



Appeal Decision

Site visit made on 21 October 2020

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 October 2020

Appeal Ref: APP/Z5060/D/20/3252112
131 Third Avenue, Dagenham, RM10 9BD

- 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 Adam Ozigi against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 20/00066/FUL, dated 21 January 2020, was refused by notice dated 12 March 2020.
 - The development proposed is a ground and first floor rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a ground and first floor rear extension at 131 Third Avenue Dagenham, RM10 9BD in accordance with the terms of the application Ref:20/00066/FUL dated 21 January 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 131TA/PP/010 Proposed Plans and Elevations; and 131TA/PP/012 Proposed Plans and Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of the occupiers of No 133 Third Avenue, with regards to outlook.

Reasons

Character and appearance

3. The appeal property is a two storey end-terrace dwelling. It is located in a residential area characterised by the presence of two storey terraced properties set back from the road behind short parking areas and with long gardens to the rear.
-

4. During my site visit, I observed that many houses in the area have been altered and/or extended. In particular, I observed there to be a wide variety of rear extensions, including single and two storey extensions, of varying length, width and volume.
5. I also noted that the long gardens to the rear of Third Avenue back on to other, similarly long gardens to the rear. This provides for a sense of spaciousness and greenery, qualities not reduced to any harmful degree by the presence of extensions and a wide range of outbuildings.
6. The proposed extension would result in a long single storey projection to the rear, with a shorter first floor extension above. Whilst the Council considers the length of the proposed first storey element to be acceptable, it states that the proposed width, across the full width of the appeal property, would be out of character with its surroundings.
7. This is not the case. There are other full width first storey rear extensions in the surrounding area and these existing extensions do not appear out of character, but rather, appear in keeping with the wide range of extensions and alterations common to the area. Further, I consider that the proposed first floor extension would, itself, appear as a neat, subservient and complementary addition to the host property.
8. Whilst the proposed ground floor extension would project some considerable distance from the original rear elevation, when seen together with the first floor extension it would appear neither disproportionate nor out of place. Rather, it would appear in keeping with the surrounding area, where rear extensions project to varying lengths at ground floor level. Further, the length of the appeal property's garden is such that a significant area of open garden land would still remain and the area's green and spacious qualities would remain unharmed.
9. Whilst the proposed ground floor extension would project further than generally advised in the Council's Residential Extensions and Alterations Supplementary Planning Document (2012) (Council's SPD) I consider that, having regard to the above, the proposal respects the host property and appears in keeping with its surroundings.
10. Taking all of the above into account, I find that the development does not harm the character and appearance of the area and is not contrary to the National Planning Policy Framework; to DPD¹ policies BP8 and BP11; or to the Council's SPD, which together amongst other things, protect local character.

Living Conditions

11. The Council is satisfied that the proposed development would not result in any harm to the living conditions of the occupiers of the attached terraced property to the north of the appeal property, No 129 Third Avenue.
12. The neighbouring property to the south, No 133 Third Avenue, is not attached to the appeal property, but is separated from it by a gap which provides for access between the two dwellings.

¹ Barking and Dagenham Borough Wide Development Policies Development Plan Document (2011).

13. During my site visit, I noted that the garden to the rear of No 133 appears long and spacious. Due to this, along with the relatively low height of the majority of the proposal, the gap between the two dwellings and No 133's orientation to the south of the appeal property, the proposed development would have little if any discernible impact in respect of "shadowing the amenity space at No 133," as suggested by the Council. Rather, I find that this neighbouring property's amenity space would remain largely unaffected and no significant harm would arise as a result of the proposal.
14. Taking the above into account, the proposed development would not harm the living conditions of the occupiers of No 133 Third Avenue, with regards to outlook. Consequently, the proposal would not be contrary to the National Planning Policy Framework; to DPD policy BP8; or to the Council's SPD, which together amongst other things, protect residential amenity.

Conditions

15. I have considered the conditions suggested by the Council against the tests set out in Paragraph 55 of the Framework. A condition specifying the approved plans is necessary for the avoidance of doubt and in the interests of proper planning. A condition requiring materials to match those of the existing house is necessary to protect the character and appearance of the host property and wider area.

Conclusion

16. For the reasons given above, the appeal succeeds.

N McGurk

INSPECTOR