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## Appeal Decision

Site visit made on 14 January 2025

by **L Francis BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15<sup>th</sup> May 2025

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**Appeal Ref: APP/Z5060/W/24/3348515**

**25 Alleyndale Road, Dagenham RM8 2JQ**

- 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 Mohamed Bharadia against the decision of the Council of the London Borough of Barking and Dagenham.
  - The application Ref is 24/00676/FULL.
  - The development proposed is the construction of a 1 bed 1 person dwelling with associate external amenity, parking space, bicycle store and waste storage at land adjacent to 25 Alleyndale Road.
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### Decision

1. The appeal is dismissed.

### Applications for costs

2. An application for costs was made by Mr Mohamed Bharadia against the Council of the London Borough of Barking and Dagenham. This application is the subject of a separate decision.

### Preliminary Matters

3. The National Planning Policy Framework (the Framework) was updated in December 2024, during the consideration of the appeal. The Council and the appellant were given the opportunity to comment upon the revisions insofar as they relate to the appeal. I have taken the responses received by both parties into account.
4. The London Borough of Barking and Dagenham Local Plan 2020-2034 (2024) (BDLP) was adopted by the Council on 18 September 2024. In refusing planning permission, the Council referred to draft policies SP2, DMD1 and DMD4 and the BDLP was adopted after this appeal was lodged. The appellant has had the opportunity to comment upon the adopted policies. I have taken the BDLP into account in coming to my decision.
5. The Council has confirmed that the Local Development Framework Core Strategy (2010) and the Local Development Framework Borough Wide Development Plan Document (2011) are no longer in force.

## Main Issues

6. The main issues are the effect of the appeal proposal on:
- the character and appearance of the area including its effect on the significance of Becontree Estate as a Non-Designated Heritage Asset (NDHA); and,
  - highway safety, with particular regard to off-street parking provision.

## Reasons

### *Character and Appearance*

7. The appeal site comprises garden land to the side of a 2-storey, end-of-terrace dwelling with off-street parking to the front and a garden to the side and rear. Alleyndale Road is arranged with 2 runs of terraces either side of the road, with the terraces to the northern end of the road containing 7 houses, and the terraces to the southern end of the road containing 6 houses. The central 'pairs' of houses within each terrace have recessed shared entrance porches. The entrances to the end of terrace houses are typically located to the side, although I note the house opposite the appeal site has a side entrance porch. The dwellings share a single hipped roof ridgeline; they are of a simple design with a uniform front building line. The overall effect is one of symmetry. There are grassed areas to each corner of Alleyndale Road where it meets Winterbourne Road and Donne Road. These corner greens provide a sense of spaciousness to the densely developed streets.
8. The Council refers in the Officers Report (OR) and the Decision Letter to the Becontree Estate being classified as a NDHA. I note the Planning Practice Guidance (PPG) (Reference ID: 18a-040-20190723) advises that, irrespective of how NDHAs are identified, it is important that the decisions to identify them as NDHAs are based on sound evidence. My attention has been drawn to several appeal decisions on the Becontree Estate<sup>1</sup> where Inspectors have, based on the evidence before them, not considered the Becontree Estate to be a NDHA. I consider the evidence set out before me in the OR and Decision Letter is sufficient for me to consider the Becontree Estate as a NDHA.
9. The estate was constructed as part of the post first world war 'Homes for Heroes' initiative. The significance of the estate as an NDHA is derived in part from its repetitive designs, whereby terraced rows tend to be uniform in design, size and scale with each chain of houses sharing a single building frontage and roofscape, frequently with corner greens to separate the terraces.
10. The National Planning Policy Framework (the Framework) states that the effect of an application on the significance of a NDHA should be taken into account in determining the application, and a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
11. The proposed 2 storey dwelling would join the existing end-terraced property and extend to the side boundary. The ground floor of the proposed house would project from the established building line of the terrace. The existing side entrance to 25 Alleyndale Road would be moved to the front.

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<sup>1</sup> APP/Z5060/W/21/3267687, APP/Z5060/D/21/3267136, APP/Z5060/D/21/3271953 and APP/Z5060/W/24/3345112.

