



Appeal Decision

Site visit made on 3 December 2020

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 January 2021.

Appeal Ref: APP/Z5060/W/20/3250841

12 St Chads Gardens, Chadwell Heath RM6 6JD

- 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 Dunlea (on behalf of Hatchlin Limited) against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 19/01503/FUL, dated 19 September 2019, was refused by notice dated 22 November 2019.
 - The development is for the proposed conversion of house into two flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on (a) the supply of family housing in the Borough; and (b) the living conditions of the occupants of neighbouring properties with regard to traffic, noise, generation of refuse and general disturbance.

Reasons

Supply of housing

3. The appeal site consists of a 2-storey detached dwelling with accommodation in the roof on a residential road in a high-density, urban situation. The surrounding area comprises a mixture of building styles and designs. In policy terms, BC4 of the London Borough of Barking and Dagenham Borough Wide Development Policies Development Plan Document March 2011 (DPD) states that the Council is seeking to preserve and increase the stock of family housing in the Borough. Consequently, the Council will resist proposals which involve the loss of housing with three bedrooms or more.
5. The appeal proposal is for the conversion of the existing five-bedroom house into two flats, each containing two bedrooms. As the family house would be lost, the scheme before me is in breach of the policy.
6. The appellant has provided details relating to housing stock on St Chads Gardens and email correspondence from a number of sources. I note the data and the arguments advanced, however my attention is drawn in particular to the reply from the Council's Project Officer dated 6 March 2020. The officer advises that the property would be better suited if it were converted into 2 properties (maybe one 2 bedroom and 3 bedroom).

7. The flat proposed on the upper floors would have a total area of 104 square metres across the two levels. I have not been provided with evidence that this space would not be capable of being converted into a three bedroom unit; it would exceed the minimum space standards for such a property as set out in policy 3.5 of the London Plan 2016 and the Government's Technical housing standards - nationally described space standard March 2015. Taking a pragmatic approach, to my mind there would be no technical loss of a family dwelling as a three bedroom unit would still be retained within the building.
8. However, the appellant has stated that the proposal is for two flats of two bedrooms each. Accordingly, there is no mechanism before me to secure the provision of a three bedroom flat on the upper floors. Therefore, the appeal proposal would be harmful to the overall aims of the Council to preserve the stock of family housing in the Borough.
9. I note the appellant's inclusion of figures from the Office of National Statistics. There it is stated that the proposed upstairs flat would certainly provide a suitable family dwelling for the increasing number of lone parent families with 2 or 3 children. As the upstairs flat only shows two bedrooms I am not persuaded that this would be the case, which further reinforces my reasoning above.
10. I have read the previous appeal decision referred to by the appellant (Ref APP/Z5060/W/15/3137146). It is clear from the Inspector's arguments that the appeal turned on the apparent absence of any evidence by the Council to support its position at the time. However, in this case the Outer North East London Strategic Housing Market Assessment, Report of Findings March 2016 (SHMA) is a material consideration that supports the overall need to maintain the Borough's family-sized accommodation.
11. I acknowledge the appellant's comments that the need for large family homes of five or more bedrooms is low as outlined in the SHMA; this is reflected in the data and evidence mentioned previously. However, from the figures whilst there is a considerable demand for smaller units of 1-2 bedrooms, there is a still greater need for family housing of at least 3 bedrooms.
12. I therefore conclude that the proposal would be harmful to the supply of family housing within the borough. This would materially conflict with DPD Policy BC4 which seeks to resist proposals which involve the loss of housing with three bedrooms or more.

Living conditions

13. The Council is concerned that the proposed sub-division of this family dwelling would result in a loss of amenity and character to the area through increased levels of traffic, noise, generation of refuse and general disturbance.
14. I am not convinced that this would be the case. I note the relatively small scale of the proposal and that the property is detached from adjacent buildings. There is no evidence before me to suggest that noise from the occupiers of the development would increase during unsociable hours or that there have been any anti-social issues in the locality. Of course such occurrences may happen sometimes, but that would be the case for any number of properties in the area. The number of vehicular movements for the purposes of day-to-day living would be more or less similar to a large family dwelling. Overall on this matter, I consider that the Council's concerns are unfounded and no demonstrable harm would arise.

15. I conclude on this issue that the proposal would not have an adverse effect on the living conditions of the occupants of neighbouring dwellings with regard to traffic, noise, generation of refuse and general disturbance. There would be no conflict with policy BC4 of the DPD which seeks to ensure that no significant loss of character or amenity occurs as the result of residential conversions.

Other Matters

16. I acknowledge that, amongst other things, the design of the scheme and parking provision would be acceptable, the rear garden would be of adequate size and only one objection was submitted by a local resident. Moreover, there would be a limited increase in housing supply, the proposal would be in an accessible location within close proximity to local facilities, public transport and infrastructure, and the development would not set a precedent as each proposal should be considered on its merits. However, these matters do not outweigh the harm that I have identified above.

Conclusion

17. For the reasons above, the appeal is dismissed.

C Hall

INSPECTOR