



Appeal Decision

Site visit made on 13 August 2019

by J E Jolly BA (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2019

Appeal Ref: APP/Z5060/W/19/3230437

535 Rainham Road South, Dagenham RM10 7XJ

- 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 and Mrs SN & JN Sclaire against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 18/01504/FUL, dated 30 August 2018, was refused by notice dated 19 December 2018.
 - The development proposed is a two storey and first floor rear extension to create a 1-bedroom flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the development on the living conditions of future occupants and,
 - The effect of the proposal on the living conditions of neighbouring occupiers with specific regard to outlook.

Reasons

3. Rainham Road South is located in a residential area which I saw at my site inspection has a range of local commercial services along its length as well as transport links into central London.
4. The appeal site forms part of a mixed-use two-storey Victorian terrace at the junction of Rainham Road South and Reede Road. At street level there are 4 commercial units which include a charity shop, Madina Foundation Islamic Centre, a fast food outlet and, at 535 Rainham Road South, a sports injury clinic. To the rear of the property Durham Road is a uniform, two-storey terraced residential area.
5. In the case of No 535, there is a three-bedroom flat on the first floor which is accessed via the small back alleyway to the rear of the property. The alleyway adjoins the gardens on Durham Road, and is currently used for business access, informal parking and refuse bins.
6. The proposal seeks a two-storey and first floor rear extension to No 535 that would create an additional 1 bedroom, 2-person dwelling in a similar style and materials to the existing and surrounding properties. The external stair-case would be enclosed and provide first floor access to the existing flat via the creation of a small external void area between the two flats.

7. The rear elevation of the proposal faces onto the void and would obscure the outlook currently enjoyed by the existing flat. Natural light reaching the bedroom beyond would also be reduced. The new flat would include a ground-floor open-plan living/dining area and separate toilet with stairs leading to a first-floor bedroom and bathroom. No specific storage space is provided in the proposed dwelling.
8. The window to the ground floor living space and first floor bedroom would face onto the back alleyway and the adjacent gardens of Durham Road. There are many windows in the neighbouring dwellings, and the arrangement of the properties is such that over-looking and lack of privacy for the occupants of No 535, and similarly for occupants living at Nos 3 and 5 Durham Road would not be further compromised by this proposal.
9. However, the proposal does not provide an outside amenity area to relax in or undertake activities such as hanging washing or socialising. My concerns over the absence of such an external space and the provision of extremely limited storage space are further compounded given that the proposal would have very limited internal space. While the bedroom size proposed is in excess of the Nationally Prescribed Space Standards (2015) the overall gross internal floor area of the flat fails to meet these standards by some margin. These factors, when considered cumulatively, would likely to be harmful to the health and well-being of future occupiers.
10. I note the appellant's points regarding local parks and nature reserves that occupiers may have access to. However, this would not compensate for the lack of an outside space as they are not private and accessible from the dwelling as required by Policy BP5 of the Barking and Dagenham Borough Wide Development Policies Development Plan Document (2011) (BDDP).
11. I therefore conclude, that the proposal would have an adverse impact on the living conditions of future occupiers. As such it is contrary to Policies CP3 of the Council's Core Strategy and BP11 and BP5 of the BDDP which states, amongst other things, that new development should conform to the highest standards of design. This aligns with the London Plan (2016) Policies 3.3 and 3.5 which recognise the need for additional high-quality homes.
12. For similar reasons the proposal is contrary to the aims set out in Paragraph 127 (f) of the National Planning Policy Framework, which indicates that planning decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Conclusion

13. Whilst I do not consider that the proposal would have an adverse impact on the living conditions of neighbouring occupiers, this does not overcome my concerns with regard to future occupiers of the appeal property. For the reasons given above I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR