



Appeal Decision

Site visit made on 9 May 2023

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2023

Appeal Ref: APP/Z5060/W/22/3313463

2 Dewey Road, Dagenham RM10 8AR

- 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 J Ghattura against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 22/00241/FULL, dated 31 January 2022, was refused by notice dated 27 June 2022.
 - The development proposed is demolition of garage and erection of a detached dwelling with parking.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of garage and erection of a detached dwelling with parking at 2 Dewey Road, Dagenham RM10 8AR in accordance with the terms of the application, Ref 22/00241/FULL, dated 31 January 2022, and the plans submitted with it, 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: Location Plan; 2DR/1 Existing and Proposed Plans; 2DR/2 Existing Elevations; 2DR/3 Proposed Elevations; 2DR/4 Proposed Floor Plans; 2DR/5 Existing and Proposed Roof Plan; 2DR/5 Proposed Bin, Cycle store and Escape Route.
 - 3) The materials used in the external surfaces of the house hereby permitted shall match those used in the existing dwelling at 2 Dewey Road.
 - 4) Notwithstanding condition 2 no development above ground shall commence until details of bicycle parking/storage have been submitted to and approved in writing by the local planning authority. The bicycle parking/storage shall be provided in accordance with the approved details prior to first occupation of the development. The bicycle parking/storage shall thereafter be retained.

Preliminary Matters

2. The Council has submitted the London Borough of Barking and Dagenham (LBBD) Draft Local Plan Regulation 19 Consultation Version (DLP) for examination. I am not aware of the exact stage it has reached, the extent of unresolved objections or whether the policies concerned will be considered consistent with the National Planning Policy Framework (the Framework).

Consequently, in accordance with paragraph 48 of the Framework, I give it limited weight.

Main Issues

3. The main issues are:

- i. The effect of the proposal on the character and appearance of the surrounding area.
- ii. Whether future occupiers would be likely to experience acceptable living conditions in terms of internal living space.

Reasons

Character and appearance

4. The appeal site is a prominent corner plot at the junction with Rainham Road South, a main road comprising commercial uses and housing. Dewey Road and other side streets are mainly residential. The area is part of the Becontree Estate, which is an extensive inter-war housing development of mainly two-storey dwellings and some bungalows. This part of the estate includes many recent infill developments amongst the original buildings that remain, resulting in a varied mix of traditional and modern building styles and some three-storey blocks. Consequently, the character and appearance of the area near the appeal site is very diverse.
5. The new house would be similar in scale to its immediate neighbours. Although the roof form would be different, it would also have a comparable eaves and ridge height, similar windows and a broadly consistent front and rear building line with those houses. Matching materials could be secured by condition. For these reasons, and notwithstanding some three-storey blocks nearby, the house would not appear discordant when viewed either down the main road or from Dewey Road. The wide footway around the site would continue to contribute to a sense of openness at the corner despite a larger building occupying the corner plot. Although small, the appeal site would allow for a gap between the new and host dwellings and sufficient external space around both houses, so the proposed development would not appear cramped.
6. I have considered the design of the proposal in relation to other single storey dwellings in Dewey Road. Other than the host property and its partner, there are a small number of semi-detached bungalows some distance further down the street. The new house would not be part of a semi-detached pair, would be narrower and would have a gabled roof unlike these other bungalows. However, given the street's diverse housing and architectural typology and the other bungalows' distance from the appeal site, these differences in appearance would detract little from the character of the surrounding area.
7. For the above reasons, I conclude the proposed development would not have a harmful effect on the character and appearance of the surrounding area. Accordingly, I find no conflict with Policies D1, D4 and D8 of the London Plan, Policy CP3 of the CS¹, Policies BP8 and BP11 of the BWDP², or the Framework. These policies seek good design that has regard to local character, respects local context and helps to create a sense of place. I also find no conflict with

¹ London Borough of Barking and Dagenham (LBBD) Local Development Framework Core Strategy

² LBBD Local Development Framework Borough Wide Development Policies

Policies SP2 and DMD1 of the DLP, which promote high quality design that recognises local character.

