



Appeal Decision

Site visit made on 22 January 2024

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2024

Appeal Ref: APP/Z5060/W/23/3328258

125 Cornworthy Road, Dagenham RM8 2DF

- 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 Lakhvinder Singh against the decision of The Council of the London Borough of Barking and Dagenham.
 - The application Ref 23/00818/FULL, dated 30 May 2023, was refused by notice dated 24 July 2023.
 - The development proposed is single and part first floor rear extensions; erection of one 2x bedroom single dwelling house with associated car parking, waste / refuse storage and amenity space at 125 Cornworthy Road.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A new version of the National Planning Policy Framework (the Framework) was published on 19 December 2023. The parts of the Framework most relevant to the appeal have not substantively changed from the previous iteration. Consequently, this update does not fundamentally alter the main parties' cases, and it is not necessary to seek further comments. References hereafter in the decision to the Framework are to the December 2023 version.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the area;
 - Whether the proposal would provide a suitable standard of accommodation, with respect to external amenity space, and;
 - Whether the proposal would make adequate provision for vehicular and cycle parking.

Reasons

Character and Appearance

4. The appeal relates to an end-of-terrace property standing on the corner of two residential roads within the Becontree Estate, a planned estate built between 1921 and 1934 as part of the 'Homes for Heroes' initiative following the First World War. The area is identified as locally distinctive and historically important under Policy BP2 of the Borough Wide DPD (2011), which encourages its preservation, reinstatement and enhancement.

5. The Council describes the qualities of the Becontree Estate as including meticulously planned, repetitive designs of development whereby the terrace rows on the street tend to be uniform in design, size and scale. On corner plots, dwellings are set back behind green spaces, respecting building lines in both directions and creating more spacious layouts around the junctions. I saw the immediate surroundings of the site to embody these qualities. Given the scale of the estate and the extent to which the original layout has been preserved, the Council regards the Becontree Estate as a non-designated heritage asset.
6. The existing terrace from Nos 111-125 exhibits the characteristic symmetry of the Becontree Estate, expressed clearly through its roof design and the arrangement of windows and doors, notably the front doors of the end dwellings being on the side elevations. The additional dwelling would replicate the hipped roof form of No 125, but in elongating the terrace, it would upset its symmetry. This would be noticeable through the fenestration, as the proposed front windows would not match the size or pattern of the terrace group. The entrance door to both No 125 and the new dwelling would be on the front elevation, uncharacteristic of the estate design and upsetting the symmetry with No 111 to the far end of the terrace and No 127 across the junction.
7. However, the most notable effect would be the erosion of the characteristic setback of the terrace from the side boundary, as the proposed dwelling would extend fully to the back edge of the pavement. In doing so, it would also project significantly in front of the corresponding building line along Easebourne Road. The proposed rear projection to the dwelling would exacerbate the visible massing on the site and add to its conspicuousness. The resulting arrangement would severely erode the openness of the street corners and so detract from the original planned layout of the estate that contributes to its significance.
8. The appellant cites examples of extensions to nearby properties in support of his position. The extensions to 103 and 105 Markyate Road differ from the appeal scheme in being recessed from the side boundaries, maintaining the openness of the corners to at least some degree. The extensions at 170 and 172 Ilchester Road were granted permission in 2005 and 2020. I do not have full details of the considerations made in granting these proposals, but it is plausible that the latter extension was approved in order to restore symmetry to the street scene lost through the first extension. However, I saw on site that these extensions are an isolated digression from the planned estate which do not contribute positively to its character and appearance. Therefore, I do not regard these as examples to be repeated, as to do so would severely erode specifically identified qualities of the estate as a non-designated heritage asset, and they do not alter my view on the harm arising from the proposal.
9. For the reasons set out, I conclude that the proposal would significantly harm the character and appearance of the Becontree Estate, a non-designated heritage asset. This would be contrary to Policies H2 and D4 of the London Plan (March 2021) (the LP21); Policy CP3 of the Core Strategy (July 2010) (the CS); Policies BP2 and BP8 of the Borough Wide Development Plan Policies DPD (March 2011) (the BWDPP) and emerging Policies SP2, DMD1 and DMD4 of the Draft Local Plan (Reg 19 Submission Version, December 2021) (the DLP) which together require development to achieve high quality design that respects and strengthens local character and preserves the significance of heritage assets.

There would also be conflict with the Framework which regards good design as key aspect of sustainable development.

10. Having regard to Paragraph 209 of the Framework, the proposal would relate to one specific part of the non-designated heritage asset but would result in harm to key features contributing to its significance, including the estate layout and building design. Therefore, I consider the harm arising from the adverse effects on the significance of the Becontree Estate should be afforded moderate weight in the overall planning balance.

