



Appeal Decision

Site visit made on 12 March 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th April 2024

Appeal Ref: APP/Z5060/D/24/3337204
105 Romsey Road, Dagenham RM9 6BB

- 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 Vitalis Marcenka against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 23/01583/HSE, dated 16 October 2023, was refused by notice dated 4 December 2013.
 - The development proposed is the erection of a double storey side extension and extension of the front porch.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect of the proposed development firstly, on the character and appearance of the host building and the local area; and secondly, on the living conditions of the occupiers of 11 Elstow Road with particular regard to light.

Reasons

3. The appeal property is a mainly 2-storey end terrace house that occupies a prominent corner plot at the junction of Romsey Road and Elstow Road within a predominantly residential area. It stands at right angles to the adjacent property, 11 Elstow Road, which is a 2-storey dwelling. The side gardens of Nos 105 and No 11, which are adjacent to each other, are typical of the suburban layout within the local area wherein plots are generally larger and partly open on corners particularly next to junctions. This arrangement gives the local street scene a welcome sense of space.
4. The appeal dwelling is not listed, nor does it fall within a conservation area. It is, however, within the Becontree Estate, which is an interwar public housing development that was the largest of its kind in the world. Due to its historical and social significance, the Estate is a non-designated heritage asset (NDHA). In weighing applications that affect NDHAs, the National Planning Policy Framework (the Framework) states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
5. The new 2-storey side addition would include materials and fenestration to match the existing dwelling and line up with its main front wall. Consequently, the main visual effect of the proposal would be to widen the front elevation of

the appeal dwelling and draw it much closer to the side of No 11. While the extension would be a proportionate addition and the new flank wall would be set back from the site's shared boundary with No 11, the resultant impact on the character and appearance of the host building and the local street scene would be significant.

6. Firstly, the proposed side extension would add to the scale and mass of the host dwelling. When seen from Romsey Road, the completed building would appear noticeably wider and more substantial in-built form than other properties in the same terrace. This contrast would draw the eye because the broad consistency of the terrace which consists of properties that are similar in scale and design would be disrupted.
7. Secondly, by introducing new built form into the side garden of No 105, the proposal would substantially reduce the open character around the junction. It would also result in the rear corners of Nos 105 and 11 being closer together than those of the existing properties. When seen from the adjacent junction, a gap between Nos 105 and 11 would remain that would allow views over their rear gardens towards the buildings beyond. However, from in front and just to one side of the site, these adjacent dwellings would be perceived as being uncomfortably close together because the full extent of the space between them would be less visible. This arrangement would be out of keeping with the more spacious layout of corner plots and their open character around junctions that is a distinctive characteristic of the wider Estate.
8. The Council's Supplementary Planning Document *Residential Extensions and Alterations* (SPD) sets out guidelines for development on corner plots. It states that an extension that compromises the openness of such a plot could have a detrimental impact on the street scene. For the reasons given, that would be the case with the proposal before me.
9. The appellant has drawn my attention to the side extension at 160 Romsey Road that is situated opposite the site. The Council advises that planning permission for this development was granted some time ago and so it predates the current planning policy framework. Furthermore, it exemplifies the harm to which I have referred. Whilst the proposal might in one sense provide a counterbalance to No 160 in the local street scene, it would substantially erode the deliberate spatial and visual relationship between neighbouring properties and the junction and would further detract from their original design. Therefore, the extension at No 160 does not lend support to the appeal.
10. Reference is also made to several other 'appeal precedents' that are described as developments that are similar to the proposal and that the Council has found to be acceptable with some background details provided. I also saw other examples of side extensions to properties on corner plots elsewhere in the local area. From the limited information provided, I cannot be certain that the circumstances of any of these cases are the same or very similar to those of the proposal. As such, I am unable to conclude that these examples are a direct parallel to the appeal scheme. In any event, each development proposal should be assessed on its own merits, as I have done.
11. On the first main issue, I conclude that the proposed side extension would cause harm to the character and appearance of the host building and the local area. Accordingly, it conflicts with Policies HC1 and D4 of The London Plan (TLP), Policies CP2 and CP3 of the Council's Planning for the future of Barking and Dagenham Core Strategy (CS) and Policies BP2 and BP11 of its Borough

Wide Development Policies Development Plan Document (DPD). These policies aim to ensure that development recognises local character and promotes good design whilst protecting and enhancing historic environments. It is also at odds with the Framework, which seeks to ensure that development is sympathetic to local character and adds to the overall quality of the area.

12. The Council has also referred to various policies of The London Borough of Barking and Dagenham Draft Local Plan 2037 (Submission Version). However, as this plan remains in draft form, its policies may change prior to adoption. Therefore, I attach limited weight to this emerging plan.

Living conditions

13. There would be a significant loss of sunlight and daylight to the ground floor rear window of No 11 and the back garden nearest to this neighbouring house for a major part of the day. The loss of natural light would be primarily caused by the overshadowing effect of the new side extension, situated just to the south. In particular, the new built form would reduce the gap between Nos 105 and 11 and thereby curtail the natural light able to reach the rear of the adjacent property. The main effect would be to diminish the reasonable enjoyment of the room served by the rear ground floor window and the back garden for the occupiers of No 11. Therefore, I share the Council's concern that the proposed development would be unneighbourly.
14. On the second main issue, I conclude that the new side extension would materially harm the living conditions of the occupiers of No 11. As such, it is contrary to TLP Policy D6, CS Policy CP3 and DPD Policies BP8 and BP11 insofar as they aim to safeguard residential amenity. It is also at odds with the Framework, which states that developments should create places with a high standard of amenity for existing and future users.

Other matters

15. Once complete, the enlarged house would provide additional living space that would enhance the living conditions of the appellant. The proposal makes efficient use of land that is underused within the site, which is a principle that has policy support. However, these matters do not outweigh the significant harm that I have identified.
16. The Council raises no objection to the extension to the front porch. I, too, find this element of the appeal scheme acceptable because the completed porch would be modest in scale and appropriate in design and general appearance. However, from my inspection of the plans, it is not clearly severable to the side extension, which is objectionable. Therefore, I am unable to issue a split decision that grants planning permission solely for it.

Conclusion

17. Overall, I conclude that the proposed development would conflict with the development plan. There are no material considerations, including those of the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan. For the reasons set out above, and having regard to all other matters raised, including the lack of objections from others, I therefore conclude that the appeal should be dismissed.

Gary Deane INSPECTOR