8. In addition, I find no conflict with Policy HC1 of the LP, Policy CP2 of the CS, Policy BP2 of the BWDP and Policy DMD4 of the DLP, which promote understanding and respect for local historic context, such as the Becontree Estate.
9. Policy DMD6 of the DLP and the LBBB Residential Extensions and Alterations Supplementary Planning Document do not cover new dwellings so are not relevant to this decision.

Living conditions

10. The house would accommodate two people over two storeys, notwithstanding that the upper floor is within the roof space. Consequently, for the purposes of internal space standards, the proposal comprises a one bedroom, two-person, two storey dwelling. Policy D6 of the LP and national guidance³ require a minimum 58 m² overall gross internal floor area (GIA) for a one bedroom, two-person, two storey dwelling. Even if I take the appellant's figure of 55.2m², the GIA of the proposed house would be less than the overall minimum standard required.
11. Policy BP6 of the BWDP also sets individual minimum space standards for a double bedroom, kitchen/dining/living space and storage. The Council's assessment concludes the proposal would comply with all the minimum floor areas for these different types of space. I see no reason to disagree with this conclusion. Indeed, I note that in all three instances the minimum space standard would be exceeded.
12. The open plan kitchen/dining/living area would allow for a logical flow of activities, with a downstairs toilet. Upstairs, the bathroom would be close to the bedroom, the shape of the bedroom would allow enough space around furniture, and the storage space would be easily accessible. In addition, both levels of the dwelling would be dual aspect. The outdoor space would also be larger than required with good orientation for sun and sufficient space for storage of bikes and bins. Therefore, the proposal would be consistent with many of the qualitative design aspects sought by Policy D6 of the LP, because it would be functional, comfortable, fit for purpose and dual aspect.
13. Taking all this together, I find the proposal would conflict with the minimum overall GIA space standard requirement of Policy D6 of the LP. However, I consider the other material considerations set out above outweigh that conflict. I find no conflict with the Framework, which requires a high standard of amenity for future occupiers. Under section 38(6) of the Planning and Compulsory Purchase Act 2004, this leads me to determine other than in accordance with the development plan and I conclude future occupiers would be likely to experience acceptable living conditions in terms of internal living space.

Other Matters

14. The proposal would result in the creation of one additional dwelling on a small site in an area with good access to public transport. It would therefore help to

³ Technical housing standards – nationally described space standard

meet London's unmet housing need, in accordance with Policies GG4, H1 and H2 of the LP and Policies CM1, CM2 and CC1 of the CS. This is notwithstanding that there is high demand for larger family-sized accommodation in the borough. This would be a benefit of the proposal. There would also be a modest economic benefit from construction and future occupiers' use of local services.

Conditions

15. I have undertaken some minor editing and rationalisation of the conditions proposed by the Council in the interests of precision and clarity. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty.
16. A condition on materials is necessary to integrate the appearance of the proposed house with that of the host dwelling. The condition requiring approval of details of bicycle parking/storage is necessary to ensure effective storage and promote active travel in accordance with Policy T5 of the LP.
17. Neither the wholesale removal of freedoms to carry out small-scale alterations and extensions, nor restriction of the proposed development to C3 (single dwellinghouse) use only, has a justification specific and precise enough to meet the tests of necessity and reasonableness. Therefore, I have not included conditions on these matters. A pre-commencement condition requiring prior approval of a Construction Logistics Plan is not necessary given the scale and location of the development. The impact of one less on-street parking space, as a result of the proposed crossover, in an area with a good public transport access level (PTAL 4) would be limited. On this basis a condition requiring a parking survey or removal of a parking permit is not necessary.

Conclusion

18. I have found that the proposal would conflict with neither the development plan nor the Framework when each is considered as a whole. It follows that, while the Council acknowledges the delivery of housing has been substantially below the housing requirement in the previous 3 years, triggering the presumption in favour of sustainable development, there are no adverse impacts which would significantly and demonstrably outweigh the benefits of this proposal. I therefore conclude the appeal should be allowed.

C Carpenter

INSPECTOR