
Appeal Decision

Site visit made on 14 February 2017

by R J Marshall LLB DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 March 2017

Appeal Ref: APP/Z5060/D/16/3162809

33, Standfield Road, Dagenham, Essex, RM10 8JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr N Afzal against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 16/01101/PRIOR6, dated 13 July 2016, was refused by notice dated 22 August 2016.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is dismissed.

Background/Procedural matter

2. A single storey extension of the size proposed is permitted development under the provisions of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015. However, under the provision of that Order where an owner or occupier of any adjoining premises objects to the proposed development the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises. When considering this impact the local planning authority must take into account any representations made as a result of the notice given to adjoining occupiers and consider the amenity of all adjoining premises, not just the adjoining premises which are the subject of representations.

Main Issue

3. The main issue in this appeal is the effect of the proposed extension on the living conditions of those in the adjoining house, No. 31 Standfield Road.

Reasons

4. The appeal property is an end of terrace house. The proposal is for a single-storey rear extension extending 5 metres out from the main wall of the house. It would have a shallow pitched roof with an eaves height of 2.6 metres and Ridge height of 3.35 metres. It would extend the full width of the property and would thus abut the side boundary with the neighbouring house at no. 31 Standfield Road.

5. An extension of this depth abutting the neighbouring boundary would appear over dominant and intrusive when seen from a sitting out area to the rear of the adjoining property No. 31. I accept that there is an existing boundary fence between the 2 properties. However, it is lower and to some extent see-through. It thus has much less impact than would the proposed extension. Given the proximity of a first-floor window on the ground floor elevation of No. 31 to the site boundary it is likely that, in view of the depth of the proposed extension, there would also be loss of daylight to one of the ground floor rooms in the neighbouring property. At 5 metres in length the extension would be notably longer than the 3.65 metres generally regarded as acceptable in the Council's adopted Supplementary Planning Document (SPD) *Residential Extensions and Alterations*. I am less concerned about loss of sunlight given that the proposed extension would lie to the north of this neighbouring house.
6. I appreciate that it is not the occupier of this house who has objected to the proposal. However, I need to have regard to potential future occupiers as well and many would find the proposed extension harmful for the reasons I have given. Whilst the proposed development might provide some screening for the sitting out area at No. 31 this would not outweigh the harm identified and could probably be achieved in other ways.
7. An objection to the proposed extension also came from the occupier of No. 35 Standfield Road. However, there would be a sufficient gap between this house and the appeal property for the proposed extension to cause no undue harm through visual impact or loss of light to the occupiers of this property. Loss of wildlife and impact on drainage would most likely be negligible if not non-existent. Views from the upper floor rear windows of No. 35 onto roof light windows in the proposed extension would so oblique as to cause no unacceptable loss of privacy for those occupying the appeal property. However, lack of harm in these respects would not make the proposal more acceptable given the harm identified to those at No. 31.
8. I conclude that the proposed development would harm the living conditions of those in the adjoining house. No. 31 Standfield Road with special reference to visual impact and loss of daylight. It would be contrary to the SPD referred to above and to Policies BP8 and BP11 of the *Planning for the future of Barking and Dagenham Borough Wide Development Policies Development Plan Document (2011)* which seek to retain residential amenity.

Conclusion

9. For the reasons given above it is concluded that the appeal should be dismissed.

R J Marshall

INSPECTOR