



Appeal Decision

Site Visit made on 2 November 2021

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2021

Appeal Ref: APP/Z5060/W/21/3267967

286 Becontree Avenue, Dagenham RM8 2TR

- 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 Sreeskumar against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 20/01676/FULL, dated 17 August 2020, was refused by notice dated 26 October 2020.
 - The development proposed is erection of single storey 1-bedroom dwelling to rear of existing building, including reduction in size of existing storage area and demolition of detached storage building.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the Council determined the application, the London Plan 2021 (LP) was published and supersedes policies of the London Plan 2016 referred to within the reasons for refusal. The reasons for refusal also included reference to policies of the then emerging LP, and the main parties were given the opportunity to comment on the published version of the LP if they considered it affected their case. In the circumstances of this appeal and the main issues, I am satisfied that no prejudice would be caused by my determination of the appeal having regard to the LP policies, and I make no further reference to the previous iteration.
3. I have also noted references to the Council's emerging Local Plan. However, from the evidence before me, this has not yet reached examination stage. It is therefore subject to change, and I can have little confidence that policies will be adopted in their current form. It therefore carries limited weight in my decision.

Main Issues

4. The main issues are:
 - i) the effect of the proposal on the character and appearance of the area;
 - ii) whether or not living conditions for future occupiers of the development would be acceptable with particular regard to outlook, light, privacy and the suitability of the access arrangements; and
 - iii) the effect of the proposal on the living conditions of the occupiers of 284 Becontree Avenue with particular regard to outlook, light and privacy.

Reasons

Character and Appearance

5. The appeal site includes part of a two-storey semi-detached building at the junction of Lindisfarne Road with Becontree Avenue. The site is part of the Becontree Estate, a large area of predominantly semi-detached and terraced dwellings which are typically positioned on strong building lines fronting the streets with gardens to their rear. The regular arrangement of the buildings provides for an attractive rhythm to the street scenes and consistency in the urban grain, and there is a distinctive coherent character and appearance to the area which is further reinforced by the mostly similar overall styles and materials of the buildings themselves.
6. The appeal proposes a dwelling to the rear of 286 Becontree Avenue. The development would utilise an access that runs to the side of No 286, and would in part replace structures associated with the existing building on the site. Nevertheless, the presence of an independent dwelling behind and separate from buildings fronting Becontree Avenue would be wholly at odds with the prevailing pattern of development. The uncharacteristic lack of a street frontage would also be striking, and would result in the dwelling appearing as an isolated feature against the long gardens that are typical to buildings nearby. I acknowledge that the development would be seen against adjacent buildings to the rear of 288 Becontree Avenue from some view points, but these structures adjoin Lindisfarne Road and so are not comparable to the proposed dwelling which would lack any street presence.
7. Surrounding development would largely screen the dwelling to views from the street scene limiting its visual impact, but it would still be appreciable from neighbouring sites. In any event, the character of an area is not solely a factor of its appearance, and I find for the reasons above that the development would be an incongruous and jarring addition that would harmfully erode the characteristic urban grain and layout which define the area.
8. Despite the generally sympathetic materials and detailing to the building, I therefore conclude on this main issue that the proposal would cause significant harm to the character and appearance of the area. As a consequence, it would conflict with Policy CP2 of the Core Strategy 2010 (CS) and Policy BP2 of the Borough Wide Development Policies Development Plan Document 2011 (BWDP) which identify the Becontree Estate as an important symbol of the past, and include requirements that local context is respected and local distinctiveness reinforced. It would also be contrary to Policy CP3 of the CS, Policies BP8 and BP11 of the BWDP and Policy D4 of the LP insofar as they broadly seek high quality design and require, amongst other things, that development protects or enhances local character. For the same reasons, there would be conflict with the National Planning Policy Framework (the Framework) which seeks high quality development that is sympathetic to local character and that adds to the overall quality of an area.
9. The Council has also referred to the Residential Extensions and Alterations Supplementary Planning Document 2012, but it seems to me that this contains advice directed at residential extensions and alterations, and is therefore of less relevance here.

