



Appeal Decision

Site visit made on 26 November 2019 by Ifeanyi Chukwujekwu BSc MSc MIEMA
CEnv AssocRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/Z5060/D/19/3237466

264 Westrow Drive, Barking, IG11 9BU

- 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 Ali against the decision of the Council of London Borough of Barking and Dagenham.
 - The application Ref 19/00888/FUL, dated 1 May 2019, was refused by notice dated 22 July 2019.
 - The development proposed is two storey rear and side extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. In the application for planning permission, the appellant had described the proposal as stated in the banner above. In making its decision, the Council described the proposal as '*erection of two storey side and part single/part two storey rear extension and front extension including balcony at 264 Westrow Drive Barking Essex IG11 9BU*'. Upon review of plans and other details of the proposal and visit to the appeal site, I find this description to be more accurate than that given on the application form.
4. However, the plans also depict a loft conversion with a rear dormer. The roof space of the proposed side extension is also shown to be utilised, albeit that no specific use for the loft space above the extension is indicated on the proposed plans. Although the description of development given on the application form or the decision notice make no reference to the loft conversion and rear dormer, the second reason for refusal explicitly relates to those elements.
5. From the information provided, a certificate of lawful development was granted in 2019 in relation to a proposed hip to gable conversion, including a rear dormer and three rooflights to the front elevation. Those elements are shown on the 'existing' plans. However, that development has not yet been carried out. The officer report stated that the current proposal would not benefit from permitted development rights due to the fact that the volume of the loft

conversion would be greater than the permitted 40m³ on account of the additional volume associated with the two-storey side extension. Accordingly, the Council considered the proposed loft conversion and rear dormer as part of the planning application. I have not been provided with any correspondence to indicate that the appellant agreed to that course of action. However, the loft conversion and rear dormer is clearly shown on the plans associated with the scheme and the appellant has had the opportunity to comment on the Council's reasons for refusal at the appeal stage. Accordingly, I have considered the appeal on the basis that planning permission is also sought for the loft conversion with rear dormer and am satisfied that no prejudice will arise as a result.

Main Issues

6. The main issues are the effect of the proposal upon: 1) the character and appearance of the host dwelling and surrounding street scene and 2) the living conditions of occupants of no. 266 Westrow Drive, having particular regard to outlook and overshadowing.

Reasons for the Recommendation

Character and appearance

7. No. 266 is a two-storey end of terrace house. It occupies a corner plot on the junction with Hepworth Gardens and is adjoined by no.266 Westrow Drive to the north. The distinctive character of the surrounding area is derived predominantly from two-storey terraced residential properties with hipped roofs and two-storey front bay windows. The projecting bays are prominent features which create a strong rhythm along the street. In this particular stretch of Westrow Drive the dwellings also contain attractive projecting 'oriel' windows at first floor level to the side of the two storey bays. At ground floor level the main front entrance doors are commonly framed by attractive arched brickwork, albeit that there are some examples of single storey porches. All of these original features contribute to the attractive character of the street.
8. There are a few examples where properties have been extended to the side, rear and in the roof, including at the property at no. 262 Westrow Drive. Nonetheless, in the main, hipped roofs are a distinguishing feature of the area. I note that the side extension at No. 262 incorporates a hipped gable and this helps to assimilate the roofline with the adjacent properties. Notwithstanding some diversity therefore, the architectural integrity of the street scene remains largely intact.
9. The proposed front extension with balcony and first floor doors would not accord with the prevailing character of building frontages on the street as described above, and the projecting canopy with railings and full height french doors at first floor level would appear as alien features when set against the strong rhythm of two storey bays and small projecting oriel windows at first floor level. The additions to the front would jar awkwardly against the consistent architectural style of the properties in the street. By virtue of its position fronting the street, it would be visible from the street and would detract from the quality of the street scene. It would be visually harmful to the street's established character by introducing an incongruous structure which detracts from the uniform balance of property frontages.

