



Appeal Decision

Site visit made on 11 May 2023

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 May 2023

Appeal Ref: APP/Z5060/W/22/3311509

345 Hedgemans Road, Dagenham RM9 6DR

- 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 Iurie Bivol against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 22/00935/FULL, dated 28 May 2022, was refused by notice dated 15 August 2022.
 - The development proposed is described as 'Conversion of the existing 2-bedroom dwelling into two 1x bedroom flats involving the construction of a hip-to-gable roof extension (attached to 21/02090/CLUP), a single storey rear extension (attached to 21/02089/PRIEXT) and a two-storey side extension (attached to 21/02088/HSE).'
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Decision

1. The appeal is allowed and planning permission is granted for conversion of the existing 2-bedroom dwelling into two 1x bedroom flats involving the construction of a hip-to-gable roof extension (attached to 21/02090/CLUP), a single storey rear extension (attached to 21/02089/PRIEXT) and a two storey side extension (attached to 21/02088/HSE) at 345 Hedgemans Road, Dagenham RM9 6DR in accordance with the terms of the application Ref 22/00935/FULL, dated 28 May 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: H020-FLAT-PP-00 - Location and Site Plans; H020-FLAT-PP-03 - Proposed Floor Plans; H020-FLAT-PP-04 - Proposed Floor Plans; H020-FLAT-PP-05 - Proposed Floor Plans; H020-FLAT-PP-06 - Proposed Sections; H020-FLAT-PP-07 - Proposed Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Before any dwelling hereby permitted is first occupied, the proposed bicycle storage shall have been implemented in line with the proposed ground floor plan (DRG NO: H020-FLAT-PP-03). Once implemented the bicycle storage shall thereafter be maintained.

Preliminary Matters

2. The description of development given in the banner heading and decision is taken from the decision notice rather than the planning application form as this more precisely describes the development proposed.
3. The Council makes reference to Policies SPDG1 and SP3 of the London Borough of Barking and Dagenham Draft Local Plan 2037 – Regulation 19 consultation version (Autumn 2021) (the DLP). There is little information on the status of the plan in the evidence before me and as such, I cannot be certain that these policies are in their final form, and they may be subject to modifications through the ongoing examination process. Therefore, I have attached only limited weight to these policies in my decision.

Main Issue

4. The main issue is the effect of the proposal on the supply of family housing.

Reasons

5. The appeal site is an end-terrace dwelling located in a cul-de-sac in a residential area. The proposal seeks to convert the dwelling into two one-bedroom flats each for two people. The planning history indicates that a number of proposed alterations have been permitted in recent years which would extend the property significantly. These include a two-storey side extension¹, single storey rear extension of 4m depth² and a certificate of lawful development for a hip-to-gable roof extension³. These works are indicated on the submitted plans and I note that the Council does not dispute their status as approved or lawful.
6. Policy BC4 of the Borough Wide Development Policies Development Plan Document (DPD) (adopted March 2011) seeks to preserve and increase the stock of family housing in the Borough. Consequently, when planning permission is required, the Council will resist proposals which involve the loss of housing with three bedrooms or more.
7. However, the submitted plans show that the property currently has two bedrooms, and the Council describes it this way in their officer report. As such, the change of use would not cause the loss of housing with three bedrooms or more. I appreciate that with the proposed extensions, the property may be capable of gaining another bedroom. However, that is not its existing situation upon which I have assessed the proposal, nor can it be guaranteed that the extensions would be built.
8. My attention is drawn to a dismissed appeal⁴ in the same council area where the loss of family housing was a reason for refusal. However, I have little information on this matter before me other than an excerpt from the decision. As such, I cannot be certain of its relevance to this appeal, such as whether it also involved a two or three bed property.
9. Based on the above, I find that the proposed development would not harm the balance of family sized housing within the Borough. Therefore, the proposal

¹ 21/02088/HSE

² 21/02089/PRIEXT

³ 21/02090/CLUP

⁴ APP/Z5060/W/21/3266569

would accord with policy BC4 of the DPD, policies CM1 and CC1 of the Planning for the Future of Barking and Dagenham Core Strategy (adopted July 2010), policy H10 of the London Plan and policies SPDG1 and SP3 of the DLP. These seek, amongst other things, to ensure larger family housing is protected and maintain a balanced housing supply.

Conditions

10. The Council has provided a list of suggested conditions in the event that the appeal is allowed which I have considered. In addition to the changes explained below, I have amended the wording of certain conditions to ensure that they meet the tests in the Framework and Planning Practice Guidance without altering their fundamental aims.
11. The standard time commencement condition is not in the list although the imposition of this and the standard approved plans condition is necessary in the interests of certainty. To protect the character and appearance of the area a condition is necessary to ensure the external materials used in the development match the existing house for the same reason. To encourage sustainable modes of transport, a condition is also necessary to ensure the provision of cycle parking facilities from occupation and their retention.
12. The Council has also suggested two conditions which seek to ensure sufficient car parking, highway safety and the free flow of traffic would remain on Hedgemans Road. This is discussed in the officer report but is not given as a reason for refusal in the decision notice. The Council's Transport Planning Officer advises that 'the applicant must demonstrate that there is enough parking on-street to accommodate additional vehicles, failing to do that will require the additional residential unit to be made car permit free.'
13. The issuing of parking permits is the responsibility of the relevant highway authority and enforced through a Traffic Regulation Order. I understand that the appeal site is located within a Controlled Parking Zone. However, at the time of my site visit spaces were evident. I appreciate that this is only a snapshot in time and at other times, such as evenings, parking pressure may be different. However, there is little substantive evidence before me to indicate that parking pressure is at such a level that the proposal would cause material harm in this regard and therefore should be car-free. Moreover, requiring a parking survey to demonstrate on-street parking would not be negatively impacted following a grant of planning permission would not be reasonable. As such, I have not included either condition in this respect.

Conclusion

14. For the reasons given above, having had regard to the development plan as a whole, and all other relevant material considerations, I conclude that the appeal should be allowed.

C McDonagh

INSPECTOR