



Appeal Decision

Site visit made on 19 November 2024

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2024

Appeal Ref: APP/Z5060/W/24/3346185

Land to the side of 40 Hardie Road, Dagenham, RM10 7BT

- 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 Rakesh Aurora against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 24/00387/FULL, dated 13 March 2024, was refused by notice dated 14 May 2024.
 - The proposed development is the construction of a two storey 3x bed dwelling adjacent to 40 Hardie Road including provision of new vehicle crossover for existing property.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a two storey 3x bed dwelling adjacent to 40 Hardie Road including provision of new vehicle crossover for existing property, at Land to the side of 40 Hardie Road, Dagenham, RM10 7BT in accordance with the terms of the application ref 24/00387/FULL, dated 13 March 2024, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The dwelling hereby permitted shall not be occupied until the means of access for vehicles has been constructed in accordance with the approved plans. The access shall be retained thereafter.
 - 3) The dwelling hereby permitted shall not be occupied until the vehicle parking spaces have been provided in accordance with the approved plans. Thereafter those spaces shall be retained for the parking of vehicles only.
 - 4) The dwelling hereby permitted shall not be occupied until space has been laid out within the site for the storage of bicycles in accordance with details that shall first have been submitted to and approved in writing by the local planning authority, and that space shall thereafter be kept available for the storage of bicycles only.
 - 5) The development hereby permitted shall be carried out in accordance with the following approved plans: 19/542/001, 19/542/002, 19/542/003 & 19/542/004.

Main issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

Character and appearance

3. The appeal property is one half of a pair of semi-detached house within a residential area. 38 Hardie Road is attached to No. 40 and has been extended with a two-storey side extension, and the fenestration differs between the two properties. These features combine to mean the pair is not symmetrical.
4. I saw at my site visit that many properties in the area have been altered and extended, which leads to diversity to the appearance of individual houses and pairs of houses. These features mean that, although there are pairs of semi-detached houses in the area, there is not a strong degree of symmetry in many pairs, or consistency in the appearance of pairs. The appellant has further drawn my attention to rows of three or four properties in close vicinity to the appeal site and terraces close to the south.
5. Although there is this variation in the appearance of houses and with differences of pairs and terraces, those features do not diminish the wider character of the area that derives from the distinctive layout of houses. Properties front the straight road of Hardie Road that then turns a smooth arc, from which two spur road emanate. The mix of housing types front this robust street layout, which sees that consistent building line.
6. The proposed development shows 40 Hardie Road extended to the side by two storeys, with the width, height and fenestration designed to closely replicate No. 40. This would, with No. 38, create a row of three houses. This design and scale would not appear out of character with the wider area. As noted, in addition to pairs of houses that are of original proportions, there are extended pairs, rows of three or more houses, and alterations to many buildings. The creation of a row of three houses would fit within that mixed appearance. The creation of effectively a terrace of houses with the same front building line, eaves and ridge would reflect other terraces in the area.
7. Importantly, the character of the area which sees housing fronting the distinctive street layout would not be adversely affected: the siting of the extension by continuing the existing building line would retain that pattern of development. No. 40 and the gap to No. 42 is not particularly prominent in the area, and so the reduction in this space would not have an appreciable effect on the character of the street and wider area.
8. Policies D4 and D6 of the London Plan 2021 require good design in all development proposals, including new housing. Policy DMD1 of the Barking and Dagenham Local Plan 2024 seeks to ensure that, amongst other matters, development proposals demonstrate high-quality design and respond to local character. The proposals show the provision of a new dwelling that represents a suitable change to the area which responds to its context. On the main issue it is therefore concluded that there is no harm to character and appearance.

Other considerations

9. The Council confirm the internal space of the proposed house and the private amenity space, and the access into the property, would provide a satisfactory standard of accommodation for future occupants. No objection was raised to the provision of car parking and cycle parking, for access to the existing property of No. 40, and for the provision of waste and refuse storage for the property. I have no reason to disagree with those appraisals.
10. From my observations at the site visit and review of the plans I consider the design, siting and scale of the proposed dwelling would not give rise to any material harm to the living conditions of adjoining occupiers by virtue of overlooking, outlook or levels of light. I note no objections were raised on these matters by the Council or neighbouring occupiers.
11. The proposals would lead to the provision of a family-sized dwelling within the built-up area of the Borough which is characterised by housing. The provision of further housing in such an area is consistent with objectives set out in paragraphs 124 & 125 of the National Planning Policy Framework, Policies GG2, GG4, H1 and H2 of the London Plan, and Policy CP3 of the Local Plan. This adds weight in favour of the proposed development.

Conclusions and conditions

12. The proposal would not conflict with the policies of the development plan, and receives support in the development plan and the Framework with the provision of an additional dwelling. The appeal is therefore allowed.
13. The Council's delegated report and the consultation responses at the time of the planning application raise a number of conditions in the event of planning permission being granted. I agree the proposed new crossover should be installed before occupation of the new dwelling, in the interests of highway safety. The provision and retention of the parking facilities, including cycle parking, is also necessary in the interests of highway safety and sustainable transport measures; there are not full details of the cycle enclosure, so a condition requires submission of this matter.
14. Although the site lies within a residential area, the site does not appear particularly constrained for construction purposes and the scale of the build as a two storey extension is not notably excessive. In light of the advice in the Framework that conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification, I do not see the need for a condition for a construction environmental management plan.
15. Finally, I have attached a condition specifying the approved plans in the interests of precision.

C J Leigh
INSPECTOR