



Appeal Decision

Site visit made on 9 September 2019

by Adrian Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2019

Appeal Ref: APP/Z5060/D/19/3232206

84 Babington Road, Dagenham RM8 2XR

- 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 Daniel Tutu against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 19/00473/FUL, dated 14 March 2019, was refused by notice dated 10 May 2019.
 - The development proposed is erection of a single storey rear extension with two Velux roof windows.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension with two Velux roof windows at 84 Babington Road, Dagenham RM8 2XR in accordance with the terms of the application, Ref 19/00473/FUL, dated 14 March 2019, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Proposed Block Plan; 8 Proposed Ground Floor; 10 Proposed Roof; 11 Proposed East and West Elevations; 12 Proposed North Elevation; 13 Proposed South Elevation; 14 Proposed Section B-B.
 - 3) The materials to be used in the construction of the external surfaces of the extension shall match those used in the existing building.

Procedural Matter

2. At the time of my site visit it was evident that building works had been undertaken and a single storey rear extension was in situ. However, for the avoidance of any doubt, my assessment of the appeal proposal is based on the submitted drawings before me.

Main Issues

3. The main issues are the effect of the development on:
 - i) the character and appearance of the host building and area; and
 - ii) the living conditions of the occupants of 82 and 86 Babington Road, with particular regard to overbearing.

Reasons

Character and appearance

4. Babington Road is a residential street, comprising of two-storey mid-terraced houses of simple appearance. Due to the compact arrangement of houses, the rear elevations are not visible within the street scene. As such the proposed extension would only be visible from the rear of surrounding properties.
5. When stood in the rear garden of No 84 I was able to observe numerous single storey rear extensions of varied size and appearance. Therefore, even though the immediate neighbours have not been extended, the extension would not appear out of character within its wider context. Moreover, its scale and simple lean-to design would relate acceptably to the host property, and a reasonable amount of garden would be retained. I am therefore satisfied that the extension would not appear unduly prominent in relation to the host property or its surroundings.
6. Consequently, the development would be acceptable in terms of its impact on the character and appearance of the host building and area. As such, the proposal accords in this regard with Policies BP8 and BP11 of the London Borough of Barking and Dagenham Borough Wide Development Policies Development Plan Document 2011 (DPD), and with the aims of the Residential Extensions and Alterations Supplementary Planning Document 2012 (SPD). These require development to be of a high standard and to have regard to local character.

Living conditions

7. The extension would occupy the full width of the property, extending to a depth of approximately 5m, with a lean-to roof. The Council's refusal reason states that the depth of the extension would be overbearing on neighbours, so I shall confine my considerations to this effect.
8. The guidance in the Council's SPD is that rear extensions should not normally exceed 3.65m in depth. Whilst I acknowledge the aims behind this, I must also have regard to changes to Permitted Development (PD), which allow extensions up to 6m in depth on terraced properties, albeit subject to prior approval if there are any neighbour objections. As such, I attach only limited weight to this particular requirement of the SPD.
9. Both Nos 82 and 86 have reasonably sized rear gardens and a small ground floor window close to the common boundary with the appeal property. The outlook down the gardens would not be changed, but due to its proximity, the extension would be likely to have a notable presence in views out from the small ground floor windows. Nevertheless, I am mindful that an extension of at least 3m in depth and 4m in height could be constructed without planning permission, which would have a similar effect. I give this significant weight. Moreover, based on the uncontested information before me, the main living spaces are to the front, and the small ground floor window serves a non-dining kitchen. This significantly limits the weight I can give to any impact on those windows.
10. In light of all of the above, I am satisfied that the depth and overall scale of the extension would not unacceptably harm the living conditions of the occupants of Nos 82 and 86 by reason of being overbearing. Consequently, whilst the

depth of the extension would be in breach of the guidance in the Council's SPD, the proposal does not conflict with the requirements of DPD Policies BP8 and BP11 where they seek to protect residential amenity.

Conditions

11. I have considered the conditions that have been suggested by the Council in line with the Planning Practice Guidance. I have imposed the standard time limit condition as well as a condition that the development is carried out in accordance with the approved plans. These are considered necessary for the avoidance of doubt and in the interests of proper planning. A condition requiring the external materials of the extension to match the dwelling is imposed in order to ensure a satisfactory appearance of the development.

Conclusion

12. For the reasons above, and subject to the conditions, I conclude that the appeal should be allowed.

Adrian Caines

INSPECTOR