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## Appeal Decision

Site visit made on 11 January 2021

**by Sarah Colebourne MA, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 5<sup>th</sup> March 2021**

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**Appeal Ref: APP/G5750/W/20/3254418**

**435 Barking Road, Plaistow, London, E13 8AL**

- 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 Ijaz against the decision of the Council of the London Borough of Newham.
  - The application Ref 19/02992/FUL, dated 16 September 2019, was refused by notice dated 17 December 2019.
  - The development proposed is the erection of a double storey new house at the rear end of existing dwelling.
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### Decision

1. The appeal is dismissed.

### Main issues

2. The main issues in this appeal are the effect of the proposed development on:
  - the character and appearance of the dwelling and the area;
  - the living conditions of the future occupiers of the proposed dwelling and those of the neighbouring residents.

### Reasons

#### *Character and appearance*

3. 435 Barking Road is a semi-detached inter-war dwelling, whose rear garden wraps around that of the adjacent detached property at no 437 and backs on to Lidden Road, a residential street of mostly terraced Victorian dwellings. The proposed dwelling would replace a single garage at the end of the rear garden, adjacent to a detached inter-war dwelling at no 2 Liddon Road. It would face onto and be accessed from Liddon Road and would be clearly seen from there.
4. The appeal site forms part of a small gap of rear gardens between the dwellings on Barking Road and at 2 Liddon Road. Despite the presence of the existing garage, it contributes positively to the character of the area by providing a sense of openness at first floor level in this mainly terraced street. The siting of a dwelling in this position would unacceptably erode this gap, thereby detracting from the street scene.

5. The proposed design of the dwelling is clearly constrained by the size and shape of this very small plot and has resulted in an L-shaped floor plan with a very narrow front elevation in contrast to the wider front elevations of 2 Liddon Road and 437 Barking Road. Consequently, the front door and windows would appear unduly narrow and somewhat hemmed in. The pitched roof with a stepped ridge line would be at odds with the hipped roofs of the dwellings on either side. Thus, the size, scale, proportions, form and detail of the new dwelling would not reflect those of the surrounding dwellings and it would appear unduly cramped and incongruous in the street scene.
6. By reason of both its siting and design, the proposal would fail to make a positive contribution to, and would significantly harm, the character and appearance of the area, contrary to development plan policies SP1, SP2, SP3 and H1 in the London Borough of Newham Local Plan (LP) and to the National Planning Policy Framework, which seek to ensure a high standard of design.

#### *Living conditions*

7. The dwelling would be sited in very close proximity to nos 433, 435, 437 Barking Road and 2 Liddon Road, which all have small gardens. The two proposed rear bedroom windows would overlook the rear gardens of no 433 and no 2, resulting in a significant loss of privacy to those occupiers when using their gardens as well as the dwelling at no 433. The presence of a two storey building in such close proximity to all four of those properties would also be unduly overbearing when seen from their gardens and from the rear windows of those on Barking Road. Furthermore, the remaining garden space for no 435 would be reduced to an unacceptably small area whose impact would be exacerbated by the overbearing nature of the new dwelling. This would affect the ability of neighbouring occupiers to enjoy their homes and gardens, thereby significantly harming their living conditions.
8. The proposal is for a one bedroom property. Following a previous refusal for a similar scheme, some minor amendments to the internal layout have been made. However, the overall floor space remains the same. LP policy H1 refers to the space standards in the London Plan which in this case are the same as those required in the DCLG 'Technical housing standards – national described space standard'. According to those standards, a bedroom of 11.5 sq m is capable of providing two bed spaces. As the proposed dwelling has a bedroom of 12.2 sq m, I agree with the Council that it should be considered as a one bedroom, two person unit required to provide a gross internal area of 58 sq m. The plans show that the proposed ground and first floor plans are some 40 sq m, falling 18 sq m short of the required area. The proposal would therefore result in a poor standard of accommodation which would significantly harm the living conditions of the future occupiers of the new dwelling.
9. The most relevant development plan policies in this regard are LP policies SP1, SP2, SP3 and H1 which seek to ensure that new developments integrate well with their surroundings, improve housing quality and avoid harmful impacts on neighbours. The proposed dwelling would therefore be contrary to those policies and to the Framework which has similar objectives.

#### **Conclusion**

10. Whilst the proposed development would contribute in a very small way towards the Council's housing land supply, this does not outweigh the significant harm

identified above and the conflict with the development plan and the Framework. The appeal is dismissed.

*Sarah Colebourne*

Inspector