



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/20/3254596
194 Downing Road, Dagenham, RM9 6LU

- 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 Sutradhar against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 20/00336/FUL, dated 9 March 2020, was refused by notice dated 1 May 2020.
 - The development proposed is a dormer loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for a dormer loft conversion at 194 Downing Road, Dagenham RM9 6LU in accordance with the terms of the application Ref:20/00336/FUL dated 9 March 2020 and in accordance with the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plan:D_19_AL_194DAW_002.

Main Issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Procedural Matters

3. The development the subject of this appeal has already taken place.
4. A certificate of lawful use was granted for a dormer loft conversion in 2019¹. The only significant difference between the development the subject of this appeal and the proposal granted a certificate of lawful use is that the development that has taken place sits very slightly above the appeal property's ridge line.
5. Following the development, an enforcement case was opened² and this led to the application corresponding to this appeal.

¹ Ref: 19/00460/CLU-P.

² Ref: 20/00030/NOPERM.

Reasons

6. The appeal property is a mid-terrace dwelling with rooms at roof level. It is located in a residential area characterised by the presence of terraced properties set back from the road behind short parking areas and/or front gardens and with longer gardens to the rear.
7. The setback from the road, along with the use of largely matching building materials and similar design features, affords the area an attractive sense of uniformity.
8. During my site visit, I observed that many houses in the area have been altered and/or extended, especially to the rear and that there are examples of extensions and alterations at ground and at first floor/roof level.
9. The development the subject of this appeal comprises a rear dormer extension. As above, the extension sits very slightly above the roof line. I observed during my site visit that the effect of this is largely imperceivable from the rear. I also noted that the extension is not generally visible from the public highway, although it can be seen from the rear of numerous properties within the context of a garden setting where other alterations and extensions are also visible.
10. In reaching its decision, the Council stated that the appeal property is located in the middle of a terrace where the ridges and eaves of each property "are parallel with each other." However, this is simply not the case.
11. The appeal property sits towards the end of a terraced row, adjacent to an end-terrace property, the ridge and eaves of which are at entirely different levels and which, in stark contrast to the appeal property's sloping roof and mid-roof dormer at first floor level, has a two storey gable end facing directly out towards the street.
12. Further, whilst dwellings to the other side of the appeal property share many characteristics with the appeal property and in so doing, project an attractive degree of uniformity, the height of the ridge line itself differs along the terrace. For example, the overall height of the ridge line falls away from the appeal property to 202 Downing Road.
13. Taking the above into account, I noted during my site visit that the precise height of ridges lends little or nothing to the attractive uniform qualities of the area. Further, given that it adjoins a dwelling with a much taller and an entirely different roof form, the effect of the development in respect of it resulting in a very slight increase in the height of the property is barely, if at all, discernible in general views. The development does not unbalance the uniformity and symmetry of the terrace to any significant degree and further, the development is little different to that granted a certificate of lawful use by the Council in 2019.
14. 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 London Plan (2016) policies 7.4 and 7.6; to DPD³ policies BP8 and BP11; or to the Council's Residential Extensions and Alterations

³ Barking and Dagenham Borough Wide Development Policies Development Plan Document (2011).

Supplementary Planning Document (2012), which together amongst other things, protect local character.

Conditions

15.I have considered the conditions suggested by the Council against the tests set out in Paragraph 55 of the Framework. The development the subject of this appeal has already taken place and consequently, not all of the conditions suggested by the Council are relevant. However, a condition specifying the approved plan is necessary for the avoidance of doubt and in the interests of proper planning.

Conclusion

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

N McGurk

INSPECTOR