



Appeal Decision

Site visit made on 1 August 2023

by B Pattison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2023

Appeal Ref: APP/D5120/W/22/3301295

Land to the rear of 147-157 Parkside Avenue, Bexleyheath, Kent

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by PLCi Ltd against the decision of the London Borough of Bexley.
 - The application Ref 21/03429/PIP, dated 11 November 2021, was refused by notice dated 20 December 2021.
 - The development proposed is Permission in Principle for 5 - 9 dwellings and associated garages.
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Decision

1. The appeal is allowed and permission in principle is granted for 5 - 9 dwellings and associated garages at Land to the rear of 147-157 Parkside Avenue, Bexleyheath, Kent in accordance with the terms of the application Ref 21/03429/PIP dated 11 November 2021.

Preliminary Matters

2. The proposal is for permission in principle (PiP). Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The PiP consent route has two stages. The first stage (PiP) establishes whether a site is suitable in principle. The second stage (technical details consent) (TDC) is when detailed proposals are assessed. This appeal relates to the first stage.
3. The scope of the considerations for PiP are limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent TDC application if PiP is granted. An applicant can apply for PiP for a range of dwellings by expressing a minimum and maximum net number of dwellings as part of the application. In this instance, PiP has been sought for five to nine dwellings on the appeal site. I have determined the appeal accordingly.
4. As the appeal does not relate to technical details, I have taken the submitted plans to be illustrative only – showing what the layout of the appeal site might look like if built on. In this regard, the appeal submission includes alternative indicative plans which were not before the Council at the time of its decision. It is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought.
5. In this case, the alternative indicative plans are submitted on an illustrative basis only, and simply show an additional, potential way in which the development could deliver the number of units, rather than illustrating

amendments to the proposal. Full details of the layout and appearance of the proposal would be secured at TDC stage. For this reason, I consider that there would be no prejudice to any party by considering the additional drawings. I have therefore determined the appeal having regard to the additional drawings.

Main Issue

6. The main issue is whether the principle of development is acceptable with specific regard to the amount of development.

Reasons

7. The appeal site is located in between the rear of established terraces of two storey dwellings fronting Parkside Avenue, and a raised railway line to the north. The main parties agree that the principle of development in terms of the location and land use is acceptable.
8. The appeal site's location in a residential area close to existing dwellings would ensure it is consistent with the locality's predominant land use. The residential plots adjoining the appeal site have relatively long gardens and the land slopes slightly downwards from the dwellings on Parkside Avenue to the appeal site. The length of the neighbouring gardens is sufficient to prevent the appeal site appearing overly close to the neighbouring properties.
9. The tall, raised railway line would screen the majority of views towards the site from the north. Furthermore, the appeal site's shape and the presence of an existing sub station mean that it would be possible for future built form to be set back from the site's frontage onto Parkside Cross, meaning that it would not be within an overly prominent position within the streetscene.
10. Whilst there are single storey outbuildings and garages to the rear of gardens in Parkside Avenue, the prevailing character of the area is that of residential dwellings which are generally two storeys in height. The size, design and height of the proposal is not a matter for consideration in this appeal. These would instead be considered at technical details consent stage. Therefore, I am not required to come to a view as to whether the indicative scale shown would be appropriate in this location.
11. However, previous permissions at the appeal site are a material consideration. A previous PiP (22/00131/PIP) (PiP1) has established the principle of residential development of between 5 and 7 dwellings and associated garages at the site. As such, in determining PiP1, the Council confirmed that that quantum of development was acceptable on the site.
12. The appeal submission includes alternative indicative plans which illustrate that up to 9 units could be provided within the same building envelope as that shown on the indicative drawings submitted with PiP1. As the appeal does not relate to technical details, these plans are to be treated as illustrative only.
13. However, based on the evidence before me, I consider the amount of development proposed would be within an acceptable range having regard to the general density of development within the locality. Notwithstanding this, consideration will need to be given at technical details stage as to whether a maximum of 9 dwellings are appropriate once details of the design and layout are available.

14. For the reasons set out above, the appeal site is suitable for residential development having regard to the amount of development. It would therefore be in accordance with Policies CS01 and CS02 of the London Borough of Bexley Core Strategy (2012), Saved Policies H3 and H8 of the London Borough of Bexley Unitary Development Plan (2004) and Policies D2 and D3 of the London Plan (2021). Together, and amongst other criteria, these policies require new development to be compatible with local character, to optimise site capacity following a design-led approach, whilst requiring the density of development to be compatible with the site's connectivity.

Other Matters

15. Concerns have been raised by interested parties regarding a number of other issues. These include the effect on the living conditions of neighbouring occupiers; security; loss of vegetation; impact on wildlife; impact on character and appearance, drainage, car parking, increased traffic and impacts on the vehicular access. However, these are not matters which fall within the scope of consideration for the first stage of the permission in principle consent route. These are all matters which will need to be addressed as part of the technical details consent, the second stage of the process.
16. The Council has suggested conditions to be applied in the event that permission in principle was to be approved. However, the government's Planning Practice Guidance makes it clear that it is not possible for conditions to be attached to a grant of PiP, whose terms may only include the site location, the type and amount of development.

Conclusion

17. For the reasons set out above, I conclude that the appeal should be allowed.

B Pattison

INSPECTOR