The Planning Inspectorate

Appeal Decision

Site visit made on 15 March 2022

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th March 2022

Appeal Ref: APP/Z5060/D/21/3288969
1 Tolworth Gardens, Chadwell Heath RM6 5TJ

- 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 Parimal Nath against the decision of the Council of the London Borough of Barking and Dagenham.
- The application Ref 21/01598/HSE, dated 24 August 2021, was refused by notice dated 13 October 2021.
- The development proposed is roof alteration to the existing side extension including rear dormer and velux window to the front.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council refers in its decision notice to policies from its Draft Local Plan (Regulation 19 Consultation Version, October 2020). The National Planning Policy Framework indicates that weight may be given to relevant policies in emerging plans depending on a number of factors[1]. I accept that the Draft Local Plan is at a relatively advanced stage in its preparation, but it is not clear whether there are unresolved objections to any of the relevant policies and, if so, how significant these are. For this reason, I find that only limited weight can be given to these emerging policies for the purposes of this appeal. Consequently, I have relied on the policies referred to from the adopted development plan.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and street scene.

Reasons

4. The appeal property is a semi-detached bungalow with accommodation in the roof space in a residential road of similar properties. The original built form of the bungalows in Tolworth Gardens, which most still display, is uniform with a

[1] Paragraph 48.

shallow hip to the side of each semi-detached pair and an adjoining flat-roofed garage.

5. The existing roof alterations to No 1 have extended the width of the roof across the garage, creating a steeper hip, with a box dormer on the rear roof slope. The proposal would extend the roof further by creating a gable, which would extend to the boundary directly above the garage. The adjoining dwelling retains its original form and, therefore, while the existing changes unbalance the appearance of the pair, the effects would be greater with the proposed extension.

6. There are a number of examples of dwellings within the street scene where hip to gable extensions have been undertaken. However, in the majority of cases these are of more limited width as they do not extend across the garage. Where the same form of extension as proposed here has occurred, notably at Nos 21 and 23, the effect is of a cramped form of development that closes the characteristic gap with the boundary. As such, these limited examples should not be seen as a positive precedent for the appeal proposal.

7. The proposed extension would, therefore, be incongruous and uncharacteristic due to its extent, infilling the space above the garage fully up to the boundary. Moreover, due to its excessive width compared to the original built form, it would harmfully alter the relationship with the adjoining dwelling by further unbalancing the appearance of the paired semi-detached dwellings. The appellant contends that further extensions are likely to be undertaken within the surrounding area, particularly through the exercise of permitted development rights. However, I am required to consider the proposal in relation to circumstances pertaining currently rather than with regard to any assumed future development.

8. Accordingly, for these reasons, I conclude that the proposed extension would have an unacceptably harmful effect on the character and appearance of the host dwelling and street scene. Consequently, it is contrary to the following development plan policies: D4 of The London Plan 2021, CP3 of the Barking and Dagenham Core Strategy (2010) and BP11 of the Barking and Dagenham Borough Wide Development Policies Development Plan Document (2011), all of which require a high quality of design in new development, including the requirement to protect or enhance the character of the area. Policies D1 and D8 of The London Plan are less relevant to this case as they concern, respectively, accommodating future growth and the public realm.

Other Matters

9. I acknowledge that the proposed extension is intended to create additional living space. However, this personal circumstance does not overcome the harm and conflict with development plan policies that I have found would result from the proposal.

10. I have had regard to other matters raised by an interested party. There is no basis to suggest that the proposal would harmfully affect the privacy of neighbouring occupiers to the rear. The existing box dormer includes three windows, so the addition of a fourth at the same height would not result in any substantially different views than are already possible.

11. However, the extension of the dormer beyond the angled roof slope below it would result in an overly complicated and incongruous roof form. This would be visible from neighbouring properties on Portland Gardens and from the public realm across the driveway to the rear of commercial properties on East Road. Consequently, the design to the rear adds to the findings of harm with regard to the main issue.

Conclusion

12. For the reasons given, it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR