



Appeal Decision

Site visit made on 23 February 2021

by Mr Kim Bennett BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 March 2021

Appeal Ref: APP/Z5060/W/3248837

4 Hardie Road, Dagenham, RM10 7BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr M Kondzeliauskas against the Council of the London Borough of Barking & Dagenham.
 - The application Ref 19/01670/FUL, is dated 27 October 2019.
 - The development proposed is the erection of an end of terraced two bedroom dwelling.
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Decision

1. The appeal is dismissed and planning permission for an end of terraced two bedroom dwelling is refused.

Main Issues

2. The main issues are: the effect of the proposal on the character and appearance of the area; and the effect on the safe and efficient operation of the highway in the vicinity of the appeal site.

Reasons

Character and appearance

3. The appeal site is located on the eastern side of Hardie Road and comprises the side garden of No 4 Hardie Road which is a semi-detached property set back from the road and at an angle to it in a north west/ south east orientation. The adjoining pair of semi-detached properties to the south are also set back and angled to the road but with a north east/ south west orientation. There is an open grassed area in front of both pairs of semi-detached properties.
4. The site forms part of the wider Becontree Estate which the Council advises was at one time the largest municipal estate in the world. It is pleasantly laid out and characterised by a mixture of semi-detached and terraced properties, well defined front and rear gardens and interspersed with small areas of open space on road frontages.
5. A proposal to erect a detached three bedroom house on the same site was dismissed on appeal in 2016¹ (the 2016 appeal), the Inspector finding that a further dwelling would reduce the visual openness of the junction and that a

¹ Appeal reference APP/Z5060/W/15/3141993

- detached house with a pyramid roof would be inconsistent with the character of the area.
6. The current proposal differs from the 2016 appeal in that it is proposed to add an end of terraced house to the existing pair of semi-detached houses with matching form of roof, elevational treatment and fenestration. In those respects, it would be more in character with the architectural style of the predominant houses on the estate.
 7. However, as the Inspector found in the 2016 appeal, the grassed area in front of the two pairs of semi-detached houses on the eastern side of the road, and the separation between the buildings, provides a sense of openness around the junction in contrast to the some of the more enclosed areas elsewhere. As such, that openness provides an important role in defining the character of the immediate area. Whilst the proposed end of terraced property would not result in the same degree of harm as a detached property would, the new dwelling would take up the majority of the width of the side space that currently exists on the site and I agree with the Council that it would still significantly erode the gap between No 2 and No 4 Hardie Road. It would thus reduce the sense of openness in the vicinity of the junction to an extent which would cause visual harm.
 8. Additionally, the grouping of the two pairs of semi-detached houses around the open space area currently provides a pleasing symmetry on the eastern side of the junction, which would be lost and become unbalanced with one of the pairs becoming a terraced property, notwithstanding that the architectural detailing would be in character with its neighbours.
 9. A combination of the above issues would lead to a loss of character in this part of the estate which would be detrimental to the appearance and character of the streetscene. On this issue therefore, I find that the proposed development would be contrary to Policy D4 of the London Plan 2021, Policies CP2 and CP3 of the Council's Core Strategy 2010 and Policies BP2 and BP11 of the Council's Borough Wide Development Policies Development Plan Document 2011 (DPD), all of which seek to promote a high standard of design which respects and reflects the local character of the area.

Safe and efficient operation of the highway

10. Because of the lack of direct vehicular access to the highway, the proposed development would have no on-site parking provided for it, a situation which occurs elsewhere in the vicinity and which results in on street parking.
11. In response to that, the appellant commissioned a parking survey of the local area which found that on the night of the survey in question on 8 October 2019, there were more than 10 opportunities for on street parking within a 50 metre walk of the site.
12. However, as the appellant acknowledges, the site and immediate area has a Public Transport Accessibility Level of 1B which is considered poor in terms of access to public transport and therefore would likely to result in increased reliance on private vehicles. In that respect I note that the 2011 census data revealed that 38.3% of dwellings in the area did not own a car. However, that data is now 10 years out of date and I would expect car ownership levels to have risen since then. In my view therefore, it is more than likely that future

occupiers would seek to rely in part at least on a private motor car, and whilst it would be unlikely to involve more than one vehicle, it would still add to on street parking.

13. In that respect, at the time of my site visit and in contrast to the appellant's informal observations during the day of the survey, I noted that on street parking was heavily used, including in the vicinity of the junction and on both sides of the road. I note that was also the finding of my colleague in determining the 2016 appeal. Additionally, whilst there are no parking restrictions generally in the immediate area, there are double yellow lines on either side of the road in the vicinity of the junction. Given that the nearby properties also have no on-site parking, it is likely that there would be additional and potentially illegal parking in close proximity to the junction itself. In my view that would be prejudicial to the safe manoeuvring of vehicles at that junction and would be unacceptable as a result. I am not persuaded that the survey carried out, representing the situation on one night only, is sufficient to demonstrate that the concerns I have identified would not occur in practice. I also note that one of the evening photographs of that survey showed parking on both sides of the road in Central Park Avenue and in close proximity to the junction itself.
14. For the reasons set out, the proposed development would be contrary to advice and policies within chapter 10 of the London Plan 2021 and Policy BR9 of the DPD, which seek to ensure appropriate levels of parking provision is provided for new development.

Conclusions

15. The Council raises no objections in respect of amenity for existing adjoining occupiers, nor in terms of the level of accommodation to be provided, and I see no reason to come to a different view. I also acknowledge that the proposed development would make a useful contribution, albeit minor, to the Council's housing stock. However, for the reasons set out above such advantages or lack of objection in certain respects, would be outweighed by the harm to the character and appearance of the area and by the highway safety concerns.
16. Accordingly, the appeal should be dismissed.

Kim Bennett

INSPECTOR