Appeal Decision

Site visit made on 2 February 2016

by Roy Merrett  BSc(Hons) DipTP MRTPI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 February 2016

Appeal Ref: APP/Z5060/W/15/3135764
30 Spinney Gardens, Dagenham, RM9 5DR

- 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 Felix Mohan against the decision of the Council of the London Borough of Barking and Dagenham.
- The application Ref 15/00716/FUL, dated 4 June 2015, was refused by notice dated 21 August 2015.
- The development proposed is demolition of single storey side extension and erection of new two bedroom house.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
   
   i) highway and pedestrian safety;
   
   ii) the character and appearance of the area; and
   
   iii) the living conditions of future occupiers in terms of available private amenity space.

Reasons

Highway and Pedestrian Safety

3. Spinney Gardens is a short and narrow cul de sac of predominantly terraced dwellings. A large majority of them do not have off-street car parking space and it was clear from my site visit, in the early afternoon, that several cars were parked along the cul sac making it appear congested. Parking congestion is likely to be worse at times when residents would be at home outside the typical working day.

4. Whilst the proposal would allow for off-street parking to the front, access would be from a spatially restricted turning area at the end of the cul de sac. Added to this, the orientation of the parking space and occurrence of on-street parking would make turning arrangements tight and awkward and lead to difficulty in manoeuvring. It is also likely that increased on-street parking would occur adding to the existing congestion there. For these reasons I consider the development would be harmful to highway and pedestrian safety and as such would be in conflict with Policy BR9 of the Barking and Dagenham
Borough Wide Development Policies Development Plan Document 2011 (DPD) which amongst other things seeks for parking to improve safety for all road users and not inconvenience pedestrians.

**Character and Appearance**

5. Spinney Gardens is predominantly made up of short terraces of two storey dwellings with hipped roofs. The appeal site, an end of terrace position perpendicular to the head of the cul de sac, marks the turning point in the street and is very prominent.

6. The main two storey side elevations of the appeal dwelling and house on the opposite side of the street are significantly set in from the highway. Whilst the large single storey extension to the front and side of the appeal dwelling has clearly disrupted the symmetry between the two, the position of the main bulk of the dwelling helps to maintain a sense of spaciousness around the turn at the head of the cul de sac. This in turn helps to provide visual relief to the tight grouping of terraces.

7. Notwithstanding the fact that the proposal would be set in from the edge of the street, its scale and bulk would appear cramped and intrusive and would be detrimental to the spaciousness around the turn in the cul de sac. In addition, whilst I acknowledge that the existing extension has a gable end design the proposal would increase the height and visibility of the gable and further unbalance the aforementioned symmetry.

8. For the above reasons the proposal would be harmful to the character and appearance of the existing terrace and street scene and as such would conflict with Policy CP3 of the Barking and Dagenham Core Strategy 2010 and with Policies BP8 and BP11 of the DPD which seek to achieve high quality design and regard for local character.

**Living Conditions**

9. The proposal would result in the subdivision of the appellant’s existing rear garden to create a private amenity area of some 40 square metres and 6.7 metres in length, less than the standard set out in Policy BP5 of the DPD for new two bedroom dwellings.

10. Whilst the appellant has referred to additional amenity space at the front of the property, this area would be highly visible from the adjacent highway. Accordingly I do not regard the front of the property as private amenity space and as such the proposal would conflict with Policy BP5 of the DPD which seeks to secure high quality usable private amenity space for new housing development.

**Conclusion**

11. I acknowledge that the proposal would create an additional small unit of housing accommodation. However, having considered this and all other points raised, this does not outweigh the harm I have found in terms of highway and pedestrian safety, the character and appearance of the area and the living conditions of future occupiers of the proposal. The appeal does not therefore succeed.

*Roy Merrett  INSPECTOR*