Appeal Decision

Site visit made on 4 December 2018

by N Smith BA (hons) MA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 23 January 2019

Appeal Ref: APP/Z5060/W/18/3210549
265 Sheppey Road, Dagenham, RM9 4JU

- 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 Ahmed Chishti against the decision of London Borough of Barking and Dagenham Council.
- The application Ref 18/00110/FUL, dated 23 August 2017, was refused by notice dated 29 March 2018.
- The development proposed is construction of new house on the land adjacent to 265 Sheppey Road, RM9 4JU.

Decision

1. The appeal is dismissed.

Procedural matters

2. The appellant has submitted massing diagrams showing possible alternative designs for a dwelling at the site. An appeal is not a means by which a scheme can be evolved after it has been refused permission by the local planning authority and I have nothing before me to confirm whether these have been formally submitted to the Council or consulted upon. As such, I have considered them no further.

Main Issue

3. The main issue in this case is whether the development would cause harm to the character and appearance of the area.

Reasons

4. The area is characterised by houses arranged in terraces of a fairly uniform design. Undeveloped spaces at corner plots, like that at this site, make a positive contribution towards the appearance of the area by creating breaks in the built environment at road junctions. The development would close the gap between the side of the existing house and the boundary almost entirely, resulting in the loss of that valuable and characteristic openness. There is a fence around the side boundary of the site that obscures views of the side garden at ground floor level but its replacement with the proposal would not, in my view, represent an overall improvement in the visual character of the area or openness of the site. Nor is it clear that allowing the appeal would be necessary to bring about an improvement in the existing fence.
5. A further characteristic of the area is a largely uniform pattern of built development. The proposal would conflict with that pattern by extending out beyond the front building line of Carrow Road, increasing its prominence in the street scene and conflicting with the established pattern of built form in the area, to the detriment of its character and appearance.

6. The Council has referred to conflicts with Policy BP2 of the Borough Wide Development Policies Development Plan Document (BWDP) and Policy CP2 of the Core Strategy (CS), which seek to protect heritage assets because it says that the site falls within the Becontree Estate. The Estate is referenced as justifying protection as a non-designated heritage asset. Paragraph 197 of the Framework requires that the effect of a development on the significance of a non-designated heritage asset should be taken into account. The loss of spaciousness resulting from the development would, in my view, undermine an aspect of the significance of the area and this reinforces my concerns relating to the siting of the development.

7. I have noted the appellant’s references to developments at other sites within the vicinity of the site. The Council sets out that one example is only single-storey in height and that two further examples were granted permission prior to the adoption of the Residential Extensions SPD, which places emphasis on protecting corner plots. There is nothing before me to dispute that this is the case and this limits the weight that should be attached to these examples. In any event, each case should be considered on its individual merits and in this case, I have established that the development would result in harm being caused to the character and appearance of the area.

8. I agree with the appellant that the use of conditions could ensure a consistent materials palette across the two buildings, but that would not mitigate the harm that I have identified.

9. Therefore, I conclude that the proposal would harm the character and appearance of the area. Consequently, it would conflict with policies BP8 and BP11 of the BWDP and Policy CP2 of the CS which seek, amongst other requirements, to secure a high quality of development, Policy BP2 of the DPD and CP2 of the Core Strategy, which seek to protect the significance of non-designated heritage assets and the Residential Extensions and Alterations Supplementary Planning Document, which seeks to protect corner plots where they are important to retain openness and building lines.

Other matters

10. Whilst the appellant argues that the development would result in the removal of an existing vehicular crossover, there is no technical evidence before me to demonstrate that strong benefits would result or that significant weight in favour of the proposal should be given to this factor. I have also considered that the development would result in a contribution, albeit modest, to the housing stock and that a smaller garden area would be easier to maintain but do not find that these benefits associated with the proposal should outweigh the harm that I have identified.
Conclusion

11. For the reasons set out above, the appeal should be dismissed.

N Smith
INSPECTOR