



Appeal Decision

Site visit made on 8 August 2023

by P Terceiro BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 August 2023

Appeal Ref: APP/Z5060/D/23/3318876

46 Lillechurch Road, Barking and Dagenham, Dagenham RM8 2BG

- 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 Veaceslav Rusu against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 22/02134/HSE, dated 13 December 2022, was refused by notice dated 26 January 2023.
 - The development proposed is described as '2 storey and part single storey side extension'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council raises concerns about the accuracy of the block plan. However, I am satisfied that the drawings as a whole adequately describe the development and I have considered the appeal accordingly.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the host property and surrounding area; and
 - whether the proposal would provide acceptable living conditions for its occupants with regard to external amenity space.

Reasons

Character and appearance

4. Lillechurch Road is a part of the Becontree Estate, an interwar public housing scheme with a distinctive local character. The Becontree Estate is identified by the Council as a non-designated heritage asset, the significance of which derives from its consistent layout and architectural character.
5. The appeal site is an end of terrace dwelling which occupies a prominent corner plot at the junction of Lillechurch Road and Cornworthy Road. Development in the vicinity is characterised by rows of terraced dwellings of a similar design and form. The corner plots at the junction of the two roads retain open side garden spaces, which positively contribute to the streetscene and spaciousness of the area.

6. The proposed front elevation of the extension would be parallel to the frontage of the host dwelling, which would result in a balanced front elevation and assist in maintaining the built form of the terrace. However, given the proposal's width and height, it would appear disproportionately large in relation to the scale of the existing dwelling.
7. Due to being sited flush with the side boundary of the appeal site and significantly forward of the building line of properties on Cornworthy Street, the proposed extension would be prominently positioned in the streetscene. Because of its significant width and depth next to the footpath, the extension would notably disrupt the established symmetry and rhythm of the terraced blocks with open corners, to the detriment of the streetscene. The proposal would detract from the open and spacious character of the area and, in my judgement, would undermine the distinctive local character and the significance of the Becontree Estate as a non-designated heritage asset.
8. The appellant has drawn attention to other extensions built in the surrounding area. However, I note that some of these extensions retained a gap to the side boundary, such as No 34 Ilchester Road or No 103 Markyate Road. Other sites, such as No 18 Basedale Road and No 52 Davington Road, are set in different contexts. One property that is similarly located is No 170 Ilchester Road. However, this property is set where open corners and the strong pattern of similarly designed terraced dwellings are not as significant in the streetscene. Further, I do not have full details of the circumstances that led to these proposals being accepted. Consequently, I cannot conclude that they represent a direct parallel to the appeal proposal, including in respect of development plan policy. As such, I have determined the appeal in its own merits.
9. Overall, I conclude that the proposal would detract from the character and appearance of the host property and the surrounding area. It would conflict with Policy D4 of The London Plan 2021 (TLP), Policies CP2 and CP3 of the Local Development Framework Core Strategy 2010 (CS) and Policies BP8 and BP11 of the Local Development Framework Borough Wide Development Plan Document 2011 (DPD). These policies seek, amongst other matters, to secure good quality design. The proposal would also conflict with the Council's 'Residential Extensions and Alterations' Supplementary Planning Document 2012 (SPD), which supports well designed residential development. It would also conflict with the National Planning Policy Framework (the Framework) where it seeks to ensure that development is sympathetic to local character and has regard to the significance of non-designated heritage assets.
10. The Council has also referred in its decision to policies within The London Borough of Barking and Dagenham's Draft Local Plan 2037 (Second Revised Regulation 19 Consultation Version, Autumn 2021) (BDDLDP). I note that the draft plan is at Examination, and therefore at an advanced stage. However, at the current time it does not form part of the statutory development plan and I have not been made aware as to whether there are any unresolved objections in relation to the cited policies. I therefore attach limited weight to those policies in my decision.

Living conditions

11. The proposal would result in the loss of the area to the side of the property. Although this would be classed as available amenity space, it is clearly visible in the streetscene and provides little privacy.

12. Despite acknowledging that the block plan is not an accurate representation of the existing development on site, the officer's report contains calculations in respect of the amount of garden space that would be left available for the residents should the extension be constructed. On this basis, I can only conclude that the Council was presented with sufficient information to assess the proposal.
13. As the information missing from the block plan was clearly set out in the existing and proposed plans, any third parties wishing to comment on the proposal would not have been prejudiced. Equally, anyone wishing to comment on the application could have raised this matter. As such, I disagree with the Council that the discrepancy in the plans would hinder third parties' capacity to comment on the proposal.
14. The calculations provided within the officer's report conclude that the overall additions within the property would cover close to 50% of the property's garden space, in accordance with the SPD. Although most of the remaining space would be at the front of the dwelling, the rear garden would be unaffected by the proposed development. The property has been extended to the rear previously, but the rear space is fully enclosed and provides an area for outside storage, place for sitting and for outside drying of clothes. The rear garden is orientated so that it would receive adequate daylight and sunlight. Furthermore, the space within the property's frontage would be available for bin storage and cycle parking. Therefore, whilst the proposal would result in the loss of the side garden, there would remain adequate outdoor amenity space available to provide for the property as extended.
15. To conclude, the proposal would provide acceptable living conditions for its occupants with regard to external amenity space, in line with DPD Policies BP8 and BP11 of the DPD. Together these seek, amongst other matters, to protect residential amenity. The proposal would comply with the SPD insofar as it would protect residential amenity. It would also be in accordance with the Framework, which seeks to create places with a high standard of amenity for existing and future users.

Other Matters

16. I accept that the proposal would improve the living accommodation within the appeal dwelling. However, I have not been provided with any details regarding an identified need for larger dwellings and, in the absence of any evidence, I give this matter very limited weight.

Conclusion

17. The proposal would not be harmful to the living conditions of its occupiers with regard to amenity space. Nevertheless, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. Therefore, the appeal is dismissed.

P Terceiro

INSPECTOR