
Appeal Decision

Site visit made on 17 October 2025

by **B Pattison BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 November 2025

Appeal Ref: APP/D5120/W/25/3368796

R/O 45 Sandhurst Road, Bexley, Kent DA5 1DD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Greenwood Property Maintenance Ltd against the decision of the Council of the London Borough of Bexley.
 - The application Ref is 25/00125/FUL.
 - The development is described as Erection of 3 bed detached dwelling.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Greenwood Property Maintenance Ltd against the Council of the London Borough of Bexley. This application is the subject of a separate decision.

Preliminary Matter

3. The submitted evidence indicates that a previous appeal for a similar proposal at the site was dismissed in 2021 (Ref: APP/D5120/W/20/3255903). I note that there has since been a change in local and national planning policy.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area.
 - whether the proposal promotes sustainable modes of travel; and
 - whether the proposal can demonstrate compliance with fire safety standards.

Reasons

Character and appearance

5. The appeal site comprises a parcel of land that, according to the appellant, has been subdivided from the garden of 45 Sandhurst Road. The site currently accommodates several small structures and is enclosed by fencing on all boundaries. A small fenced-off section of land separates the site from an adjacent electricity substation.

6. The surrounding area is predominantly residential, and characterised by dwellings of varied scale and design. Brook Lane primarily features semi-detached dwellings, set back from the highway behind front gardens and parking areas. Brook Lane rises sharply to both the east and west, with the appeal site occupying a lower position in the landscape. Consequently, the appeal site and the rear gardens of neighbouring properties on Sandhurst Road and Brasted Close are readily visible from elevated public vantage points. This visibility contributes to a notable sense of openness within the immediate townscape.
7. The dwelling would front Brook Lane, and therefore would visually relate more closely to it than to other nearby streets. Nonetheless, due to its isolated location between the rear gardens of dwellings on Sandhurst Road and Brasted Close, the two storey dwelling would be a particularly isolated and prominent addition to the street scene of Brook Lane. Its prominence would be further accentuated by the dwelling's limited setback from the public highway, which would contrast with the notably more generous setbacks of other dwellings along Brook Lane.
8. In combination with the limited setback, the proposal's small plot size and wide, shallow layout with a side garden providing virtually all useable external space would be uncharacteristic. It would not reflect the more regular and linear spatial quality of plots within the local area. Furthermore, the dwelling's rear elevation would be located in very close proximity to the site boundary. Whilst this would not have an unacceptable impact on the living conditions of any neighbouring occupiers, buildings positioned in such proximity to their rear garden boundaries is not a characteristic of the area. As a consequence, I find that the dwelling would be 'squeezed' onto the site in a manner that would appear cramped.
9. The appellant has provided a photographic survey and statistical comparison derived from analysis of the site areas of amenity spaces of dwellings on Brook Lane and adjoining streets. Whilst there may be other nearby dwellings with relatively small usable amenity areas, for the reasons outlined above, the form of development between two adjoining rear gardens would appear awkward and uncharacteristic to the area.
10. For the above reasons, I conclude that the proposed development would harm the character and appearance of the surrounding area. I therefore find that it would conflict with policy D4 of the London Plan (2021) (LP) and policies SP5 and DP11 of the Bexley Local Plan (2023) (BLP). Amongst other aspects, these policies seek to secure development of a high standard of design which positively contributes to the existing character, appearance and context of the area.
11. The proposed development would also be at odds with the design advice in the National Planning Policy Framework (2024) (Framework) which says that developments should be sympathetic to local character, and that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

Sustainable travel

12. Policy T6 of the LP requires car parking to be restricted in accordance with existing and future levels of public transport accessibility and connectivity. It refers to the maximum car parking standards set out in Table 10.3 of Policy T6.1. The supporting text emphasises that the dominance of vehicles on streets is a

significant barrier to walking and cycling, and therefore new parking provision must be carefully controlled.

13. The submitted plans show that the proposed development would include off-street parking for two cars, including one space within a garage. The appeal site has a Public Transport Accessibility Level (PTAL) rating of 1b. The provision of two spaces would exceed the maximum standard of 1.5 spaces per dwelling, as set out in Policies T6 and T6.1 of the LP.
14. Policy T6 adopts a graduated approach, linking maximum parking provision to PTAL ratings, dwelling size and location within central, inner or outer London. While the policy allows relatively higher parking provision in areas with lower public transport accessibility, such as this site, it nonetheless sets clear maximum standards. There is no substantive evidence to justify an over provision of car parking spaces in this case. As a result, the proposal's car parking which would exceed the maximum standards would contribute to the dominance of vehicles and is likely to increase car dependency, contrary to the aims of the LP.
15. The main parties agree that a planning condition could be imposed to prevent the use of the garage for car parking. However, in my view, such a condition to restrict car parking in a purpose built garage would not be reasonable or enforceable. It would therefore fail to meet the tests for planning conditions set out in paragraph 57 of the Framework.
16. Overall, I conclude that the scheme would fail to promote sustainable modes of travel, contrary to T6 of the LP and policy DP24 of the BLP which expect proposals to provide parking within the lowest applicable maximum London Plan standards.

Fire Safety

17. Policy D12 (Part A) of the LP requires all development proposals to be accompanied by a Fire Safety Strategy. Given that the purpose of the policy is to ensure that fire safety is considered from the outset, as opposed to simply relying upon Building Regulations at a later stage, safety matters should not usually be dealt with by a condition, which would delay its consideration and may result in the need for subsequent design changes.
18. However, the particular proposals before me relate to the addition of a dwelling which would be directly and easily accessible from Brook Lane. It is therefore apparent from the plans and my observations on site, how the site could be accessed by fire appliances, and with firefighting equipment and how occupiers of the building would escape. In light of this, I am satisfied that matters relating to the use of appropriate construction materials and the provision of additional safety features such as fire alarms, smoke detectors, fire extinguishers, fire doors and an evacuation strategy could be appropriately dealt with by way of conditions, Building Regulations and other safety legislation.
19. I therefore conclude that the proposed development would be made safe from fire and accordingly there would be no conflict with policy D12 of the LP which seeks to ensure that development achieves the highest standards of fire safety.

Other Matters

20. The appellant has suggested that the proposed development would have a positive effect on the area's housing supply contributing to the percentage of local housing

expected to be provided through windfall sites, and that it would represent sustainable development making an efficient use of the site. It would also increase the density of an under-developed site.

21. The proposal would provide cycle parking. The appellant indicates that it would incorporate bird boxes, low-carbon technologies, energy efficiency measures and increased planting which would enhance biodiversity net gain and site drainage. Due to the scale of the proposal I afford these factors limited weight.
22. I acknowledge that the proposal may be compliant with various other provisions of the development plan. I have also found no harm in relation to any matters other than the impact on the character and appearance of the area and the provision of excessive car parking. However, the absence of harm or conflict with other relevant development plan policies is a neutral factor and does not weigh in favour of the proposal.

Planning Balance and Conclusion

23. There is disagreement between the parties in relation to whether the Council can demonstrate a five-year housing land supply (5YHLS). In the event that the Council could not demonstrate a 5YHLS, paragraph 11(d) of the Framework would be engaged. This requires that planning permission be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
24. The Framework expects development to be visually attractive as a result of good layout whilst maintaining a strong sense of place using the arrangement of streets to create attractive, welcoming and distinctive places to live. Policies SP5 and DP11 of the BLP are therefore consistent with the Framework. Even if I were to consider that there is a shortfall in housing land supply, the conflict between the proposal and the development plan should be afforded great weight.
25. Furthermore, the Framework, at paragraph 109 expects proposals to address the potential impacts of development on transport networks, and identify and pursue opportunities to promote walking, cycling and public transport use. Similarly, paragraph 117 of the Framework expects development to give priority to pedestrian and cycle movements and to encourage public transport use. Policy T6 of the LP and policy DP24 of the BLP are therefore consistent with the Framework, and I attach great weight to the proposal's failure to comply with the maximum car parking standards, as this would contribute to the dominance of vehicles and is likely to lead to increased car dependency.
26. The proposal aligns with the parts of the Framework that seek to significantly boost the supply of homes. Furthermore, the Framework indicates that small and medium sized sites can make an important contribution towards meeting the housing requirement of an area. However, given that only a single dwelling would be delivered, the Framework compliance in respect of these matters, can be given no more than moderate weight.
27. Even if I were to conclude there is a shortfall in the five-year housing land supply, the adverse impacts on the character and appearance and sustainable transport

modes that I have identified would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

28. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

B Pattison

INSPECTOR