

Appeal Decision

Site visit made on 16 January 2024

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 February 2024

Appeal Ref: APP/Z5060/D/23/3326245

14 Norfolk Road, Dagenham, RM10 8EX

- 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 Ms Tatiana Botez against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 23/00706/HSE, dated 9 May 2023, was refused by notice dated 23 June 2023.
 - The development proposed is described as 'erection of first floor rear extension'.
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Procedural matters

1. The submitted drawings show the property with an existing full width single storey rear extension, and that it is proposed to erect a first floor extension also the full width of the house, in a staggered design. However, I saw at my site visit the existing rear extension is not full width. I understand there has been a permission for a single storey rear extension, but as that is not built.
2. Hence the situation on the site is one where the 'existing' situation is not a full width extension, and so the development the subject of this appeal is more accurately described as erection of two storey rear extension; it would otherwise not be possible to build what is shown on the drawings. There is no prejudice to any party in this description, and so I have determined the appeal on that basis.

Decision

3. The appeal is dismissed.

Main issues

4. The main issues in this appeal are the effect of the proposed development on the living conditions of adjoining occupiers, and on the character and appearance of the surrounding area.

Reasons

Living conditions

5. The appeal property is a semi-detached house with a single storey rear extension across part of the rear. The properties in the area have distinctive
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steeply sloped roofs, with large flat-roof dormers serving accommodation within those roof areas at first floor.

6. Policy BP8 of the Barking and Dagenham Borough Wide Development Policy Development Plan Document (DPDPD) 2011 expects all extensions to, amongst other matters, not lead to a loss of outlook or day and sunlight. Policy BP11 seeks to maintain residential amenity. Policy BP8 states that guidelines on this matter will be set out in a Supplementary Planning Document (SPD), and this is provided in the Council's Residential Extensions and Alterations SPD 2012. The SPD states that no part of a first floor rear extension should extend beyond a 45 degree angle, which it states is to be taken from the corner of the adjoining property.
7. The submitted drawings show a stepped design to the first floor element of the proposed extension as it adjoins the attached house of 16 Norfolk Road, which gives no encroachment into a 45 degree angle from the window of that property. However, that is not the test of the SPD: the reference is to the corner of the property, not a window. I acknowledge that relying solely on a measurement of angles might not be conclusive on the issue regarding levels of light to the neighbouring house, but in this instance the appeal property lies due south of No. 16.
8. The depth of the proposed extension, the proximity to No. 16 and the location to the south of bedroom windows to that house thus lead me to conclude on the basis of what I have seen that there is likely to be an unacceptable impact on levels of light to the neighbour, and to the outlook from that property.
9. The distance retained between the proposed extension and No. 12 means there would be no harm to the living conditions of occupiers in that house. However, the degree of harm to No. 16 means that there remains conflict with Policies BP8 and BP11, and the SPD.

Character and appearance

10. The SPD states that when considering extensions at first floor it is important the design is sympathetic towards the original house, with particular attention paid to ensure the roof treatment reflects the character of the original dwelling. The SPD states that, where the main roof of the house is pitched, this should be continued over the extension, and that flat-roofed extensions will not be considered acceptable in the vast majority of circumstances.
11. The proposed development shows a flat roof extension. This would not relate well to the distinctive pitched roof form of the house and the wider area. The neighbouring property of No. 12 has a first-floor rear addition that is flat roofed, but this is very limited in depth and consequently has more of the appearance of an enlarged dormer, rather than substantial rear extension. It is the depth, stepped design and large scale of the proposal at No. 14 that would create a jarring and intrusive design with the host property, and with the wider area.
12. The general thrust of Policy D4 of the London Plan 2021, Policy CP3 of the Barking and Dagenham Core Strategy 2010, Policies BP8 and BP11 of the DPDPD, and Policies SP2, DMD1 and DMD6 of the Barking and Dagenham Draft Local Plan 2021 is to seek a high standard of design that is informed by its

context. The SPD sets out similar objectives. The proposals would not satisfy this requirement, and on the second main issue it is concluded the proposals would be harmful to the character and appearance of the area.

Conclusion

13. My overall conclusion is that the proposal would conflict with the development plan as a whole and there are no other considerations which outweigh this finding. The appeal is dismissed.

C J Leigh

INSPECTOR