



Appeal Decision

Site visit made on 9th May 2022

by Rebecca Thomas MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 July 2022

Appeal Ref: APP/Z5060/D/22/3290139

45 Lowry Road, Dagenham, RM8 2NL

- 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 Rukeya Akther against the decision of the London Borough of Barking & Dagenham.
 - The application Ref 21/01916/HSE dated 18 October 2021, was refused by notice dated 7 December 2021.
 - The development proposed is Single storey garage side extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. From my visit and on the basis of the evidence before me, the development has commenced and therefore is partially retrospective. I note that the appeal plans the series listed as 'existing' (3087/P/04 and 3087/P/03) confirm the development as proposed, with the development partially commenced as described below.

Main Issues

3. The effect of the proposed development on the character and appearance of the area and;
4. The effect of the proposed development on highway safety.

Reasons

Character and appearance

5. Lowry Road is a residential street which is made up of several cul-de-sac streets. The appeal property is an end of terrace property located on the corner plot which culminates in two such cul-de-sacs. Dwellings in the street are of uniform appearance and design, comprising yellow and red brick two storey dwellings with tiled roofs. Many are short terraces, with dormer window features to front elevations. Frontages have covered porches, with parking to the front of houses. I was able to see that most properties with attached garages are located at the end of terraces, and these tend to be single garages, with a first floor over set back and down from the main roof and front elevation of the house.

6. From my site visit and the appeal documents before me, I was able to see that the original garage building was a single storey element set back from the front elevation of the house, with a pitched roof. The development introduces an extension to the existing garage, together with a further element to the rear of the development. At my site visit I was able to see that the garage extension had been commenced, and appeared to have been built around the existing pitched roof garage element, which remained in place. The rear extension to the garage building appears to protrude beyond the boundary of the garden, with this element providing a roller shutter door to the garage, which opens on to the cul-de-sac area. This is located adjacent to on-street parking spaces at the cul-de-sac to the east. These parking spaces contribute to the openness of the street, with only one set of low railings being any type of boundary visible in this part of the street.
7. The development would introduce a bulky addition to the side of the existing dwelling, and would appear as substantial and disproportionate to the dwelling, which is modest in size and scale. The garage and the extended rear outrigger element would be seen as a wide addition to the dwelling which would appear unbalancing to the existing dwelling. In addition to this, the development has the effect of creating a hard boundary in the form of the garage building which is set up against the pavement and cul-de-sac, which is uncharacteristic in the locality and erodes the open appearance of the corner plot. Whilst I accept that the garage would remain set back from the principal elevation and set below the main ridgeline of the dwelling, and as constructed makes use of matching materials to the existing, this would not overcome the harm as a result of the effect of the development. As seen from the street, the additions are bulky and dominant in the street, and are not in character or scale to the dwelling or the appearance of the local area.
8. The Council's SPD¹ sets out guidance for side extensions, stating that the design should reflect the type of house and type of plot, going on to state that this type of extension has the potential to cause significant impact upon the character of an area. I noted at my site visit that garages to corner plots are single, with the only exception being a three garage building which was detached from the dwellings and set well back from the road and not on a corner plot. The SPD goes on to say that corners on cul-de-sacs derive a good deal of their character from open corner spaces. The development has eroded the open character of the appeal site and its location on a corner plot, by creating a built-up and enclosed appearance.
9. I consider that the proposal is therefore in conflict with the SPD and also Policy CP3 of the Core Strategy² which expects new development to achieve a high quality in relation to design of layout. In addition to this, I find there would be conflict with Policies BP8 and BP11 of the Development Plan³ and Policy D4 of the London Plan⁴, all of which require (amongst other things) that development have regard to and protect or enhance, the local character of the area.

¹ Residential Extensions and Alterations Supplementary Planning Document (February 2012)

² Planning for the Future of Barking and Dagenham, Core Strategy (July 2010)

³ Planning for the Future of Barking and Dagenham, Borough Wide Development Policies Development Plan Document (March 2011)

⁴ The London Plan, The Spatial Development Strategy for Greater London (March 2021)

Highway safety

10. The Council states that the siting of the development compromises the highway visibility for car users and pedestrians entering and leaving the cul-de-sac, as a result of reduced visibility of the road from within the cul-de-sac.
11. Whilst I was able to see that the development would result in a built form which extends up to the pavement and the entrance to the cul-de-sac, I am presented with very little evidence as to how the appeal would lead to actual harm to highway safety. The site is located within an area that is clearly a shared space with vehicles, pedestrians and other users. Whilst I accept that the development may block some views from vehicles or pedestrians moving around the turning and parking area close to the appeal site, there is no substantive evidence to suggest that this would result in any material harm to highway safety.
12. Consequently I am satisfied that the proposed development would not harm highway safety. This would be compliant with Policy D4 of the London Plan, Policy CP3 of the Core Strategy and Policies BP8 and BP11 of the Development Plan, all of which seek to ensure (amongst other things) development to ensure that developments take into account safety of all users, and ensure that places are legible and easy to move through and connect with one another.

Conclusion

13. For the reasons given, the proposal is unacceptable and the appeal should not succeed.

Rebecca Thomas

INSPECTOR