

Appeal Decision

Site visit made on 15 September 2022

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd September 2022

Appeal Ref: APP/Z5060/D/22/3303715

2 Verney Road, Dagenham, RM9 5LL

- 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 Volodymyr Kens against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 22/00912/HSE, dated 27 May 2022, was refused by notice dated 20 July 2022.
 - The development proposed is a single storey side extension with amendments to change the flat roof to a pitched roof to suit the existing house and reduction in fence height.
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Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed single storey side extension on the character and appearance of the host dwelling, the adjoining terrace and the surrounding area, including the street scene and the Becontree Estate; and secondly, the effect of the proposed extension on the living conditions of occupiers of 152 Wood Lane with respect to privacy and visual intrusion.

Reasons

3. The appeal dwelling is an end of terrace house set on a wide and prominent corner plot, close to the junction of Verney Road with the busy Wood Lane. It lies within the Becontree Estate, an interwar development of "Homes for Heroes" which was the largest estate of its kind in the world. The estate therefore has heritage value for historical and communal/social reasons owing to its purpose and place in history. Whilst not a Conservation Area, the Becontree Estate is a non-designated local heritage asset of some significance.
 4. The National Planning Policy Framework (NPPF) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account. A balanced judgement is required, having regard to the scale of any harm and the significance of the heritage asset.
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5. The appeal dwelling and other properties nearby are of simple, traditional design, mainly forming terraces with pitched hip-ended roofs. The character and appearance of the area is thus derived from the uniformity of the architecture and layout. The appeal dwelling has previously been extended to the side at two storeys. The extension is seamless with the original dwelling, simply lengthening the terrace and providing the appeal dwelling with a double fronted appearance. It is understood that a further permission was granted for a detached garage to the side of the dwelling and I agree that in this corner location there is scope for further single storey development, with examples seen on other corner plots in Verney Road.
6. Nevertheless, what has been built is an attached, single storey extension with a depth the same as the original dwelling, an overall width of some 5.2m and a flat roof. The furthest 2.2m is set back slightly from the front elevation and is shallower, forming a disjointed box-like addition. Although currently hidden from the street by a high fence, it would become visible following a proposed reduction in the fence height. The appeal proposal seeks to regularise the single storey extension with amendments to provide a pitched roof.
7. I consider that the overall width of the extension would be disproportionate to the appeal dwelling and would appear incongruous in the street scene due to its poor design and proportions. This effect would be exacerbated by the unsympathetic design of the proposed pitched roof which would replace most of the existing flat roof. The pitch appears to be different from the main roof of the dwelling and would be stepped down over the box-like section. Overall, this would aggravate the disjointed appearance and emphasise the lack of unity with the host dwelling.
8. The appellant draws my attention to other side extensions on similar properties nearby. However, whilst there are similarities, these examples display generally cohesive and sympathetic design and do not, in my view, provide a justification for allowing the appeal proposal.
9. It is concluded on the first main issue that the the proposed single storey side extension would have a materially detrimental effect on the character and appearance of the host dwelling, the terrace of which it forms a part and the surrounding area, including the street scene and the Becontree Estate.
10. In consequence, taken in the context of more strategic policies in The London Plan (LP), 2021, and the Council's Core Strategy (CS), 2010, the proposed single storey side extension would conflict with Policies BP2 and BP11 of the Borough Wide Development Policies Development Plan Document (DPD), 2011, and with the NPPF. Taken together these expect new development, including extensions, to be visually attractive as a result of good architecture, sympathetic to local character and history so as to help create a sense of local identity, distinctiveness and place and to respect the local context of non-designated heritage assets such as to avoid materially detracting from their significance. It would also conflict with emerging policies in the Draft Local Plan 2037 which seek to ensure similar protection.
11. Turning to the effect on the living conditions of occupiers of 152 Wood Lane, the appeal dwelling lies generally east of No 152 with the proposed extension set down on its northern flank. I therefore agree with the Council that there would

be no material loss of sunlight or daylight to either the house or its garden. Neither would the proposed extension appear overbearing.

12. Nevertheless, a large window in the angled rear wall of the proposed extension would directly face the common boundary at a distance of about 1m. The boundary is marked by a fence of about 1.8m in height. Due to a difference in ground levels, this enables overlooking from the window into the side garden of No 152, including towards a sitting out area. The higher ground level at No 152, size of the window and proximity to the shared boundary make this overlooking and loss of privacy particularly noticeable to neighbouring occupiers.
13. The appellant states that the intervening fence could be replaced by a 2m fence that would mitigate any overlooking. However, this does not form part of the proposed development and I have no evidence that a 2m fence would be sufficient to prevent overlooking.
14. It is concluded on the second main issue that, although the proposed extension would not result in any material visual intrusion, it would lead to a noticeable loss of privacy and overlooking that would be materially harmful to the living conditions of occupiers of 152 Wood Lane. In consequence, taken in the context of more strategic policies in the LP and the Council's CS, the proposed single storey side extension would conflict with Policy BP8 of the DPD and with the NPPF. Taken together these expect new development, including extensions, to provide a high standard of amenity for existing and future users and, specifically, not lead to significant overlooking or loss of privacy. It would also conflict with emerging policies in the Draft Local Plan 2037 which seek to ensure similar protection.
15. For the reasons set out above and having regard to all other matters raised, including the representations of a third party, I conclude that the appeal should be dismissed.

KE Down
INSPECTOR