



Appeal Decision

Site visit made on 2 December 2025

by **J Heppell BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025

Appeal Ref: APP/D5120/W/25/3370990

255 Bexley Road, Erith, Bexley DA8 3EX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr H Rai against the Council of the London Borough of Bexley.
 - The application Ref is 25/00718/FUL.
 - The development proposed is for the “erection of a two storey rear extension to create an additional dwelling and enlarge an existing dwelling with associated amenity space and change of use of financial services (Use Class E) to a hairdressers (Use Class E) following the demolition of existing garage”.
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Decision

1. The appeal is dismissed and planning permission is refused.

Applications for costs

2. An application for costs was made by Mr H Rai against the decision of the Council of the London Borough of Bexley. This is the subject of a separate decision.

Preliminary Matters

3. The appeal relates to a planning application that was not determined by the Council within the prescribed period. The Council has indicated that had it been able to issue a decision, it would have refused permission on the grounds of an unacceptable outlook for future occupiers.
4. As the appellant proposes to retain the ground floor unit in Use Class E, I have determined the appeal on the basis of the following description of development: “Erection of a two storey rear extension to create an additional dwelling and enlarge an existing dwelling with associated amenity space and retention of Use Class E following the demolition of existing garage”. This accurately reflects the proposed development.

Main Issue

5. The main issue in this appeal is the effect of the proposal on the living conditions of future occupiers of the proposed scheme, with particular regard to outlook.

Reasons

6. The appeal site contains a mixed use terraced property within a shopping parade. It is proposed to extend the building at the rear to create two flats, one behind and one above the retained commercial unit.

7. Policy D6 of the London Plan March 2021 (LP) prescribes standards aimed at ensuring housing quality. Table 3.2, which forms part of the policy, sets out key qualitative aspects, including that individual dwellings should be oriented to provide adequate daylight for residents and to maximise opportunities for visual interest. The supporting text to the policy recommends that dwellings be dual aspect to provide, amongst other things, better daylight and a choice of views.
8. The proposed ground floor flat would be dual aspect, and to that extent would achieve appropriate living standards for future occupiers. The kitchen/living/dining room would have a northerly aspect, with a separation distance to the adjacent property which the Council has estimated to be in the region of 3.3m. The plans moreover show a boundary fence between the two properties, creating an additional barrier in front of the windows. Notwithstanding the size of the room and the type and number of windows proposed, its outlook would be dominated by the adjacent building and the intervening fence, with a resultant lack of visual interest and daylight, which would not provide appropriate living conditions.
9. The proposed first floor flat would be dual aspect, with its kitchen/living/dining room having windows to the side and rear. The third bedroom would have a northerly aspect, with both its windows facing towards the adjacent property, above the height of the boundary fence. As bedrooms have a different function to main living areas, and their outlook does not contribute as much to the overall quality of residential accommodation, I am satisfied that the outlook from the bedroom would provide appropriate living conditions.
10. In conclusion, whilst the proposed first floor bedroom would have a satisfactory outlook, the outlook from the ground floor kitchen/living/dining room would be unsatisfactory. As a result, the proposal would provide inadequate living conditions for future occupiers, contrary to Policy D6 of the LP, the aims of which I have outlined above. The proposal would furthermore be contrary to Policy DP11 of the Bexley Local Plan date of adoption 26 April 2023, which requires development to achieve high quality design, including ensuring appropriate levels of outlook.

Other Matters

11. The proposal would maximise the development potential of the site and provide an additional dwelling in a sustainable location. The proposal overcomes many of the concerns identified by the Council in the previous refusal of planning permission for an additional flat¹. However, these benefits do not overcome or justify the harm I have identified in respect of the main issue.

Conclusion

12. The proposal would conflict with the development plan as a whole, and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Accordingly, the appeal should be dismissed.

J Heppell

INSPECTOR

¹ LPA reference 23/01891/FUL