
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/22/3303105

82 Felton Road, Barking, IG11 7XR

- 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 Tamiz Ud Din Siddiqui against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 22/00441/HSE, dated 11 March 2022, was refused by notice dated 9 May 2022.
 - The development proposed is erection of a first floor side extension with pitched roof.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension with pitched roof at 82 Felton Road, Barking, IG11 7XR in accordance with the terms of the application, Ref 22/00441/HSE, dated 11 March 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: A01, A02, A03, A04, A05, A06, A07.
 - 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.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed first floor 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 34 Sutton Road with respect to outlook 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 Felton Road with Sutton Road. 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
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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.
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, punctuated by variety, such as opposite the appeal dwelling where terraced dwellings set at an angle face an open green and are of brick, rather than the more usual render.
6. The appeal dwelling has previously been extended to the side at single storey. The extension is not set back from the original dwelling and has a flat roof. It is of little architectural merit and in my view detracts from the character and appearance of the host dwelling and the street scene.
7. The proposed first floor extension would sit above the existing extension and would have a pitched hipped roof with a ridge height the same as the original roof. Fenestration would match that in the host dwelling. Although the Council is concerned that the extension would not appear subservient to the dwelling, owing to the lack of any set back or a set down roof, the Council's "Residential Extensions and Alterations" Supplementary Planning Document (SPD), 2012, advises in paragraph 5.4.2.b) in respect of terraced houses that a side extension should be designed so that the front elevation is parallel with the front elevation of the existing house, so as to help maintain the built form of the terrace. That would be achieved in this case where the terrace would simply be lengthened by the extension which would blend with the original house and its neighbours. Moreover, the pitched roof and larger, matching window at first floor would improve the overall appearance of the existing dwelling when seen from Felton Road.
8. Whilst the space above the single storey extension would be reduced, a visible gap would remain between the rear corners of the appeal dwelling and 34 Sutton Road and the street corner to the side of both dwellings would retain its characteristic openness.
9. The Council is concerned that the proposed angled rear corner of the extension, including the roof, would create a jarring feature, harmful to the appearance of the dwelling and adjoining terrace. However, the angled corner would not be prominent in the street scene, being set well back from the street, seen in the context of the extension as a whole and, from Sutton Road, seen beyond the side elevation of No 34. Moreover, although visible from the junction of Felton Road and Sutton Road it would have no significant effect on the appearance of the terrace as a whole or that of the street scene.
10. It is concluded on the first main issue that the proposed first floor extension would have no materially detrimental effect on the character or appearance of the host dwelling, the adjoining terrace or the surrounding area including the street scene and the Becontree Estate. In consequence, taken in the context of

more strategic policies in The London Plan (LP), 2021 and the Council's Core Strategy (CS), 2010, it would comply with Policies BP2, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document (DPD), 2011, and with the NPPF insofar as they 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 and avoid detracting from their significance. It would also comply 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 34 Sutton Road, the proposed extension would lie west-south-west of the rear of No 34 and its rear elevation would be off-set from the closest windows in the rear of that dwelling. In consequence, an open outlook from the house and garden would remain to the south and south-east. Although oblique views from first floor windows, towards Felton Road and the green would be reduced this would not materially harm outlook and the extension would not appear overbearing. From the ground floor and small garden of No 34 there is already a feeling of enclosure due to existing built development. However, the proposed extension would not materially alter that or the outlook from the garden. Due to its off-set positioning and angled rear corner, neither would it be unduly overbearing.
12. Although some late afternoon/evening sun may be lost at first floor, the existing appeal dwelling, including the single storey extension, already restricts direct sun from the south-west and west to the ground floor and garden of No 34. I therefore agree with the Council that the effect of the proposed extension with respect to sunlight would not be unacceptable.
13. It is concluded on the second main issue that the proposed extension would have no materially harmful effect on the living of occupiers of 34 Sutton Road with respect to outlook and visual intrusion. In consequence, taken in the context of more strategic policies in the LP and CS, it would comply with DPD Policies BP8 and BP11 and the NPPF. Taken together, these expect new development to provide a high standard of amenity for existing and future users and, specifically, not lead to a significant loss of outlook.
14. In addition to the statutory commencement condition, the Council suggests conditions requiring the development to be carried out in accordance with the approved plans and in materials that match those used in the existing dwelling. I agree that both these are necessary to provide certainty and to protect the character and appearance of the host dwelling, the terrace, the street scene and the Becontree Estate.
15. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be allowed.

KE Down
INSPECTOR