



Appeal Decision

Site visit made on 23 July 2019

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 August 2019

Appeal Ref: APP/Z5060/W/19/3229280

15 Cadiz Road, Dagenham RM10 8XL

- 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 Dennis Jones against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 18/01637/FUL, dated 17 September 2018, was refused by notice dated 7 February 2019.
 - The development proposed is demolition of existing outbuilding and erection of 2 bedroom chalet bungalow within rear garden with associated access, parking and landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of the development from the Council's decision notice, as I note that the appellant has given their agreement to this change from that given on the application form.

Main Issues

3. The main issues are:
 - The effect of the proposed dwelling on the character and appearance of the surrounding area.
 - Whether the proposed development would provide acceptable living conditions for future occupants with regard to outlook.

Reasons

Character and appearance

4. The appeal site accommodates a detached bungalow, with roof conversion. The proposal relates to the subdivision of the plot and demolition of the existing outbuildings to enable access to the rear and construction of a chalet bungalow. Cadiz Road is characterised by both single storey dwellings with loft conversions and dormer windows, and two storey semi detached dwellings. The dwellings front onto Cadiz Road with parking predominately within the frontage, with long gardens of varying widths.
5. The development of the rear garden would increase the density of development within the locality, which is generally characterised by open rear gardens,

including some, such as the appeal site, with ancillary outbuildings. This would lead to an urbanising affect which would be out of character with the surrounding area.

6. The subdivision of the plot will result in a dwelling to the rear of the existing properties in Cadiz Road, which is at odds with the prevailing pattern of development in the immediate area and would result in development that fails to take opportunities for improving the character and quality of the area. I have taken into account the properties within Rainham Road, which are visible from within the appeal site, however these have their accesses and frontages onto Rainham Road and are viewed within the context of Rainham Road and not Cadiz Road.
7. For these reasons, therefore, the proposed development would introduce a discordant built form to the locality that would be out of keeping with and harm the character and appearance of the surrounding area. Consequently, it would conflict with policy CP3 of the Planning for the future of Barking and Dagenham Core Strategy (July 2010) (CS) and policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document (March 2011) (DPD) which together seek to ensure development has regard to the local character and amenity of the area, having regard to their layout.

Living Conditions

8. The proposed dwelling includes a first floor providing 2 bedrooms with rooflights provided to bedroom 2 and 2 no. windows to bedroom 1. Bedroom 1 is positioned within a flat roof dormer with two windows proposed to be obscure glazed. I note the suggestion that these windows would also need to be fixed shut to avoid overlooking to the neighbouring property, and the condition suggested by the appellant that this detail could be agreed separately.
9. The need for obscure glazing and consideration of restricted openings in order to overcome concerns regarding overlooking demonstrates to me that the design would result in a poor standard of living conditions for future occupiers of the proposed dwelling. In addition, the use of fixed windows is likely to lead to poor ventilation of rooms which adds to my concerns. I do not consider it appropriate for this level of detail to be left to be agreed by condition as it is not possible, on the information before me, to conclude that any solution would provide future occupiers with acceptable living conditions with regard to outlook.
10. I therefore conclude that the proposed development would provide unsatisfactory and inadequate living conditions for future occupiers with regard to outlook, contrary to policy CP3 of the CS and policies BP8 and BP11 of the DPD which require development to achieve a high standard of design which should be usable and maintains and protects residential amenity.

Other Matters

11. I note that the evidence refers to other similar development in the surrounding area. I have taken this into account in terms of any influence on the character and appearance of the area so far as I am able to based on the information before me. However, I am not aware of the full circumstances of these cases

and in any event each scheme must be considered and determined on its individual merits.

12. I have also taken into account that the development would result in an additional dwelling, that would contribute to housing supply in the area, however whilst there would be modest benefits associated with the provision of an additional dwelling, these do not outweigh the considerable harm identified above.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

G. Pannell

INSPECTOR