



Appeal Decision

Site visit made on 4 December 2024

by Jennifer Wallace BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2025

Appeal Ref: APP/Z5060/W/24/3346515

Land adjacent 33 Roles Grove, Romford, Essex RM6 5LT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr B Goldstein against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref is 23/001849/FULL.
 - The development proposed is new detached two bedroom dwelling including car parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the Council's decision was issued, the London Borough of Barking and Dagenham Local Plan 2020-2037 (September 2024) (LP) has been adopted, replacing the Local Development Framework (LDF) Core Strategy (July 2010) and the LDF Borough Wide Development Plan Document (March 2011). On 12 December 2024, a revised National Planning Policy Framework (the Framework) and updated Housing Delivery Test (HDT) results were published. I have sought further views from the main parties on each of these matters and have taken comments into account in reaching my decision. I will refer to the updated Framework paragraph numbers in this decision.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - the living conditions of existing residents with respect to outlook.

Reasons

Character and Appearance

4. Roles Grove is formed to one side by terraces of two-storey dwellings arranged in a block pattern with private amenity space to the rear and front gardens. On the opposite side of the street are more recently constructed three storey dwellings on more modest plots with hardstanding to the front providing parking areas. To the other side are three storey blocks of flats, with spacious open areas around them. The three types of dwelling vary considerably in appearance and scale. There is a degree of staggering to the layout of each of

these. However, this does not diminish the importance of the regular, structured layout in characterising the area.

5. The proposal is for a single detached dwelling which in itself would be uncharacteristic of the terraced appearance of the area. It would be positioned immediately adjacent to the footpath in proximity to 33 Roles Grove, considerably forward of its front elevation. It would also be sited beyond the side elevation of 31 Roles Grove, towards the end of the rear garden.
6. This positioning beyond the regular lines of dwellings would be uncharacteristic of the area. The proposed dwelling would appear particularly prominent due to its position closer to the road than the existing dwellings. It would be poorly related to the existing properties and incongruous with the prevailing pattern of development.
7. The pitched roof appearance of the dwelling would be similar to that of the adjacent terraced properties. While the more modern development opposite has introduced dwellings at a higher density than the relatively spacious terraced form around the appeal site, they sit on the opposite side of Roles Grove, where development already had a very different form. It may be that similar forms of development have been allowed elsewhere in the borough. However, I have based my assessment on the specific circumstances of this site, which are unlikely to be exactly replicated elsewhere.
8. For the reasons outlined, I conclude that the proposal would have an unacceptable effect on the character and appearance of the area. It would therefore be contrary to LP Policies SP 2 and DMD 1 which taken together require high quality design that relates to its local context and makes a positive contribution to its character.
9. The decision notice refers to London Plan (March 2021) Policy D4. This concerns the use of tools for design analysis, design review processes and maintaining design quality through to completion. This is not directly relevant to the main issue in this case.

Living Conditions

10. There is an open outlook along the length of the rear garden of No.31. This ensures that, despite the prominent gable end of No.33, the rear garden provides a pleasant outdoor space for occupiers. The proposed dwelling would appear as a substantial structure when viewed from the garden of No.31 due to its height and proximity. It would dominate the garden space, particularly in conjunction with the gable elevation of No.33. This would be detrimental to the outlook from the garden and so harm the living conditions of occupiers of No.31.
11. The Council has not identified any concerns with respect to loss of light or overlooking. I have no reason to find otherwise given the position of the proposed dwelling and any overlooking from the proposed first floor window would be of a type to be expected in urban areas. However, a lack of harm in respect of these matters these would not be a benefit as they would be expected of any well designed scheme. These matters are therefore neutral in my assessment of the proposal.
12. Given the above I conclude that the proposal would have an adverse effect on the living conditions of existing residents with respect to outlook. It would

therefore be contrary to LP Policy DMD 1 which requires development to consider the impact on the amenity of neighbouring properties.

13. The decision notice refers to LP Policy DMD 6. This concerns advertisements and signage which is not of relevance to this appeal.

Other Matters

14. There is development plan support for the redevelopment of brownfield land and an acknowledgement of the role that small sites can play in contributing towards the delivery of housing. London Plan Policy D3 seeks to optimise site capacity. However, this approach also requires development to enhance local context by delivering buildings that positively respond to local distinctiveness which would not be achieved in this case.
15. The proposed dwelling would provide acceptable living conditions for future occupiers with regards to privacy, outlook, internal accommodation and private amenity space. Cycle and refuse storage could be provided, along with one off-street parking space. There would be access to public transport and existing services in the area. The dwelling has been designed to provide passive ventilation. However, these are to be expected of any well designed development. I have been directed to a number of policies in the development plan, however compliance with development plan policy does not necessarily equate to a benefit of the proposal. Furthermore, it is not a numerical exercise in establishing if a proposal is in accordance with the development plan. Consequently, these considerations are neutral in my appraisal.

Planning Balance and Conclusion

16. At the time the Council made its decision, it could not demonstrate a five year housing land supply and confirmed that it had not met the requirements of the HDT. I have not been advised of any change in this position. Consequently, paragraph 11d)ii of the Framework is engaged. This sets out that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, having regard to key policies.
17. The proposal would direct development to a sustainable location and, in principle, would make an effective use of land. There would be an undoubted benefit from the delivery of an additional dwelling in such a location.
18. Against these benefits are the adverse impacts that I have identified in respect of the effects on the character and appearance of the area and the living conditions of nearby occupiers. These bring the proposal into conflict with paragraph 135 of the Framework in so far as it requires development to add to the overall quality of the area, maintain a strong sense of place using the arrangement of streets, spaces and building types to create attractive places and provide a high standard of amenity for users. Consequently, I find that the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The proposal therefore does not benefit from the presumption in favour of sustainable development.
19. The appeal proposal conflicts with the development plan when read as a whole. There are no material considerations, including the Framework, of

sufficient weight to indicate the decision should be taken otherwise. For the reasons given, I conclude that the appeal should be dismissed.

Jennifer Wallace

INSPECTOR