12. The projection at ground floor level from the established building line would appear incongruous. It would not be read as a continuation of the terrace and would harm the established pattern and grain of the terrace, which is in part derived from its uniform building line. Similarly, whilst I appreciate the ridgeline of the roof is designed to be subservient to the main terrace, I consider the lower ridgeline would present a discordant addition which would detract from the characteristic single ridgeline of the existing terrace. Consequently, the proposed dwelling would not reflect the pattern and grain of the dwellings on Alleyndale Road.
13. The scale and bulk of the proposal, extending to the boundary with the corner green, would result in a reduction in the sense of openness of this corner plot. Although there is a small side porch extension to the house immediately opposite at No. 26 Alleydale Road, and a single storey extension to 41 Winterbourne Road on the other side of the corner green, the modest scale of these additions does not have the same effect of harming the sense of openness that exists around the corner greens.
14. I note that there are examples of minor alterations and some side extensions in the vicinity, notably those I have been referred to at 140 Burnside Road which dates from 1998 and 30 Donne Road, dating from 2007<sup>2</sup>. They differ from the appeal scheme in that they are not 2 storey additions directly abutting the boundary of the corner green.
15. My attention has been drawn to alterations that have already been carried out to other dwellings in the streets close to the appeal site, as well as over the wider estate. Whilst there have undeniably been incremental changes as well as more significant infill development and extensions, there are features of particular significance which remain. On Alleyndale Road in particular, these alterations have not changed or eroded the significance of the principal features of the terrace including the symmetry of the terraces, position of the building line, consistency of the roof form and ridge height. The appeal scheme would have a harmful effect on these key characteristics.
16. Some loss of symmetry in the layout of terraces has been accepted in previous planning and appeal decisions and this has necessarily varied according to the individual circumstances of each site. However, in this case, I consider the symmetry of the terraces to be largely intact and is a feature that contributes positively to the significance of the NDHA and the character and appearance of the area. The additional dwelling, in the view of the appellant, would create a row of 7 dwellings which would be symmetrical to the adjacent terrace of 7 dwellings. However, the existing arrangement of terraces of 6 houses opposite each other would be unbalanced as a result of the appeal proposal.
17. Taken together, the proposal's scale and bulk in a prominent location adjacent to a corner green, along with its roof form, ground floor projection and the relocation of the side entrance to the front of the host property would lead to significant harm to the character and appearance of Alleyndale Road and the surrounding area, and, by association, the integrity of the Becontree Estate as a NDHA. The proposal would harm the features that contribute to the significance of the NDHA including the arrangement of terraces, uniform building frontages, single ridgelines and the openness of the corner greens. I acknowledge the scale of harm would be small in

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<sup>2</sup> 140 Burnside Road Ref TP/469/97 and 30 Donne Road Ref 07/01016/FUL

terms of its impact on the entire Becontree Estate. Nevertheless, incremental harm can cumulatively be significant.

18. For the reasons outlined above, I conclude that the proposed development would have a harmful effect on the character and appearance of the terrace and surrounding area. I consider there would be moderate harm to the significance of the Becontree Estate as a NDHA. Consequently, the proposal would conflict with Policy HC1 of the London Plan 2021 and Policies SP 2, DMD 1 and DMD 4 of the BDLP, which together require development to positively contribute to the character of the area, having regard to the local context.
19. Although the Council references Policy D4 of the London Plan in its reason for refusal, I do not consider it directly determinative as it does not directly address the issues in dispute, relating primarily to the means of delivering design scrutiny and analysis.

