

Appeal Decision

Site visit made on 10 April 2017

by Jameson Bridgwater PGDipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 May 2017

Appeal Ref: APP/Z5060/W/16/3164632

Land adjacent 476 Ripple Road, Barking, Essex IG11 9RY

- 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 Michael Ward against the decision of the London Borough of Barking and Dagenham.
 - The application Ref 16/01309/FUL, dated 18 August 2016, was refused by notice dated 3 November 2016.
 - The development proposed is described as 'new detached two storey house'.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues in the appeal are:
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on the living conditions of occupiers of adjoining residential properties, with particular regard to outlook and light; and
 - the effect of the proposal on highway safety.

Reasons

3. The appeal site is located on a prominent corner at the junction of Ripple Road and Tudor Road. The proposal is to erect a detached dwelling in the side garden of No 476 Ripple Road (No 476), a semi-detached house. Further, the scheme includes the provision of off-street parking accessed from Tudor Road for both the proposed new dwelling and No 476.

Character and appearance

4. I accept that the layout, design and siting of the dwelling seeks to minimise the effect of the proposal on the adjoining properties and would contribute to meeting local housing demand. However, the proposal would project significantly beyond the established building line of Tudor Road at the prominent junction with Ripple Road and would therefore appear unduly dominant by reason of its siting and bulk. Consequently, the proposed dwelling would be at odds with the established linear layout of the road and would appear incongruous when compared to the existing pattern of development in the street scene.
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5. Having reached the conclusions above, the proposal would result in material harm to character and appearance of the area. Therefore, it follows that the proposal would be in conflict with Policy 3.5 of the London Plan and Policies BP8 and BP11 of the Barking and Dagenham Borough Wide Development Policies DPD. These amongst other things seek to ensure that development reflects and respects the character, setting and local context area including those features that contribute to local distinctiveness.

Living conditions

6. I have carefully considered the appellant's representations with regard to outlook and light. I accept that there would be adequate separation from other properties in Tudor Road and in that respect the proposal would not appear overbearing or lead to a material loss of outlook or light. However, the introduction of the proposed dwelling approximately 1m from the flank wall of No 476 would result in a proposal that would be overbearing and result in a material loss of light to the windows on that elevation due to the limited separation and orientation. In reaching this conclusion I have taken account of the secondary nature of these windows, however, this does not overcome the harm that I have identified.
7. Having reached the conclusions above the proposal would result in material harm to living conditions of the occupiers of No 476, with particular regard to outlook and light. It therefore follows that the proposal would be in conflict with Policies BP8 and BP11 of the Barking and Dagenham Borough Wide Development Policies DPD. These seek amongst other things to ensure that development safeguards the future amenity of residents.

Highway safety

8. The appellant has argued that the proposal would have a neutral effect on parking provision of vehicular parking in the area. However, even in this urban location with access to public transport, the introduction of a new dwelling would be likely to lead to a material increase in parking demand. Further, the layout and arrangement of the proposed off-road car parking spaces would be likely to result in the loss of existing dedicated on-street parking in an area that has high demand. Consequently, the scheme would be likely to increase parking demand overall, rather than simply displacing existing on-street parking, on to the proposed dedicated parking area, and therefore would result in material harm to the safety of pedestrian and vehicular traffic.
9. I accept that it is not uncommon to have off-street parking provision with limited sightlines and space for manoeuvring in urban areas. However, it has not been demonstrated that adequate visibility could be achieved for vehicles leaving the appeal site given the proximity to the junction of Ripple Road and Tudor Road. In the absence of such evidence I conclude that visibility could not be attained and the proposal would result in material harm to the safety of pedestrian and vehicular traffic.
10. The appellant has suggested that they are prepared to amend their scheme removing the off-street parking provision. However, I am mindful of the principles contained in the Wheatcroft decision and consider that the amendment is of a scale that the development would be so changed that if I was minded to allow the appeal and grant planning permission it would deprive

those who should have been consulted on the changed development of the opportunity of such consultation.

11. Having reached the conclusions above, the proposed development would be in conflict with Policy BR10 of the Barking and Dagenham Borough Wide Development Policies DPD which seeks amongst other things to ensure that development does not materially harm highway safety.

Conclusion

12. For the above reasons, and having carefully considered all other matters raised I conclude that the appeal should be dismissed.

Jameson Bridgwater

INSPECTOR