Provision of External Space

11. The proposed dwelling would result in the subdivision of the garden areas to No 125. The existing dwelling would retain an area of approximately 32sqm to the rear following construction of the proposed extension. The proposed dwelling would have an area of some 14.5sqm at the rear. Both dwellings would have some external space to the front, but as this would be open to the street, it would not provide private space for occupants.
12. Policy BP5 of the Borough Wide DPD requires a two-bedroom house to provide 50sqm of private external amenity space. Both the existing and proposed dwellings would therefore fall significantly short of this requirement. I accept that the space to the rear of No 125 would at least be usable in terms of its shape and would offer some degree of amenity for occupants. However, the space to the rear of the proposed dwelling would form a narrow L-shape wrapping around the retained car parking space. This would leave little usable space for even basic activities such as sitting out or storage, a fact exemplified by the intention to store bins to the front of the dwelling. Occupants attempting to use the space would be hemmed in between the dwelling and a parked car, a feature that would in turn restrict outlook from the rear ground floor. The proposal would therefore fail to offer suitable external space for occupants.
13. I recognise that there are public open spaces within walking distance of the appeal site, but whilst these offer excellent space for exercise and recreation, they are not a substitute for usable private space for activities such as drying clothes and children's play. The space proposed in this case is severely below the required amount, with its awkward shape and placement further undermining its utility.
14. The appellant points to several examples of proposals granted by the Council where the external amenity space approved did not meet the relevant standards. At 18 Stockdale Road, the proposed development was a smaller, one bedroom dwelling, with that at 237 Grafton Road similarly for a one-bedroom, one-person dwelling. In the latter case, the Inspector noted the requirements of Policy BP5 for such dwellings to provide 20sqm of external space, but that the LP21 requires 5sqm for 1-2 person dwellings. Against that measure, both of these smaller dwellings provided sufficient, usable patio space for the small number of expected occupants.
15. The scheme at 33 Rowdowns Road differs in that it proposed two rectangular gardens, both of reasonable size and shape to offer functionality for occupants, which would not be the case for the proposed dwelling. The development at 2a Sandringham Road provided somewhat awkwardly shaped garden areas, but at 52sqm, the proposed dwelling met the requirements of Policy BP5.

16. The development at 60 High Road was for flats rather than dwellings, and each was provided with an external garden or balcony in line with the space standards of the LP21. Finally, at 8 Stratford Close the plans before me are unclear as to the overall site layout, and I do not have the Council's officer report to understand the considerations, although I note the proposal was to replace a fire damaged dwelling, and so was likely to involve a number of different material considerations to the proposal before me.
17. In summary, I find the examples cited by the appeal are not directly comparable to the appeal scheme due to differences in the type of accommodation proposed triggering different requirements for external space, or the layout of the space being more functional. Therefore, I am not persuaded that these examples justify a proposal where I have found the external amenity space to be wholly inadequate in size and shape.
18. For these reasons, I conclude that the proposed dwelling would fail to provide a suitable standard of accommodation, due to the inadequate provision of external amenity space. Therefore, the proposal would conflict with Policies D4 and D6 of the LP21; Policy CP3 of the CS; Policies BP5, BP8 and BP11 of the BWDPP; emerging Policies SP2, SP3 and DMD1 of the DLP and the Framework, which together require high standards of design and layout to create places with a high standard of amenity for existing and future users.

Parking

19. The existing parking space to the rear of the property, accessed from Easebourne Road, would be allocated to the new dwelling, with a new space proposed to the front of No 125 to provide it with off-street parking. A designated on-street parking bay is located directly in front of No 125, and the Council's Transport Officer has made clear that a new crossover to access an off-street space would not be permissible as it would require the removal of the on-street bay and thus a loss of parking capacity in the area. The Council's resistance is understandable, as an on-street bay can be used by anyone with a permit and is therefore a more flexible option.
20. The site has a PTAL rating of 1b, meaning very poor access to public transport, with the nearest bus stops being between 500m and 600m away on Porters Avenue and Lodge Avenue. As a result, occupants are likely to be reliant on the private car for transport and generate high parking demand in the area. This is reflected in the site being a controlled parking zone (CPZ) with parking for resident permit holders only between 8.30am and 5.30pm Monday to Friday.
21. The proposal would increase the number of dwellings and with it the expected demand for parking. Given that the LP21 sets a maximum car parking provision of up to 1.5 spaces per two bedroom house in Outer London PTAL 1b, it is possible that one or both dwellings could generate demand for more than one vehicle. Apart from the existing off-street space for one vehicle, the rest of any demand for parking would have to be newly accommodated on the street.
22. The appellant suggests there is ample parking availability in the area but has not provided a parking survey to evidence this. The imagery provided is only a snapshot in time and does not account for fluctuations in parking demand, such as in the evening as people return home from work. However, it is reasonable to consider that the existence of the CPZ indicates pressure for parking does exist in the area, particularly given the lengthy periods of control across the

week. I also saw that on-street spaces are particularly necessary for dwellings located within the pedestrianised cul-de-sacs which are a feature of the Becontree Estate and do not have the ability to create forecourt parking. One such example is opposite the appeal site.

23. Therefore, in the absence of evidence that the additional demand for parking from the development could be adequately accommodated, I find that the proposal would add unacceptably to parking stress and congestion in the vicinity of the appeal site.
24. The proposal also fails to provide secure cycle storage for the new dwelling. Given the lack of privacy to the front garden, and the lack of space to the rear, I am not satisfied that a suitable area for cycle parking could be found, such that this matter could be left to be resolved by condition.
25. For these reasons, the proposal would conflict with the aims of Policies T5 and T6.1 of the LP21; Policies BR9 and BR11 of the BWDPP and emerging Policies DMT2 and DMSI3 of the DLP; which require development to promote sustainable modes of travel; for proposals to show how car parking will be designed and managed and to take into consideration on-street parking availability and existing and planned public transport provision.

Other Matter

26. The Council has not opposed the principle of rear extensions to the existing dwelling, either in terms of character and appearance or the effect on neighbours' living conditions. On the evidence provided, I have no reasons to disagree with the Council's conclusions; however, these are neutral considerations in the overall planning balance.

Conclusion

27. For the reasons set out, the proposal conflicts with the development plan, taken as a whole, to which I afford significant weight. Material considerations in this case, including the acknowledged but limited social and economic benefits of providing an additional dwelling to the Borough's housing stock, would not outweigh this conflict and do not indicate that permission should be forthcoming in spite of the conflict with the development plan.
28. Therefore, I conclude that the appeal should be dismissed.

K Savage

INSPECTOR