10. The proposed loft conversion with hip-to-gable roof extension and rear dormer, would substantially increase the mass and volume of the existing roof. Also, combined with the additional side extension element, the proposal would appear unduly bulky and dominant in appearance and out of character with the balanced proportions of the host dwelling. By virtue of the appeal property's location at the end of the terrace, these discordant features would be viewed from the northward approach on Westrow Drive, as well as from Hepworth Gardens and would be visually harmful to the appearance of the host dwelling and the character of the street scene.
11. Again, the appellant contends that there are other properties with side and rear extensions, amongst which is no. 262. However, I observed on my visit to the site that the extensions at no. 262 are not as extensive as those being proposed at the appeal property.
12. There are also a number of properties in the area which have hip-to-gable roof conversions. London Borough of Barking and Dagenham's Local Development Framework, Residential Extensions and Alterations: Supplementary Planning Document (2012) (the 'SPD') guidelines seek to maintain the original form and character of dwelling houses in the borough, including the form of the roof. The Council state that in keeping with this, hip-to-gable roof conversions are not considered to constitute acceptable development. However, it is noted that this is a growing pattern of development found on the Westrow Drive and other roads in the area and the appellant was granted a certificate of lawfulness for loft conversion involving the construction of a rear dormer window, hip to gable end roof and installation of three front rooflights (ref: 19/00220/CLU_P).
13. It is noted that the appellant has presented this approval, as well as the prior approval describe in the paragraph above as existing elevations of the appeal property via drawing PA003. This was observed on site visit not to be the case, as they have not been built. The proposal would increase the volume of the loft and the scale of development is much greater than could be achieved through a permitted development conversion. By virtue of its mass and position it would not be subservient to the host property and would present an unduly dominant feature which would be incongruous with the host property and character of the street.
14. I find that the proposal would harm to the character and appearance of the host property and surrounding street scene contrary to the objectives of contrary to the aims of the SPD and policies BP8 and BP11 of the DPD which, amongst other things, seek to protect the character and appearance of an area.

Living conditions at no. 266

15. The Council contends that the extension at first floor level would project beyond a 45-degree line when measured from the corner of No. 266 Westrow Drive which adjoins the shared boundary of the two properties¹. This would be at odds with guidelines within the SPD which seek to protect neighbouring properties from overshadowing and/or a loss of outlook. The appellant does not dispute that the 45-degree line would be breached.
16. No. 266 does not appear to have been extended to the rear. Consequently, the proposed rear extension would be particularly noticeable from rear bedroom and ground floor habitable room windows due to its height and the degree of

projection from the rear. I understand that the Council has previously accepted the principle of a single storey extension, but the added mass and bulk of the first-floor element would adversely affect the outlook from adjacent windows which are in close proximity.

17. Furthermore, the proposal, due to its height, scale and proximity would cause overshadowing to the rear garden of No. 266 which is directly to the north of the appeal site. The combined effect of the loss of outlook and overshadowing would result in an oppressive development that would have a negative effect on the living conditions of residents of the neighbouring property, contrary to the aims of the SPD and policies BP8 and BP11 of the DPD which, amongst other things, seek to ensure that residential amenity is maintained and that development does not lead to unacceptable loss of outlook or overshadowing.

Conclusion and Recommendation

18. Taken together, I find that the excessive width and massing of the proposed two storey side and part single/part two storey rear extension would significantly harm the visual appearance of the host dwelling and is inconsistent with the character of the street. The front extension with balcony and first floor doors would also not accord with the prevailing character of building frontages on the street, and the first-floor rear extension would have a negative effect on the living conditions of occupants of no. 266 with regards to outlook and light. Accordingly, there is conflict with the aims and objectives of the NPPF and Policies BP8 and BP11 of the London Borough of Barking and Dagenham's Local Development Framework Borough Wide Development Policies Development Plan Document (March 2011).
19. For the reasons given above and having had regard to evidence before me, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be dismissed.

Chris Preston

INSPECTOR

ⁱ As explained in Figure 3 of the SPD