
Appeal Decision

Site visit made on 23 March 2020

by M Madge DipTP, MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th April 2020

Appeal Ref: APP/Z5060/W/20/3244696

118 Thatches Grove, Chadwell Heath RM6 5LJ

- 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 Jack Watts of Holgate Property Services Ltd against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 19/01084/FUL, dated 24 June 2019, was refused by notice dated 24 October 2019.
 - The development proposed is the erection of a 3 bedroom end of terrace dwelling house.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of development from the Council's decision letter and the appellant's appeal form as this concisely describes the appeal proposal.

Main Issue

3. The main issue is the effect on the character and appearance of the area.

Reasons

4. The appeal property is located within a residential estate of predominantly terraced properties. The existing dwellings all have front and rear gardens. Those dwellings located on corner plots, adjacent to road junctions, also have substantial side gardens. These corner plots represent a prominent characteristic of the street scene, reducing the sense of enclosure and providing an open and unobstructed appearance to the road junctions.
5. The design of the proposed development is such that it would maintain the built form of the terrace and host dwelling. Adequate garden space would be provided for both the existing and proposed dwellings. However, the loss of the side garden would have a significant, detrimental impact upon the visual appearance of the street scene as the open and unobstructed appearance of the junction would be lost.
6. The proposed development would also stand forward of the established building line on Lawn Farm Grove. The appellant has brought several similar developments that exist on the estate to my attention. While the existing dwelling at 13a Lawn Farm Grove also stands forward of this established

building line, the appeal scheme would occupy a much more prominent corner, being located at a road junction as opposed to a bend in the road. The proposed development would therefore be an incongruous and visually dominant feature in the street scene.

7. I also saw similar developments at 15a and 70a Thatches Grove. The development at No 70a does not reduce the openness of the road junction as it projects towards the main road rather than the cul-de-sac. It is therefore not entirely comparable to the scheme before me. I acknowledge that the development at No 15a has reduced the open and unobstructed appearance of the cul-de-sac junction. However, I am not aware of the full circumstances of this case or the other developments and, in any event, each scheme must be considered and determined on its own merits.
8. The Framework promotes the efficient use of land and the need to deliver new homes. The proposed development would make a positive but small contribution to achieving these aims. This does not however, outweigh the harm to the character and appearance of the area that I have identified.
9. The appellant has also brought to my attention that the Council may not have a five-year housing land supply (5YHLS). It is therefore alleged that in line with Paragraph 11(d) of the National Planning Policy Framework, policies which are most important for determining the application, in this case the housing policies of the development plan, are out of date. The Council has had an opportunity to respond but has provided no evidence in respect of their 5YHLS. Even if I were to conclude there is a shortfall in the 5YHLS on the scale suggested by the appellant, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefit that a single dwelling would contribute to making up the alleged shortfall.
10. While the development would not provide additional accommodation for the host dwelling, it would represent an extension of that property. Guidance relating to 2 storey side extensions and corner plots found within the Council's Residential Extensions and Alterations Supplementary Planning Document adopted February 2012 (the SPD) is therefore relevant. The development would maintain the built form of the existing terrace but would extend beyond the building line of properties on Lawn Farm Grove. In so doing, the proposal would compromise the openness of the street scene and appear overly intrusive, contrary to the principles set out in the SPD.
11. Policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document adopted March 2011 (the DPD) require amongst other things, that development proposals protect and enhance local character and the amenity of the area. Guidance within the SPD seeks to reinforce these policy aims. For the reasons I have identified, the proposed development would fail to protect or enhance the character and appearance of the local area resulting in conflict with policies BP8 and BP11 of the DPD and the guidance in the SPD.

Other Matters

12. Neighbouring occupiers have raised concern that the proposed development would restrict visibility for drivers emerging from Lawn Farm Grove. The proposed development would however be set sufficiently far back within the plot so as not to encroach upon the existing visibility splay at this junction. I therefore find there would be no harm to highway safety.

13. A neighbouring occupier also has concerns that the development would result in loss of sunlight to the garden of 1 Lawn Farm Grove. The private garden serving the dwelling at No 1 is located to the north of the existing terrace while the front garden is adjacent to the proposed plot. Due to the separation distances that would be achieved, there would be no significant effect on sunlight levels to the garden at No 1. I therefore find there would be no harm to the living conditions of neighbouring occupiers.
14. While I have concluded that the proposal would cause no harm in respect of highway safety or the living conditions of neighbouring occupiers, these positive elements of the scheme do not outweigh the harm I have identified.

Conclusion

15. For the reasons given above the appeal is dismissed.

M Madge

INSPECTOR