



Appeal Decision

Site Visit made on 22 July 2021

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 July 2021

Appeal Ref: APP/Z5060/D/20/3262191

28 Academy Way, Dagenham RM8 2BF

- 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 Khalid McCready against the decision of London Borough of Barking and Dagenham Council.
 - The application Ref 20/01671/HSE, dated 18 August 2020, was refused by notice dated 5 October 2020.
 - The development proposed is conversion of the existing garage into a habitable room.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of the existing garage into a habitable room at 28 Academy Way, Dagenham RM8 2BF in accordance with the terms of the application, Ref 20/01671/HSE, dated 18 August 2020, subject to the following 3 conditions:
 - (1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - (2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No 20172_SP01 (Location and Block Plan) and Drawing No 20172_001 Rev A (Proposed Floor Plan, Section and Elevation).
 - (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.

Preliminary Matters

2. In the period since the appeal was submitted the Government has published the revised National Planning Policy Framework (the Framework) July 2021 which is being brought into immediate effect for the purposes of decision-making. I have considered the appeal in light of the revised Framework but I am satisfied that none of the amendments to the Framework raise issues relevant to the appeal and importantly none has brought me to any different conclusion on the appeal.
3. The Council's decision notice refers to several policies within the Draft Local Plan (Regulation 18 Consultation Version, November 2019). However, as the Draft Local Plan may be subject to further change, I only attach limited weight to these policies.

4. Policy D4 of the London Plan 2021 (LP) is unchanged from the Intend to Publish version, and replaces the policies in the 2016 London Plan, both of which are referred to in the Council's decision.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

6. The appeal site is located within a residential estate predominantly consisting of modern buildings containing flats and terraced housing. The dwelling at No 28 Academy Way forms part of a three-storey terraced block of contemporary design. The front elevation of each dwelling within the terrace has shared characteristics including elongated window detailing and timber weather boarding panels at first and second floor level. At ground floor level the dwellings within this block all have openings of matching proportions containing grey front doors and garage doors. The repeated dimensions and architectural detailing to the front elevation provides a pleasant sense of order and consistency to this part of the street scene which positively contributes to the character and appearance of the area.
7. The window and weather boarding proposed would differ to the garage doors on the respective openings on neighbouring dwellings within this terraced block. Even so, the proportions of the opening would stay the same. The window frame and weather boarding proposed would replicate other detailing within the terrace. Any slight variances in the finish of materials, for example new weather boarding when compared with the more weathered materials on the existing façade, would be marginal and would be unlikely to be highly discernible from the street. Overall, the proposal would successfully integrate with the overall balance and architectural style of the wider building.
8. I conclude that the development would have an acceptable effect on the character and appearance of the area. In that regard, the proposal would comply with the design and character requirements in Policy D4 of the LP, Policy CP3 of the London Borough of Barking and Dagenham Core Strategy (2010), Policies BP8 and BP11 of the London Borough of Barking and Dagenham Borough Wide Policies Development Plan Document (2011) and the Framework.

Other Matters

9. The Council has drawn attention to the condition on the original planning permission for the building which required garages to be retained for the accommodation of motor vehicles. However, the reason for the condition related to preventing on street parking congestion rather than safeguarding garage doors as an architectural feature. In that regard, I note transport officers are satisfied that the proposal would not have an unacceptable impact and the Council did not refuse the planning application on such grounds. From the evidence before me I find no reason to conclude differently and the existence of the original planning condition does not alter my conclusion under the main issue.

Conditions

10. I have attached the standard timescale condition and a condition confirming the approved plans in the interests of certainty. I also attach a condition requiring the materials to be used on external surfaces of the development to match those of the existing building in order to ensure the extension effectively assimilates with the host building.

Conclusion

11. For the reasons given I conclude that the appeal should succeed.

M Russell

INSPECTOR