



Appeal Decision

Site visit made on 27 April 2021

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 May 2021

Appeal Ref: APP/G5750/W/20/3263088

8 Neatscourt Road, Beckton, LONDON, E6 5ST

- 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 Emirjan Cjapi against the decision of the Council of the London Borough of Newham.
 - The application Ref 20/01655/FUL, dated 28 August 2020, was refused by notice dated 22 October 2020.
 - The development proposed is Demolition of existing dwelling and erection of 2 new dwellings consisting of 1x1 bedroom and 1x3 bedrooms.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The London Plan 2021 has been published by the Mayor, setting the spatial development strategy for London and is now part of the development plan. The decision notice for the appeal application referred to policies in the London Plan 2016 and the 2019 Draft London Plan which have not substantively changed upon publication. As such, I have not found it necessary to seek the views of the parties on the published London Plan 2021.

Main Issues

3. The main issues are the effect of the proposal on i) the supply of family housing in the Borough, and ii) the character and appearance of the area.

Reasons

Supply of family housing

4. The appeal proposal seeks to demolish an existing family dwelling and replace it with a new 1-bedroom dwelling and a replacement 3-bedroom dwelling. Both of the proposed dwellings meet space standards set out in regional and local policies, and their design, appearance and materials are appropriate for their location.
5. However, Policy H4 of The London Borough of Newham Local Plan 2018 (the Local Plan), states that all housing, and specifically 3-bedroom housing, will be protected unless replaced with "at least equivalent floorspace". The policy sets out criteria where this strategic principle may not apply, but none of those apply to the appeal proposal. Whilst I accept the proposal would result in a net increase in the number of dwellings in the Borough, it is clear that the proposed 3-bedroom dwelling would be materially smaller than existing. This

clearly does not meet the requirement of Policy H4 to deliver “at least equivalent floorspace”.

6. I accept that the proposal would widen the range and choice of housing available in the Borough, in line with aspirations for the Borough and the City, and I also note that the proposals meet the minimum space standards set out in relevant policy. However, those are *minimum* space standards, and the Local Plan policy explicitly seeks to protect larger dwellings as part of its aim to deliver high-quality places for stable mixed and balanced communities. The London Plan, whilst acknowledging the need for the increased delivery of housing, notes that this should be done in response to locally identified needs, on which the Local Plan provides further detail. There is no compelling evidence before me to suggest that I should set aside this locally-identified quality-based aim solely in favour of delivering a single, net additional dwelling in the Borough.
7. The proposal does therefore explicitly conflict with Policy H4 of the Local Plan which seeks to protect the supply of family housing in the Borough, specifically 3-bedroom housing, unless replaced with at least equivalent floorspace. It would also conflict with Policies GG4 and H10 of the London Plan and Policies H1, S1 and S6 of the Local Plan which seek, amongst other things, to ensure that development meets the housing needs of Londoners, responds to locally identified needs, consolidates communities and does so whilst acknowledging the strength and value of family orientated neighbourhoods.

Character and appearance

8. At present, the frontages of the appeal site and its neighbours are well defined, with strong boundary treatments and a clear division between the public and private domain, even acknowledging the soft edge between Neatscourt Road and the adjacent Capital Ring pathway. Despite the presence of some on-street parking, the existing character and appearance of the street is not dominated by parked cars. With its lack of front boundary treatments and proposed parking and manoeuvring arrangements, the proposal would in my view, begin to erode this character to the detriment of the character and appearance of the area.
9. I acknowledge that in developing the proposal, the appellant has sought to balance the need for car parking provision with the need for cycle and bin storage, as well as their development aspirations for the site. I also note the suggested conditions from the Council which might seek to address this issue. However, I consider that the design and layout of the street frontage of the proposal is so fundamental to the effect of the proposal on the character and appearance of the area, that it cannot properly be dealt with by condition.
10. The proposal would therefore harm the character and appearance of the area, contrary to Policies D4, D5, D6 and D8 of the London Plan and Policies SP1, SP2, SP3 and SP5 of the Local Plan. These policies seek, amongst other things, to ensure that development delivers high-quality design for development proposals and the resulting public realm, consistent with the established character and appearance of the area.

Conclusion

11. For the reasons given above I conclude that the proposal conflicts with the development plan and there are no material considerations which indicate that a decision be taken other than in accordance with it. The appeal should therefore be dismissed.

S Dean

INSPECTOR