The Planning Inspectorate

Appeal Decision

Site Visit made on 8 June 2021

by I A Dyer BSc (Eng) FCIHT

an Inspector appointed by the Secretary of State

Decision date: 16 June 2021

Appeal Ref: APP/Z5060/D/20/3262378
259 Ivyhouse Road, Dagenham RM9 5RT

- 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 Malik Awan against the decision of London Borough of Barking and Dagenham Council.
- The application Ref 20/01464/HSE, dated 16 July 2020, was refused by notice dated 11 September 2020.
- The development proposed is first floor rear extension to accommodate bathroom.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged The London Plan (2021) (the New London Plan) has been published by the Mayor of London and is now part of the development plan. The policies within the London Plan (2016) are therefore no longer extant. The parties have had an opportunity to comment on the New London Plan in relation to the case during the appeal process.

3. I have taken this into account in my determination of the appeal. In so doing, I am satisfied that the appellant has had the opportunity to consider the provisions of the New London Plan and no-one's case is prejudiced by my taking them into account.

4. The London Borough of Barking and Dagenham's Draft Local Plan 2037 -2019- (the Draft Local Plan) has been published but has yet to be examined and found sound. Therefore, it attracts limited weight as a material consideration.

5. At the time of my site visit a dormer had been added to the rear roof face of 259 Ivyhouse Road. This is not shown on the plans submitted with the application. The interior of the dwelling was also undergoing extensive building works. I have determined this appeal with regard to the submitted plans.

Main Issue

6. The main issue is the effect of the proposal on the character and appearance of the site and the surrounding area, which is a non-designated heritage asset.

Reasons

7. The appeal site fronts onto Ivyhouse Road and is a two storey mid-terraced house lying within the Becontree Estate. The Becontree Estate is an extensive area predominated by residential use and was built between 1921 and 1934 as part of the Homes for Heroes initiative following the First World War. In the

vicinity of the site the dwellings are predominantly terraced and of two storeys with simple hipped roofs. Whilst some variation exists in terms of grouping of dwellings the dwelling and immediate area are typical of the wider estate.

8. Whilst the Becontree Estate is not designated a conservation area, the area retains a strong distinctive local character reflective of the part it played in delivering the aspirations of the Homes for Heroes initiative. This significance is recognised in Policy CP2 of the London Borough of Barking and Dagenham Local Development Framework Core Strategy -2010- (the Core Strategy) and Policy BP2 of the London Borough of Barking and Dagenham Local Development Framework Borough Wide Development Plan Policies -2011- (the DPP) which seek to protect the Borough's heritage assets including areas which are locally distinctive and historically important, specifically identifying the Becontree Estate as such. The retained authenticity of the area provides a degree of historical significance.

9. During my site visit I observed that some dwellings have been altered in the past, and that, to the rear of the terraces on this side of Ivyhouse Road, some rear extensions and rear facing dormers have been added. However, I saw no second storey extensions. Overall the estate retains a high degree of its original layout and simple, unfussy approach to design, providing an authentic reflection of its original design concept.

10. The proposal would introduce a small extension at first floor level, positioned roughly centrally on the rear of the dwelling. Whilst the external finishes of the extension would match those of the host dwelling, the introduction of a first floor extension would be inconsistent with the simple linear form of the terrace at second storey level.

11. Notwithstanding that the proposal, by virtue of its limited size, is subordinate to the original dwelling, its proportions and positioning on the centreline of the house would be unsympathetic to the existing form of the host dwelling and would appear out of character when viewed as part of the surrounding area.

12. Although views of the proposal would be restricted from the public realm the proposal would be visible from adjacent properties. Thus, in this case, the lack of consistency with the overall form of the terrace and the incongruity of the form of the proposal, when considered in relation to the host property, would result in harm to the character and appearance of the site and the immediate area.

13. A nearby development at 26 Markyate Road RM8 2LH[1], which the appellant considers similar to the proposal has been brought to my attention. Whilst I have limited information regarding this development, it lies some distance from the appeal site and does not form part of its immediate context. I therefore do not consider that the development is immediately comparable to the case before me and I have, in any case, determined this proposal on its own merits.

14. I therefore conclude that the proposal would result in harm to the character and appearance of the site and the surrounding area, which is a non-designated heritage asset. It would therefore be contrary to the aims of Policies D1 and D4 of The New London Plan, Policies CP2 and CP3 of the Core Strategy and Policies BP2, BP8 and BP11 of the DPP. This is because these policies,

[1] Council Ref19/01521/FUL

amongst other things, seek to ensure that development is of a high quality of design that respects and strengthens local character and history and provides a sense of place, protects and wherever possible enhances the Borough's historic environment, promotes understanding of and respect for local context, reinforces local distinctiveness and require development proposals to be of a high quality that respects and reflects historic context.

15. Although, for the above reasons, carrying limited weight the proposal would also be contrary to Policies DM11, DM14 and DM16 of the Draft Local Plan which have analogous aims.

16. For similar reasons the proposal would also be contrary to those parts of the National Planning Policy Framework -2019- (the Framework) which seek to achieve well-designed places and conserve and enhance the historic environment.

17. The proposal would also be contrary to the guidance provided within the London Borough of Barking and Dagenham's Residential Extensions and Alterations Supplementary Planning Document 2012 that extensions should not appear out of place when viewed as part of the existing environment.

Other Matters

18. Although the site does not lie within a Conservation Area, it forms part of the Becontree Estate which, as will be seen above, I consider as having historical significance. This historical significance should be taken into account in assessing the proposal.

19. Policies BP2 of the DPP and CP2 of the Core Strategy are consistent with paragraph 197 of the Framework which advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

20. I have explained above why I consider that the proposal would have a harmful effect on the character and appearance of the site and the immediate area which lies within the wider Becontree Estate. Although views of the proposal from the public realm would be limited, there would remain views from adjoining properties and thus the resultant harm would be great given the remaining consistency of design of the Becontree Estate.

21. The proposal would provide benefits in the form of additional accommodation within the dwelling. The plans, however, show that the dwelling provided a bathroom. Whilst the appellant has already constructed the stair to the loft accommodation, this is not shown on the plans and would pre-judge the outcome of this appeal. The proposal would provide benefits in terms of short-term support to the local building industry. However, by virtue of the scale of the proposal these benefits would be limited.

22. Taken overall the benefits accruing from the proposal are limited and do not outweigh the harm that I have found to the site and the area, with particular regard to its historic significance and so do not justify allowing the appeal contrary to the provisions of the development plan and the Framework when read as a whole.

Conclusion

23. The proposed development would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal fails.

I Dyer

INSPECTOR