



Appeal Decision

Site visit made on 5 February 2020

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 11 February 2020

Appeal Ref: APP/Z5060/D/19/3241094

32 Dunkeld Road, Dagenham RM8 2PR

- 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 Bhavin Nagla / Mr Jaydeep Limbachiya against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 19/01186/FUL, dated 9 July 2019, was refused by notice dated 16 September 2019.
 - The development proposed is erection of single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of occupiers of 30 and 34 Dunkeld Road, with particular regard to outlook.

Reasons

3. The appeal property is a mid-terraced property with a single storey rear outrigger of two distinct elements; the first element, closest to the main rear elevation with a lean-to roof and the second, with a flat roof. This outrigger is offset on the rear elevation, located immediately adjacent to No. 30 but with a substantial stand-off to the boundary with No. 34.
4. Both adjacent properties have been extended at the rear; No. 30 has a full-width rear extension with a projection slightly less than that of No. 32, whilst No. 34 has a similarly deep extension, but set away from the boundary with No. 32. The appeal property and the neighbouring houses benefit from reasonably long rear gardens with an open aspect over the neighbouring Goodmayes Park.
5. The proposed extension would extend across the full width of the rear of the host property, with an overall depth of 6 metres. As such, it would exceed the guideline depth dimension as set out in the Council's '*Residential Extensions and Alterations*' Supplementary Planning Document (SPD) for rear extensions of 3.65 metres. The SPD states that extensions should 'not normally' exceed this depth, but sets out circumstances where proposals that exceed 3.65m may be acceptable. Thus, it goes on to explain that where proposals exceed a depth of 3.65m, that part of the extension which exceeds that distance must be within a 45 degree angle from the corner of the adjacent dwellings.

6. That the overall depth of the extension would exceed 3.65 metres and breach the 45-degree angle test to both Nos 30 and 34 is not disputed. However, and more significantly to my mind, the depth of the proposed extension would create an overwhelming tunnel outlook from the rear of No. 34 where the closest rear-facing window is located close to the boundary with No. 32 and on that property's original rear face. Whilst No. 34 is located due south of the proposed extension, and so loss of daylight or sunlight arising from the proposal is unlikely to be a significant issue, the sheer depth of the proposed extension would be overpowering and dominating and would significantly impinge upon outlook, and living conditions, for occupiers of that property. The small portion of glazing towards the end of the proposed extension and the otherwise open rear aspect over the park beyond would not overcome the creation of a substantial tunnel effect and the overbearing impact that that would have upon the outlook from the rear of No. 34.
7. In relation to No. 30, the impact of the proposed extension would be less severe in terms of outlook. It is not disputed that it would again exceed both 3.65 metres in depth and the 45-degree line from the rear of No. 30. In this respect too, the proposal would fail to follow the guidance set out in the SPD. However, whilst the extent of the offset between the respective rear elements of Nos. 30 and 32 would be less than that between Nos. 32 and 34, and the outlook from No. 30 less compromised as a result, this does not mean that there would be no impact. The extension would still comfortably exceed the guidelines set out in the SPD and, as it would lie due south of No. 30, it can be expected that it would have some impact in terms of daylight and sunlight.
8. Overall, although not as significant an impact as in the case of No. 34, the proposal would still be of sufficient scale and proximity relative to No. 30 as to compromise the living conditions of occupiers of No. 30 in terms of outlook and daylight / sunlight. This supports my conclusion, reached with regard to the impact upon the outlook for occupiers of No. 34, that the proposed extension would be of excessive scale relative to the adjacent properties.
9. For these reasons, I conclude that the proposed extension would fail to protect the living conditions and residential amenity of occupiers of neighbouring properties, with particular regard to outlook. The proposal would fail to accord with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document (DPD) and the guidance set out in the Council's 'Residential Extensions and Alterations' SPD.

Other Matters

10. The Council does not object to the proposal in terms of its effect on character and appearance. Nor does the Council object in terms of use of garden space, access or parking. These are not matters, however, which alter my conclusions in respect of the proposal's impact on living conditions of occupiers of adjacent properties.

Conclusion

11. For the reasons set out above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR