



Appeal Decision

Site visit made on 7 January 2020

by R Norman BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2020

Appeal Ref: APP/Z5060/W/19/3239254

10 Wilthorne Gardens, Dagenham, Essex RM10 9TR

- 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 V Kolev against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 18/01162/FUL, dated 24 June 2018, was refused by notice dated 19 June 2019.
 - The development proposed is described as dividing property into 2no self-contained units.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

3. The main issues are the effect of the development on:
 - the provision of family homes; and
 - the living conditions of nearby residents with particular regard to noise and disturbance and parking provision.

Reasons

Provision of Family Homes

4. The appeal site is located on a residential cul-de-sac and comprises an existing semi-detached, two-storey dwelling. The dwelling has been extended to the side forming additional accommodation. There is a driveway to the front and a private garden to the rear. The proposed development would involve the formal subdivision of the existing property into two separate dwellings. The main part of the dwelling would provide a two bedroomed unit. The existing extension would form the second dwelling, comprising one bedroom.

5. The existing dwelling is a four bedroomed property which the Council defines as a family home. Policy BC4 of the London Borough of Barking and Dagenham Borough Wide Development Policies Development Plan Document (2011) (DPD) seeks to protect and increase the existing stock of family housing and the Council have identified through their SHMA that there is a high requirement for family homes in the borough. Policy BC4 also identifies that the Council will resist proposals which involve the loss of housing with three bedrooms or more.
6. The proposal would provide a one bedroomed property and a two bedroomed property. However, the Appellant has identified that the room shown as being a study on the submitted plans could be used as a third bedroom. However, this room would be significantly smaller than the other bedrooms and it is not clear from the submitted plans that this room would meet the internal space requirements for a bedroom. In addition, an extra bedroom may have implications for the parking requirements of the proposal.
7. Consequently, based on the information before me, whilst there may be potential for one property to form a three-bedroomed dwelling, the plans show a two-bed property and accordingly the proposal would result in the loss of a family home. Whilst the provision of two smaller homes would contribute to the housing stock, I have not been provided with evidence that there is a need for these types of housing. As such, the proposal would not comply with the requirements of Policy BC4 to protect existing family homes of three-bedrooms or more.

Living Conditions

8. The proposed development would result in two separate dwellings, totalling one additional unit. Policy BC4 of the DPD refers to the need to ensure there is no significant loss of amenity as a result of increased traffic, noise and/or general disturbance.
9. The existing dwelling is a four bedroomed property and accordingly, the development would not result in an increase in the number of bedrooms provided. Whilst it would provide two separate properties and would therefore be occupied by two unrelated set of residents, the one bedroomed property would be likely to accommodate only a small number of residents.
10. Accordingly, I do not find that the proposed development would result in significant increases in terms of noise and disturbance over and above the existing property which could be occupied by a larger family.
11. The appeal site is located within an area which has a PTAL rating of 1b which is classed as having poor accessibility to public transport. The proposed development would utilise the existing front driveway. The submitted plans show the provision of three parking spaces to the front of the properties and at the time of my visit there were three cars parked on the driveway.
12. The appeal site occupies a corner plot of the cul-de-sac and as a result the driveway tapers so that it is narrower at the access point. The Council have raised concerns that as a result of this there is likely to be conflict for vehicles in accessing and exiting the appeal site. The Council's parking standards in Policy BR9 of the DPD require up to 1 parking space for 1 – 2 bedroomed properties in accordance with the London Plan, and whilst the proposed

provision of three spaces would meet these requirements, it has not been demonstrated that these spaces could be accessed independently of one another.

13. As such, whilst I find that the proposal would not give rise to a significant increase in noise and disturbance, taking a precautionary approach, it has not been adequately demonstrated to me that the proposed conversion would not result in additional pressures for on street parking as a result of the location of the proposed parking spaces. It would therefore fail to comply with Policies BC4, BR9 and BR10 of the DPD.

Conclusion

14. For the reasons given above, and having had regard to all matters raised, I conclude that the appeal should be dismissed.

R Norman

INSPECTOR