounding area. It would contravene Policy D3 and the Housing Design Guide of the London Plan 2021 (LP) and Policies SP5 and DP11 of the recently adopted Bexley Local Plan (April 2023), which seek to ensure development is of an acceptable scale and design.

Fire safety

12. Policy D12 of the LP, which concerns fire safety, requires that development achieve the highest standards of fire safety with regards to its design. It only requires proposals for major development to submit a 'Fire Statement'. The appeal scheme is not for major development and consequently only criterion A of Policy D12 of the London Plan requires consideration in respect of the appeal proposal.
13. Whilst acknowledging the importance of fire strategy to achieve the highest standards of safety for all users, the Council has confirmed that this matter could be addressed by condition.
14. Bearing in mind the subsequent approval of two detached houses within this part of the appeal site, I am satisfied that the provision of suitable fire safety measures would not result in a requirement to significantly redesign elements of the proposal before me. Accordingly, I am of the view that there would be no conflict with the aims, objectives and requirements of Policy D12 of the LP.

Conclusion

15. Given my reasoning above and based on all matters raised, the appeal is dismissed.

C Hall

INSPECTOR