



Appeal Decision

Site Visit made on 22 July 2021

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 September 2021

Appeal Ref: APP/Z5060/W/20/3254891

76 Harrow Road, Barking IG11 7RA

- 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 K Singh against the decision of London Borough of Barking and Dagenham Council.
 - The application Ref 19/01948/FUL, dated 30 December 2019, was refused by notice dated 24 February 2020.
 - The development proposed is described as 'conversion of property into two flat units'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the period since the appeal was submitted the Government has published the revised National Planning Policy Framework (the Framework) July 2021 which is being brought into immediate effect for the purposes of decision-making. The London Plan (March 2021) (LP) has also been published during this period. The parties have been provided with an opportunity to provide comments as to whether either of these events has relevance to the appeal. In their response, the Council has provided a copy of several policies of the LP which they consider to be relevant to the appeal and I have taken these into account as part of my assessment.

Main Issues

3. The main issues are:
 - (i) The effect of the development on the supply of family housing in the Borough; and
 - (ii) Whether the proposal would provide suitable living conditions for future occupants with particular regard to the provision of private outdoor space.

Reasons

Supply of family housing

4. No 76 Harrow Road is a two-storey detached dwelling with five bedrooms. It is situated within a close-knit residential location. The surrounding area comprises of a mix of two-storey detached, semi-detached and terraced dwellings. I noted on my site visit that some of the properties on Harrow Road have been split into flats although I am not aware of the internal arrangements or planning history of those particular units.

5. The proposal would split the dwelling into two 2-bedroomed flats, one at ground floor and one at first floor. Policy BC4 (Residential Conversions and Houses in Multiple Occupation) of the London Borough of Barking and Dagenham Borough Wide Development Policies Development Plan Document (2011) (DPD) seeks to preserve and increase the stock of family housing within the Borough and confirms that proposals which involve the loss of housing with three bedrooms or more are to be resisted. The supporting text advises that a strict approach to preserving family housing; and particularly four-bedroom homes, has been adopted given the current shortage in Barking and Dagenham (as highlighted in the Barking and Dagenham Housing Strategy 2007 - 2010).
6. The Council's delegated report sets out the findings of the Outer North East London Strategic Housing Market Assessment, Report (SHMA) (2016) which illustrate the high need for family housing in the Borough. The appellant contends that the population comprises of many young single people needing affordable accommodation. However, there is no compelling evidence before me to demonstrate that the current need for smaller accommodation such as that proposed by this appeal would outweigh the need for larger family housing. The proposal before me would result in the loss of a family house of the size that policy BC4 seeks to resist and therefore would be contrary to it.
7. Policy BC4 goes on to state that 'other proposals' for flat conversions or homes in multiple occupation will only be considered acceptable if a number of criteria are met including, but not limited to, consideration of the number of such other conversions in the road and changes to the character of the area. However, as the proposal relates to a house with three bedrooms or more and falls squarely within the type of development that the first part of the policy seeks to resist, I am not satisfied that an assessment against the second part of the policy is applicable in this instance.
8. The policies of the LP provided by the Council are by their nature more strategic than those within the DPD. However, they do include some support for the intensification and greater provision of housing. The Framework also supports the Government's objective of significantly boosting the supply of homes but also makes it clear that a range of homes as well as the number is important in order to meet the needs of present and future generations. The Framework does not therefore resist changes to existing housing stock where this would meet a demand for another form of residential accommodation in the area. However, it is clear in the LP and the Framework that changes in housing mix should be informed by evidence to understand local requirements. In that regard, there is no substantive evidence before me to persuade me that an approach different to that in the DPD should be taken in this instance.
9. I conclude the proposal would be harmful to the supply of family housing within the Borough. In that regard the proposal would conflict with the strict approach to preserving family housing in Policy BC4 of the DPD. It would also conflict with of the Framework which seeks to ensure that the size, type and tenure of housing needed for different groups in the community is assessed and reflected in planning policies.

Living conditions

10. Policy BP5 (External Amenity Space) of the DPD confirms that planning permission will only be granted for new dwellings where they provide appropriate external private and/or communal amenity space. In the case of a

two-bedroomed flat, this policy requires that 40 square metres (sq m) of amenity space should be provided.

11. The proposed two-bedroomed first floor flat would not have access to the external space to the rear of the application building and would not therefore meet the specific requirements of Policy BP5. The appellant contends that the area is well serviced by local parks within walking distance of the appeal site. Even so, the sub-text to Policy BP5 confirms that a general lack of quality open space has previously been identified in the Borough. There is no substantive evidence before me to suggest that the situation has significantly changed and this adds to the importance of good quality external amenity space being provided for new dwellings. Furthermore, access to parks in the area would not overcome a lack of private outdoor space for the occupiers of the first-floor flat to cater for their day-to-day needs such as being able to sit out or hang out washing.
12. Based on the evidence before me, I conclude that the proposal would not provide suitable living conditions for future occupiers of the proposed first-floor flat with particular regard to the provision of private outdoor space. In that regard the proposal would conflict with the external amenity space requirements in Policy BP5 of the DPD as well as the requirements in the Framework for development to create a high standard of amenity for future users.

Conclusion

13. The proposal would be harmful to the supply of family housing within the Borough and would not provide suitable living conditions for occupiers of the proposed first floor flat with particular regard to the provision of private outdoor space. In these respects, the proposal would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

M Russell

INSPECTOR