



Appeal Decision

Site visit made on 19 September 2024 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2024

Appeal Ref: APP/Z5060/D/24/3346688

20 Bonham Gardens, Dagenham, Barking and Dagenham RM8 3BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Ahmedije Myha against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref is 24/00536/HSE.
 - The development proposed is described as 'double storey rear extension and double storey side extension'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The Barking and Dagenham 2037 Local Plan was adopted by the Council on 18 September 2024. In refusing planning permission, the Council referred to policies which have now been superseded. The appellant has been made aware of the new development plan position which the Council have confirmed does not fundamentally affect the reasons for refusal or their case in regard thereto. The appellant has not added anything further. I have proceeded on this basis and referred to the most up to date development plan at the time of writing.

Main Issues

4. The main issues are the effect of the proposal on a) the character and appearance of the area; and b) the living conditions of the occupiers of Nos.19 and 21 Bonham Gardens with specific regard to light, outlook and privacy.

Reasons for the Recommendation

Character and Appearance

5. The appeal site is a terraced property set within the Becontree Housing Estate which is a Non-Designated Heritage Asset (NDHA). The properties that form part of the estate are of their time, simple and strikingly functional in their design and appearance. Some have been subject to alterations, but this has not, on the whole, adversely affected the consistency and originality of the buildings either individually or as a collective given the scale and location of

such. The layout of Bonham Gardens as a section of the estate is well preserved and typical of the form and rhythm that is repeated across it. It is set in a rectangular shape where dwellings are set back from their frontage with small gardens in a deliberately defined courtyard with open areas used as gardens for the corner plots. These rhythmic repeated elements also lend symmetry to the street scene. The property is an end terraced dwelling on a corner plot and benefits from a relatively large garden to the side and rear.

6. The proposed extension would significantly increase the size of the dwelling by wrapping around the rear and side of the end of the terrace. Whilst not immediately obvious due to it being set back from the host dwelling's frontage, the extension would both fundamentally affect the building's original shape and, due to its size and height, compete for visual dominance with it. This would, in turn, reduce the quality of the building's original simplicity and therefore lead to an unacceptable degradation of the intrinsic character thereof. The land take of the extension would also infill one of the defined and larger gaps between blocks that would erode the designed speciousness of the street scene. Taken together, and whilst a small amount of development in the grand scheme, the proposal would cause harm to the character and appearance of the area and, by association, the integrity of the estate as a NDHA.
7. The National Planning Policy Framework 2023 advises that, when weighing applications that directly or indirectly affect NDHAs, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. I would attach substantial weight to the harm I have found as it would relate to key aspects of the significance of buildings and spaces within the wider estate. The scheme would evidently provide more space for the appellant, but I would ascribe this limited weight given it is not clear that it is the only way of providing such.
8. With this and the above in mind, the proposal would be contrary to Policies D4 and HC1 of the London Plan 2021 (LP) and Policies SP2, DMD1, DMD4 and DMD5 of the London Borough of Barking and Dagenham Local Plan 2024 (Local Plan) which are concerned with, amongst other things, preserving the character of an area through development.

Living Conditions

9. The appeal property adjoins No.19 and is alongside No.21. Each of the neighbouring properties benefit from gardens to the rear. The garden for No.21 also extends to the side closest to the appeal site. The garden for the appeal site is bordered by fencing on each side but it is relatively low and there is a strong sense of openness between the properties particularly with No.19.
10. The entrance door for No.21 is on the side elevation facing towards the appeal site along with a first floor window. The development would extend parallel to this part of the site however the extended part would not reach the window. Nevertheless, given that this aspect of the extension would be two storey, it would create a noticeable sense of enclosure around the entrance door to the property. Although there would be a gap between the buildings, it would be fairly narrow and therefore the proposed development would be overbearing for occupants of the dwelling when they are entering or exiting their property.
11. The proposed two storey aspect of the extension would be in line with an existing ground floor extension situated to the rear of No.19, but the proposed

ground floor would extend out further. The extension would be on the boundary with No.19. Given that No.19 benefits from a good sized rear garden and there is a spaciousness thereto due to the existing boundary treatments, the proposed development would not cause a substantial loss of outlook or light for the users. Furthermore, there would be no additional loss of privacy to the occupants of No.19 as a result of the proposal given the existing arrangement and layout of the site.

12. That said, and in regard to the occupiers of No.21 specifically, the proposal would be unacceptably harmful to their living conditions, for the reasons set out above. The proposed development would therefore be contrary to Policy D6 of the LP and Policies DMD1 and DMD5 of the Local Plan. These policies are concerned with protecting neighbouring amenity amongst other things.

Conclusion and Recommendation

13. For the reasons given above, the appeal scheme would conflict with the development plan and there are no sufficiently weighty material considerations to indicate a decision other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR