



Appeal Decision

Site visit made on 27 September 2022

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2022

Appeal Ref: APP/Z5060/D/22/3300366

37 Verney Road, Barking & Dagenham, 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 G Dauti against the decision of the London Borough of Barking & Dagenham Council.
 - The application Ref 22/00260/HSE dated 17 February 2022, was refused by notice dated 16 March 2022.
 - The development proposed is two storey side extension, front porch and removal of garage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of my site visit I noted that the garage shown on the existing plans before me has already been demolished. Furthermore the front elevation shown on the existing plans does not now match what I saw on site – it would appear that the entrance porch, to the side of the property, has been demolished and boarded over with the front porch shown on the proposed drawings already having been constructed.
3. The Council's decision is dated 16 March 2022 but references both The London Plan 2016 and the National Planning Policy Framework 2019. The revised National Planning Policy Framework 2021 was adopted on 20 July 2021. For the avoidance of doubt the London Plan 2021 (a Replacement Plan) was published by the Mayor in March 2021. The London Plan 2016 policies referred to (7.1, 7.4 and 7.6), within the Council's decision notice, are no longer in force.
4. The Council have referred to Draft Local Plan (Regulation 18 Consultation version, November 2019) but the cover of the documentation provided within the appeal submissions is that of Regulation 19 (September 2020). Reference is made to Policy SP4, however, this related to delivering social and cultural infrastructure facilities in the right location and appears to be of no relevance to the proposal before me. I have not been provided with copies of Policies DM11, DM14 or DM16 as part of this appeal.

Main Issue

5. The main issue is the impact of the proposal upon the character and appearance of the host dwelling, terrace row and area (the Becontree Estate).

Reasons

6. The appeal site is a two storey end of terraced dwelling located on the corner of a banjo cul-de-sac. There are several elements to the appeal proposal. The Council's delegated report confirms that the porch is considered to respect and reflect the built form and design of the host dwelling and that it is considered acceptable and in keeping with the relevant development policies. I have no evidence before me to conclude differently on this element and the refusal reason relates only to the two storey side extension. For the avoidance of doubt the appeal will focus on this element only.
7. At the time of my site visit I found that the two corner plots at the entrance of the banjo are symmetrically aligned when viewed from the main road looking into the banjo. The banjo layout is a notable feature for the area designed to provide a physical break in the uniform, dense, development pattern that is formed by lines of terraces with limited space between them. The banjo cul-de-sac within which the appeal site stands forms a part of has a very balanced symmetrical layout given that all the properties are uniform in size, scale and design and each terrace row shares a single building frontage and roof scape. Notably, there are currently open views through the appeal site as seen within the images in the appellant's statement on page 3 and page 12 respectively.
8. I note that 39 Verney Road (no. 39) has an approved, constructed, two storey extension which both the Council and appellant note in their submissions. The extension at no. 39 is right up to the boundary of the appeal site as shown on plans provided by the appellant and as can be seen on site. I find that this, as-built, neighbouring extension would result in the respective terraced rows visually merging together when viewed cumulatively with the appeal proposal before me being set less than a metre off the boundary. It would completely remove the gaps around the corner plot that are specifically designed to provide a physical break in the uniform development pattern as noted above and impact negatively upon the openness of the area which is characteristic.
9. I do not find that the works to implement the lawful development certificate (21/00201/CLP) for a hip to gable loft conversion with rear dormer has unbalanced the existing symmetry of the terrace as it has not altered the development pattern which is characteristic of the area. The proposal would extend the property, to the side, by 4.2m with the current dwelling having a width of 6.2m. The appeal site forms part of a short terrace row of four properties and I find that the proposal as submitted would detract from the balance and symmetry of the street scene. Whilst I note examples cited by the appellant (discussed below) I find that an extension, in the region of two thirds of the host property width, would appear disproportionately large and unbalance the street scene, compared to the properties with which it forms a row, within what is a symmetrical development around the banjo.
10. It is noted that the Residential Extensions and Alterations Supplementary Planning Document 2012 (SPD) does not provide recommendations as to maximum width of side extensions. It does, however, note (in paragraph 5.4.5) that particular care needs to be taken where the house is located at the corner of a cul-de-sac or banjo which derive a good deal of their character from open corner spaces. It is confirmed, as is the case for this proposal, that an extension that compromises the openness of the plot could have a detrimental impact on the street scene and be considered unacceptable.

11. The appellant makes reference to other examples of development in the area including 32 Verney Road, 39 Verney Road (discussed above), 48 Verney Road, 59 Verney Road and 18 Beverley Road. Additional documentation is noted for 32 Verney Road, 39 Verney Road and 18 Beverley Road within the appellant's submissions. 32 Verney Road is on a corner plot but not located within a cul-de-sac banjo as the appeal site before me is. It was granted permission in February 2006 and thus notably pre-dates any policy against which the proposal before me is to be determined. Limited information is provided as to 48 Verney Road. It was granted permission in July 2000 and thus also notably pre-dates any policy against which the proposal before me is to be determined.
12. The planning history for 59 Verney Road is acknowledged as being unknown which limits any weight that can be applied to it in terms of basis of assessment. In the case of 18 Beverley Road I find the proposal was in a much larger plot than that at the appeal site before me. This can be seen from the submitted block plans. Despite the noted substantial extension the proposal retains the openness of the corner plot, albeit symmetry was lost, and the tree cover noted by the Council mitigates its impact on openness and the street scene by comparison to the proposal before me which would visually merge with the neighbouring terrace row.
13. There may be limited, older, examples of extensions within the area of a similar scale. Despite this I find that the harm found would have a detrimental impact on the historic character of the surrounding area with the openness of the banjo being one of the original intrinsic qualities of the area. The proposal would result in overall negative impact on the form of the banjo as part of the Becontree Estate's layout. Each case must be considered on its own merits and I find that the circumstances of this case essentially hinge on the important location within a banjo particularly when combined with consideration of existing neighbouring development.
14. The proposal would be contrary to London Plan 2021 Policy D4, Local Development Framework Core Strategy 2010 Policy CP2 and Policy CP3, Local Development Framework Borough Wide Development Policies Development Plan Document 2011 Policy BP2, Policy BP8 and Policy BP11 in so far as they relate to, and seek to ensure, good design that has had regard for local character and appearance including respect for local context and protect the amenity of the area.
15. The proposal would also be contrary paragraph 130 of the National Planning Policy Framework 2021 which requires proposals to be sympathetic to local character and history and function well and add to the overall quality of the area. The proposal would also be inconsistent with the overarching objective of the Council's SPD guidance that notes (in paragraph 5.4.5) as noted above.

Other Matters

16. The applicant considers that one of the main considerations in this appeal includes neighbouring amenity, however, no refusal reasons are based upon this nor did the Council raise such impacts within their assessment. I have no reason to conclude differently. Third party comments are noted in relation to this proposal; however, the Council's report confirms that the works were confirmed with the agent as internal only and relating to a loft conversion confirmed as permitted development. This appeal is therefore only concerned with the proposals before me as submitted.

Conclusion

17. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR