



Appeal Decision

Site visit made on 20 November 2017

by R A Exton Dip URP MRTPI

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

Decision date: 30th November 2017

Appeal Ref: APP/Z5060/W/17/3181501

40 Cornwallis Road, Dagenham, Essex RM9 5NA

- 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 M Lovell against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 17/00291/FUL, dated 14 February 2017, was refused by notice dated 25 May 2017
 - The development proposed is described as demolition of side two storey extension, erection of two bedroom house link detached to number 40 and new extended drop kerb as shown.
-

Decision

1. The appeal is dismissed

Main Issues

2. The main issues are the effect of the proposal on: i) the character and appearance of the area; ii) the living conditions of occupiers of No 40 Cornwallis Road; and, iii) the supply of housing within the borough.

Reasons

Character and appearance

3. No 40 Cornwallis Road is a two storey end of terrace dwelling situated on a corner plot. As a result of its siting parallel to Cornwallis Road it is particularly prominent within the street scene, when compared to other dwellings which are set back. Nearby dwellings are of a similar appearance. Whilst a variety of single storey extensions are evident in the area, there are fewer two storey extensions. Consequently, the upper levels of dwellings, and particularly their roof profiles, show a high degree of uniformity and this significantly contributes to the character and appearance of the area.
4. Despite the erection of various boundary treatments and planting, the original layout of the area is still evident. As a result of No 40's corner position, a large proportion of its private garden area is situated to the side of the dwelling. In combination with similar layouts on other corner plots, the symmetry of this arrangement also significantly contributes to the spacious character and appearance of the area.

5. The proposal would project into the side garden area of No 40 with its rearward most projection very close to the boundary fence. Its ridgeline would be set around 1.1m lower than the ridge line of No 40. Although the proposal would follow the building line of No 40, its uncharacteristic projection into the side garden would be disruptive to the distinctive layout of the area. The varied ridgeline would also appear uncharacteristic within the surrounding roofscape. Overall, the proposal would have a harmful effect on the character and appearance of the area. This would be emphasised by No 40's prominent position in the street scene.
6. I have had regard to the photographs of other developments in the area submitted by the appellant. However, I have assessed the proposal on its own merits based on the policies and evidence before. The other developments referred to do not lead me to a different conclusion.
7. In light of the above I conclude that the proposal would conflict with Policy CP2 of the Core Strategy adopted in 2010 ('the Core Strategy') and Policies BP2, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document adopted in 2011 ('the DPD'). These require development proposals to have regard to local character and distinctiveness which in this instance is defined by the Becontree Estate. It would also conflict with the Supplementary Planning Document, 'Residential Extensions and Alterations' adopted 2012 insofar as it relates to the requirement for side extensions to reflect the type of house and plot.

Living conditions

8. Policy BP5 of the DPD requires 2 bedroom houses to have a minimum of 50m² of private amenity space which is, amongst other things, useable and functional. The proposal would reduce the amenity space of the re-configured No 40 to around 41m². The resulting area would be triangular in shape and as such would have narrow areas unlikely to be useable or functional, thereby reducing the total useable area.
9. I note the appellant's comments relating to the side gardens previous status and the amount of amenity space connected with No 40 in its original form. However, based on the limited evidence before me I can afford this only limited weight. I must assess the proposal in light of the policies and evidence before me at the time of the appeal.
10. In light of the above I conclude that the proposal would not provide an adequate standard of living conditions for future occupiers of No 40 and consequently would conflict with Policy BP5 of the DPD.

Supply of housing

11. Policy BC4 of the DPD seeks to resist proposals requiring planning permission which would result in the loss of housing with 3 bedrooms or more. Evidence within the Strategic Housing Market Assessment provides strong support for Policy BC4 by identifying that 59% of new homes delivered in the borough between 2011 and 2033 are required to have 3 bedrooms or more in order to meet the housing needs of the borough.
12. I note the appellants comments on the contribution the proposal would make to smaller housing stock and the total amount of bedrooms resulting from the proposal remaining the same. This however is not what Policy BC4 seeks to

control. Consequently, I conclude that the proposal would result in the loss of a house with 3 bedrooms or more and as a result would conflict with Policy BC4 of the DPD.

Other matters

13. I note the appellant's comments regarding the proposals compliance with other policies, guidance and lack of objections. These however do not outweigh the harm I have identified above. I also note that changes that have been made to the proposal since a previous refusal of planning permission and the possibility of further discussion relating to the roof design in particular. These are not matters within the scope of this appeal and therefore I can afford them only very limited weight.

Conclusion

14. For the reasons given above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Richard Exton

INSPECTOR