### *Highway Safety*

20. The proposal allows for an off-street space for a motorcycle. There would be no separate crossover for the appeal site, and the motorcycle would be dependent on the existing crossover outside 25 Alleyndale Road for access to the space.
21. The appeal site is in a location which has a Public Transport Accessibility Level (PTAL) rating of 2. The approach of London Plan Policy T6 is that developments that are not well connected should have the minimum necessary parking, which for PTAL 2 in outer London translates as a maximum of 0.75 spaces for a 1-bedroom dwelling. Part F of Policy T6 states that where provided, each motorcycle parking space should count towards the maximum for car parking spaces at all use classes. Given the parking requirements set out in London Plan Policy T6.1 are a maximum, I am satisfied that the proposal would be in line with this policy.
22. BDLP Policy DMT2 requires car free development to be the starting point for all proposals where they are well connected to facilities by public transport, walking and cycling. Although the Council state the appeal site is 16 minutes' walk from Chadwell Heath rail station, I noted on my site visit that there are several bus services which stop along Green Lane and Bennett's Castle Lane, close to the appeal site. Green Lane also contains shops and services. As such, I consider the appeal site is reasonably well connected in terms of access to services and facilities and a future occupant of the dwelling would not necessarily be reliant on a private vehicle.
23. Nevertheless, Alleyndale Road and surrounding streets are within a Controlled Parking Zone (CPZ) which I consider indicates that there is high demand for on-street parking in the area. The time of peak demand is likely to be overnight or at weekends in a residential location such as this. I note that parking congestion is also referred to in comments from interested parties. There is no substantive evidence before me regarding levels of overnight occupancy of on-street parking bays to assess whether there may be sufficient capacity in the area to accommodate any additional demand for on-street parking space. An additional dwelling, albeit for one person, would have the potential to increase the demand for on-street parking in the area.
24. Whilst the provision of a motorcycle space may provide appropriate parking facilities for a limited number of potential future occupiers, it is unlikely to be the

case for all. There is also no guarantee that a motorcycle owner would not have a car. Without the provision of an off-street parking space, or appropriate mitigation in the form of a suitable mechanism to remove any future occupier access to CPZ car parking permits, the proposal may lead to an increase in demand for on-street parking. Increased parking demand in areas of limited on-street supply may lead to additional congestion as drivers seek spaces, or park illegally, which would be detrimental to highway safety. There is no evidence to suggest that such circumstances could be avoided by the appeal proposal.

25. Notwithstanding the above, had the provision of a motorcycle space otherwise been acceptable, I consider that the shared crossover arrangements would be reasonable with regard to the ability of the occupiers of the host property and proposed house to each have reasonable access to the respective off-street parking areas.
26. In conclusion therefore, although I consider the proposal would not conflict with London Plan Policy T6.1, insufficient evidence has been provided to demonstrate that the proposal would not result in an increased demand for on-street parking, with consequential harm to highway safety. This would run contrary to the aims of BDLP Policy DMT2 and London Plan Policy T1. Taken together and amongst other things, these policies set out that development should make the most effective use of land, reflecting connectivity and accessibility in relation to public transport and ensure any impact on London's transport networks and supporting infrastructure are mitigated, as well as aiming to reduce car use.

### **Other Matters**

27. I acknowledge the appellant's comments regarding communication with the Council and the potential for the revision of the scheme in light of concerns regarding parking provision. However, this is a matter between the main parties and has no bearing on my consideration of the appeal.
28. The appellant points out that the Council will fail to meet its small sites target over the 10-year period between 2019-2029 by a significant 57% margin. Small sites and windfall sites provide an important component of housing delivery as set out in London Plan Policies H1 and H2, and I have further been referred to the 'incremental densification' encouraged by London Plan Policy D3. However, although the proposal would align with the aims of these policies, this does not outweigh the harm that I have identified in relation to the main issues. Similarly, the proposal would not conflict with the Good Growth objectives of the London Plan, and aspirations reflected in London Plan Policies SD6 and T2 in relation to the residential development in locations allowing shorter journeys to be made by foot and cycle.
29. I have also been referred to the Mayor of London's Small Site Design Codes London Plan Guidance 2023 and the Housing Design Standards London Plan Guidance 2023. The proposal would be in line with some of the guidance presented. However, a degree of compliance with this guidance does not outweigh the harm I have found in respect of the appeal proposal.
30. I have had regard to the previous appeal decisions and planning permissions that I have been referred to across the Becontree Estate. In any event, I am required to consider this proposal on its own merits in light of the evidence submitted and individual circumstances of the appeal.

