



Appeal Decision

Site visit made on 20 January 2023

by Chris Forreth BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th April 2023

Appeal Ref: APP/Z5060/W/22/3294792

141 Woodward Road, Dagenham RM9 4ST

- 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 John Kilbey against the decision of London Borough of Barking and Dagenham Council.
 - The application Ref 21/02173/FULL, dated 29 November 2021, was refused by notice dated 26 January 2022.
 - The development proposed is the construction of one 2x bedroom two storey property attached to the side of 141 Woodward Road RM9 4ST, including off-street parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form and appeal form state the appellant to be a 'Mr J Kilby', although the appeal statement states that the correct spelling of the appellants' surname is 'Kilbey'. Given this, I have used the correct spelling in this decision.
3. The appeal proposal was originally described as the 'construction of link end of terrace house (two bedrooms) with off street parking'. The Council's decision notice had a different description which is set out in the banner header above. It is noted that the appellant has utilised this revised description on the appeal form and I as such I have determined the appeal on the basis of the revised description.
4. In addition to the above, the Council's decision notice refers to a number of policies from the emerging London Borough of Barking and Dagenham Draft Local Plan 2037. However, from the information before me the examination of the emerging plan has yet to be completed, and policies within it could be subject to change. I can therefore afford only limited weight to these policies.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the area.

Reasons

6. The appeal site is located in a largely residential area within the Becontree Estate which is an extensive area built between 1921 and 1934 as part of the Homes for Heroes initiative after the first world war. The dwellings within the vicinity of the appeal site are largely terraced in nature and of two storey proportions with hipped roofs of a simple design. That said, there are some

- noticeable later developments in the area, including two modern dwellings immediately to the south of the appeal site. At road junctions, the corner plots generally have side entrances with garden areas which result in a spacious feeling.
7. The appeal site itself is located on Woodward Road on its eastern corner with Ellerton Road. The proposal would be located on the garden area to the side of the existing end-of-terrace property and would introduce a new two storey dwelling on a corner plot. The proposal would be staggered with an 'L' shaped footprint to address the curved nature of the appeal site boundary with the public highway.
 8. Whilst the proposal would be set back from the boundary it would represent a significant increase in the built form on the site and as a result also significantly erode the spacious character of the site and the wider area. Furthermore, the shape of the dwelling would not be characteristic of the simple form of the surrounding development owing to its staggered nature with adds further harm. Additionally, the site plan shows a brick-built bin store and a cycle store between the proposed dwelling and the pavement on Ellerton Road. These elements add a further built form which would detract from the overall streetscene.
 9. Turning to the location of the entrance to the property, it is noted that the entrance would be on its side elevation facing Ellerton Road, which reflects the general character of other properties on corner plots. That said, it would be located on the projecting element which, as I have already identified, is not a characteristic of the general area.
 10. The Beacontree estate is a non-designated heritage asset and Paragraph 203 of the National Planning Policy Framework (the Framework) sets out that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. This is also reflected in Policy CP2 of the Core Strategy (2010) (CS) and Policy BP2 of the Borough Wide Development Policies Development Plan Document (2011) (BWDPDPD) which specifically recognises the Beacontree estate and these policies seeks to protect this locally distinctive, and historically important asset.
 11. In my view, the proposal fails to protect this locally distinctive asset particularly given its prominent corner position and its lack of consistency with the above noted design and layout aspects of the Estate as a whole.
 12. The appellant has drawn my attention to other developments in the area, and in particular a scheme at 105 Church Lane. However, I am not clear as to the exact circumstances of this case (or the others drawn to my attention). Furthermore, this property is located in a more mixed-use area and does not have an 'L' shaped design so is materially different to the proposal before me. Moreover, each proposal should be considered on its individual merits.
 13. The Council has referred to the London Borough of Barking and Dagenham's Residential Extensions and Alterations Supplementary Planning Document (2012) in their decision notice. However, from the evidence before me, this document refers to extensions to existing properties, rather than new

independent dwellings. As such I have given this very little weight in my decision.

14. For the above reasons, the proposal would harm the character and appearance of the area contrary to Policy D4 of The London Plan (2021), Policies CP2 and CP3 of the CS and Policies BP2, BP8 and BP11 of the BWDPDPD which amongst other matters seek to deliver good design and ensure that developments protect or enhance the character and amenity of the area, including its local character and history. It would also conflict with the overarching aims of the Framework.

Planning Balance

15. The Council has set out that the presumption in favour of sustainable development contained within paragraph 11 d) of the Framework is engaged as a result of the Housing Delivery Test results and I have no reason to disagree with that view.
16. In this case, I have found that the proposal would harm the character and appearance of the area, which is a non-designated heritage asset. To my mind, this weighs very heavily against allowing the proposed development.
17. That said, the proposal would provide a much-needed additional dwelling which would contribute to future housing delivery. Additionally, the development would bring social benefits as a result of an additional dwelling and economic benefits from the construction process together with the ongoing occupation of the dwelling. However, these benefits are limited in the overall balance.
18. Taking all of the above factors into account, whilst there are obvious benefits arising from the proposal in terms of housing delivery, I consider that the harm to the character and appearance of the area would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the Framework when taken as a whole. The proposal cannot therefore be considered to be sustainable development.

Conclusion

19. For the above reasons the proposal conflicts with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal is therefore dismissed.

Chris Forrett

INSPECTOR