



Appeal Decision

Site visit made on 16 February 2021

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 March 2021

Appeal Ref: APP/Z5060/D/20/3261291

11 Rugby Road, Dagenham, London, RM9 4AJ

- 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 Mrs Mary Afolaji against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 20/01375/HSE, dated 3 July 2020, was refused by notice dated 18 August 2020.
 - The development proposed is a two storey side extension including new porch.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues in this appeal are the effect of the proposed development on:
 - the character and appearance of the dwelling and the area;
 - the living conditions of the neighbouring occupiers at 9 Rugby Road with regard to outlook and light.

Reasons

Character and appearance

3. The development plan includes policies CP2 and CP3 in the Council's Core Strategy (2010) (CS) and BP2, BP8 and BP11 in its Borough Wide Development Plan Policies DPD (2011). It also includes policy D4 in the Published London Plan 2021 (LP) which is unchanged from the Intend to Publish version referred to in the Council's decision and has replaced the policies in the 2016 London Plan referred to in its decision. Together these seek to ensure that development delivers high-quality design that respects the local context and preserves or enhances non-designated heritage assets.
4. The appeal site lies within the Becontree Estate, a non-designated heritage asset referred to in the Council's policies. The estate has historic significance having been built as Homes fit for Heroes in the interwar period and at the time was the largest municipal estate in the world. Whilst there have been some changes, its architectural significance lies in its cottage estate design which remains evident with symmetrical arrangements of semi-detached and terraced houses set behind front gardens and often privet hedges, resulting in a balanced and uniform street scene. Corner plots, such as the appeal site, are

generally wide and open on their frontages, contributing positively to the character of the estate.

5. 11 Rugby Road is an end terraced house on the corner of a cul-de-sac and a through road. The proposed two storey extension would be sited on the side elevation which is prominent in the street scene and clearly seen when passing through the estate. It would occupy the whole length of that elevation and would have a hipped roof which would match that of the existing house.
6. The dwelling on the opposite corner at no 49 has been extended in a similar way and this has unbalanced the symmetry of the street scene by bringing the side elevation closer to the junction on that side. The Council's officer's report makes no reference to that. The proposal would, therefore, restore the symmetry of the street scene.
7. Although it would not be set back from the front wall of the dwelling as sought in the Council's Residential Extensions and Alterations SPD (2012), in this context if it were set back that would differentiate the extension from the existing dwelling and would increase its dominance in the street scene. Therefore, whilst it is not subordinate to the existing dwelling in terms of size and scale, it would not be unduly noticeable in the street scene because its siting and design would reduce its impact sufficiently.
8. Despite its size and scale, the proposal would leave some of the frontage open and this feature of the street scene would be retained sufficiently.
9. Front doors on side elevations are a common feature on the estate and illustrate the original design and layout of the dwellings. Whilst it would normally be desirable to retain this feature, in this case the opposite dwelling at no 49 has lost its side door as a result of its extension and has added a porch to its front elevation. The proposed porch would therefore also restore some symmetry to the street scene.
10. I conclude then that the proposed development is of a high-quality design that would respect its local context visually and would preserve and enhance the character and appearance of the dwelling and the area. It would therefore accord with the development plan policies referred to above.

Living conditions

11. No 9 Rugby Road is a semi-detached property sited at broadly 90° to the appeal dwelling. It has a very small rear garden which tapers at its end and has a patio adjacent to the house. Although the closest windows in no 9 appear to be obscure glazed and would not therefore be overlooked, the rear windows in the proposed extension, the closest of which are a ground floor study and a first floor bedroom would directly overlook the patio at no 9 in very close proximity. Although there is already some degree of overlooking from the appeal dwelling, the proposal would exacerbate that unacceptably and would result in a significant loss of privacy for the occupiers of that property.
12. The outlook from the rear garden of no 9 has a degree of openness towards the cul-de-sac at present. The size and siting of the proposed extension would result in an overbearing sense of enclosure and a poor outlook when seen from the garden.

13. The proposed extension would be sited to the south-west of the patio, resulting in a loss of late afternoon and evening sun. Despite the south-facing orientation of the patio, this would be significant given the very small size of the garden and that it would be at a time when most people would wish to sit out and enjoy their garden.
14. I have noted the appellant's submissions regarding the extension opposite at no 49 but as that extension is sited to the north-east of its nearest neighbour it has a different siting and orientation and a different impact in terms of light.
15. Together these impacts would cause a significant harm to the living conditions of the neighbouring occupiers and whilst there has been no objection from the current occupiers, they could change at some point in the future. The proposal would therefore be contrary to development plan policies CP3 in the CS, BP8 and BP11 in the DPD and D4 in the LP which together also seek to ensure that developments provide a high standard of design and layout and a good standard of residential amenity.

Other matter

16. I have noted that the appellant seeks an improved layout and additional accommodation but that does not outweigh the significant harm that would be cause in terms of the neighbouring occupiers' living conditions.

Conclusion

17. For the reasons stated above, despite my findings in regard to character and appearance, my findings in regard to living conditions are significant and overriding. The proposed development would be contrary to the development plan and there are no material considerations that would indicate otherwise. The appeal is dismissed.

Sarah Colebourne

Inspector