31. I note that there are clear material differences between the proposal and the individual circumstances surrounding these decisions. Notably, the appeals allowed at 237 Grafton Road<sup>3</sup> and at 68 Ivyhouse Road<sup>4</sup> for single occupier houses were a very similar design to the appeal proposal with both sites located adjacent to corner greens. However, at Grafton Road, as well as there being an extant permission for a 2-storey side extension to the host property, the terrace had already been subject to alteration in terms of a projecting addition at ground floor at the other end of the terrace. To Ivyhouse Road, there was a side garage where the proposed house would be located which it was judged already had a compromising effect upon openness. Although the appeal proposal would be a similar design, there is no existing built form to the side of the appeal site or which projects in front of the established building line. I do not consider the circumstances are directly comparable.
32. Similarly, in another decision at 18 Stockdale Road<sup>5</sup>, I note from the officer's report that the presence of a side garage and an existing 2-storey extension opposite at No. 17 were factors which contributed to the scheme being considered to 'rebalance' the street scene. At 231 Wood Lane<sup>6</sup>, 144 Marston Avenue<sup>7</sup>, 105 Canonsleigh Road<sup>8</sup>, 14 Rosedale Road<sup>9</sup> and 16 Nicholas Road<sup>10</sup> the presence of an extant permission for a side extension or the presence of an existing outbuilding/garage was a consideration in those allowed appeals and planning permissions, and which is not the case at the appeal site. In the allowed appeal at 114 Arnold Road<sup>11</sup> for a 2-bedroom house the Inspector noted that there was already a deviation in the symmetry and uniformity of the terrace due to a front projection further down the road and spacing of the chimneys. It was not considered that the overall visual effect of the additional dwelling in that case would be harmful. At 1 Romsey Road<sup>12</sup> the presence of a single storey outbuilding and other examples of front projections in the vicinity were considerations in the appeal being allowed. I do not consider similar circumstances are presented in Alleyndale Road.
33. The allowed appeal at 24 Lynnett Road and permission at 8 Neville Gardens<sup>13</sup> involved bungalows to 'banjo' cul-de-sacs. They are not directly comparable with the appeal scheme in terms of their appearance or layout of the streets. The scheme at 189 Blackborne Road<sup>14</sup> comprised an additional house to an existing semi-detached pair, and the semi-detached building form is not comparable with the appeal site. Further examples include 35 Clementhorpe Road<sup>15</sup> where a design was proposed which maintained the building line and ridge height. The site at 1 Sheppey Road<sup>16</sup> was located in a more commercial area with a different character to the appeal site.

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<sup>3</sup> APP/Z5060/W/20/3260545

<sup>4</sup> APP/Z5060/W/20/3249128 and APP/Z5060/W/21/3290012

<sup>5</sup> Council's reference 21/01190/FULL

<sup>6</sup> Ref 21/01332/FULL

<sup>7</sup> Ref 22/02117/FULL

<sup>8</sup> Ref 22/00909/FULL

<sup>9</sup> Ref 22/01336/FULL

<sup>10</sup> Ref 22/01637/FULL

<sup>11</sup> APP/Z5060/W/20/3247697

<sup>12</sup> APP/Z5060/W/22/3312798

<sup>13</sup> APP/Z5060/W/22/3308125 and Ref 23/01159/FULL

<sup>14</sup> APP/Z5060/W/20/3256216

<sup>15</sup> Ref 23/00053/FULL

<sup>16</sup> Ref 22/01354/FULL



34. I have been referred to several appeal decisions and planning permissions where dwellings were permitted without associated off-street parking. These sites are necessarily subject to their own individual circumstances. I note the sites at 237 Grafton Road, 1 Acre Road<sup>17</sup> and 168 Alibon Road<sup>18</sup> had a lower PTAL rating than the appeal site. The planning permission at 18 Basedale Road<sup>19</sup> permitted a 2-bedroom dwelling with no provision of off street parking, though I have very limited evidence before me with regards to the reasoning behind this and in any event it is not in the immediate vicinity of the appeal site. Similarly, neither of the allowed appeals at 68 Ivyhouse Road provide off-street parking, which I note was a matter the Council stated was acceptable when determining the original planning application in 2020. Matters may have materially changed since this time, and I cannot be satisfied that the circumstances are sufficiently similar to the appeal before me.
35. The allowed appeal at 429 Porters Avenue<sup>20</sup> related to 2 flats which replaced a car repair business. The Inspector judged that the loss of the existing use would in itself reduce parking pressure in locality. At 435 Porters Avenue<sup>21</sup>, the Inspector found that there was not sufficient justification to remove access to parking permits within the CPZ, particularly given there were no restrictions on permits for other flats on the site. I do not consider any of these decisions are sufficiently similar to the appeal proposal to indicate that I should reach a different conclusion on this matter.
36. My attention has also been drawn to various appeals<sup>22</sup> with regard to the role of the planning balance in those appeals being allowed. Whilst each of these appeals related to the provision of additional housing, the planning balance is necessarily subject to the individual circumstances of each case.
37. I note the media articles referred to regarding the evolving nature of the Becontree Estate and individual occupiers' adaptations to their homes over time. This is not a matter which would indicate that my decision should be taken otherwise than in accordance with the development plan.
38. The Council is satisfied with matters including the dwelling's floorspace and layout, its effect upon the living conditions of neighbouring occupiers, drainage, sustainability, refuse and cycle storage and flood risk. I do not have substantive evidence to contradict the conclusions of the Council in these matters, so I see no reason to disagree. Nevertheless, the absence of harm means these are neutral considerations in my determination of the appeal.

## Planning Balance

39. As set out above, I have concluded that the proposal would have a harmful effect upon the character and appearance of the area and there is insufficient evidence to demonstrate that there would be no harm to highway safety as a result of the lack of off-street car parking. I give significant weight to the harm arising from these matters.

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<sup>17</sup> Ref 22/01797/FULL

<sup>18</sup> Ref 22/00427/FULL

<sup>19</sup> Ref 21/01078/FULL

<sup>20</sup> APP/Z5060/W/23/3332042

<sup>21</sup> APP/Z5060/W/23/3334389

<sup>22</sup> APP/Z5060/W/21/3282429 (65 Clementhorpe Road), APP/Z5060/W/21/3288107 (328 Ripple Road) and APP/Z5060/W/20/3248912 (2 Herbert Gardens).

40. Having had regard to the provisions of the Framework, the proposal would result in harm to the features that contribute to the significance of the Becontree Estate as a NDHA. This includes the estate layout, building design and openness derived from the corner greens. I afford this moderate weight in the overall planning balance.
41. As a small site, this proposal could be built out quickly and would be an efficient use of land in a sustainable location. It would support the Government's aim of significantly boosting the supply of homes. However, the addition of one single occupier dwelling would provide a limited contribution in this context and I attach limited weight to this benefit. There would be temporary and ongoing economic benefits from the development through construction and the future resident's use of local shops and services, but given the scale of development, those benefits would be very limited.
42. The latest Housing Delivery Test indicates that the Council's delivery of housing was substantially below the housing requirement of the previous 3 years, at 66%. In these circumstances paragraph 11d)ii of the Framework is applicable.
43. Footnote 8 of the Framework establishes that the policies which are most important for determining the application are deemed out-of-date. Consequently, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard for key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes, individually or in combination.
44. As described above, the benefits associated with the additional dwelling would be limited even taking into account the Framework's objective of boosting significantly the supply of housing, particularly in relation to the contribution of small sites to housing supply, making effective use of land, and the Council's housing land supply position. The Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It also promotes sustainable transport and seeks mitigation where there would be unacceptable impacts on highway safety.
45. The harm I have identified to the character and appearance of the area and to highway safety would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in the Framework taken as a whole, having particular regard to securing well-designed places.

## **Conclusion**

46. The proposal conflicts with the development plan and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given, the appeal should be dismissed.

*L Francis*

INSPECTOR