Living Conditions – Future Occupiers

10. The Council has raised concern that the service area for the convenience store at No 286 would result in noise disturbance to the development. However, there are already residential neighbours in close proximity to the service areas for this use, and I have no firm evidence of existing noise disturbance resulting from this relationship, nor demonstrating that noise would unacceptably harm occupiers of the dwelling. The submitted details also indicate that the access from Becontree Avenue would not be shared with the convenience store, and given the layout of the development on the site, I consider that significant overlooking from this use would be unlikely.
11. However, the garden would be fairly shallow, and separation between the glazing to the rear of the dwelling serving the open plan living/kitchen/dining room and 2 Lindisfarne Road which abuts the boundary with the site would be limited. The two-storey part of this neighbour and a fairly tall single-storey projection to its rear extend along a significant proportion of the boundary. The adjacent structure to the north is also of some height and positioned along the depth of the garden. In combination, these buildings would result in a significant degree of enclosure to the garden, and in my judgement would notably restrict light and outlook for both this space and the glazing to the rear of the dwelling. There would be additional windows to the living/kitchen/dining room in the side of the dwelling, but these would face towards the boundary with 284 Becontree Avenue, and the very close proximity of boundary treatment would be similarly likely to constrain outlook and light. Notwithstanding that the dwelling's internal and external space would comply with relevant quantitative standards, I do not therefore find that the proposal would offer a good quality of accommodation overall.
12. Moreover, the lack of a clear street presence for the dwelling on Becontree Avenue would be incongruous, and I agree with the Council that the set back of the dwelling with access along a fairly long driveway would give rise to a sense of isolation. The boundary treatment to No 284 and side of No 286 would limit views of the access somewhat, and while I note that the retention of the existing gate would offer some security to occupiers, its solid form would further sever the dwelling from Becontree Avenue and curtail potential surveillance from the street. In my view, the access arrangements would therefore be uninviting, particularly for pedestrians at night, and irrespective of any postal address, I find that the dwelling would not benefit from a sense of arrival or otherwise have a clearly identifiable entrance from the public realm.
13. Taking the above factors into account, I conclude on this main issue that standards of light and outlook for the dwelling would be inadequate, and in combination with the undesirable access arrangements would unacceptably compromise the living conditions of future occupiers. The proposal would therefore conflict with Policy CP3 of the CS, Policies BP8 and BP11 of the BWDP and Policies D4 and D6 of the LP which require, amongst other things, high quality design, protection for residential amenity and development that is legible and has suitable and safe access. It would also be contrary to the Framework insofar as it requires a high standard of amenity for future users.

Living Conditions – Neighbouring Occupiers

14. The dwelling would be set some way from the rear of the adjacent property at No 284, and would also be set in from the boundary, with greater separation to

the front section of the development closest to the neighbouring windows. In addition, the fairly modest height and sloping roof design of the dwelling would help to reduce its overall bulk and mass and its visual impact. While there would be views of the development from No 284, I am satisfied that these factors in combination would ensure that it would not be overly dominant, and would not cause a harmful loss of light or outlook. Given the ground-floor level of glazing to the dwelling, boundary treatment would screen views towards neighbouring sites, preventing unacceptable overlooking or loss of privacy including for the occupiers of No 284.

15. I therefore conclude on this main issue that the living conditions of the occupiers of 284 Becontree Avenue would not be unacceptably harmed. In this regard, the proposal would comply with Policy CP3 of the CS, Policies BP8 and BP11 of the BWDP and Policy D4 of the LP insofar as they seek general protection for residential amenity; as well as the requirement within the Framework for a high standard of amenity for existing and future users.

Other Matters

16. The appellant suggests that the pattern of the development would not be dissimilar to other examples nearby, but I have not been directed to instances of dwellings similarly set behind frontage development and lacking a clear street presence as would be the case on the appeal site. I do not therefore find the existence of some examples of longer accesses to buildings a compelling justification for the harm that I have identified above.
17. Although I note the appellant's comments that the dwelling would be affordable, I have no firm evidence that it would meet the definition of affordable housing as set out within national and local planning policy. Nevertheless, the proposal would make effective use of the previously developed site to provide an additional small dwelling, adding to the supply and mix of housing locally and contributing towards targets within the LP for new housing in the borough. This is an important benefit, and in light of the Framework which seeks to significantly boost the supply of housing to meet needs and emphasises the importance of making efficient use of land, I afford it great weight. However, the modest scale of the proposal would limit the contribution made to the overall supply and mix of housing, and consequently the extent of the benefit.
18. Occupiers of the site would have access to local services and public transport links, helping to support a reduction in private vehicle use, but the resulting social and environmental benefits would be qualified by the modest scale of the development and attract limited weight. The appellant comments that the dwelling would also be energy efficient, but no further details have been provided to demonstrate the proposal's environmental credentials in this regard, limiting the weight that I afford to this factor.
19. Conversely, the significant harm that would be caused to the character and appearance of the area and the failure to secure acceptable living conditions for future occupiers of the development would be contrary to requirements within the Framework for well designed places and a high standard of amenity. These are matters that attract significant weight, and I find that they would significantly and demonstrably outweigh the modest benefits associated with the proposed development.

Conclusion

20. For the reasons given above, I find that the proposal would conflict with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR