



Appeal Decision

Site visit made on 6 May 2025

by **SJ Desai BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 June 2025

Appeal Ref: APP/Z5060/D/24/3355677

26 Valentines Way, Rush Green, Romford RM7 0YH

- 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 Mrs Sultanara Khanom against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref is 24/01267/HSE.
 - The development proposed is described as 'Construction of a front porch, a first floor side extension, a part two storey part single storey rear extension and conversion of existing garage into a habitable space'.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mrs Sultanara Khanom against the Council of the London Borough of Barking and Dagenham and this is the subject of a separate Decision

Preliminary Matters

3. I have determined the appeal on the basis of the Council's description of the development proposed, which I have used in the bullet header above, as it more accurately describes the development.

Main Issues

4. The main issues are the effect of proposed development on the:
 - character and appearance of the area; and
 - the living conditions of neighbouring occupiers, with particular regard to outlook, overshadowing and daylight.

Reasons

Character and appearance

5. The appeal property is a two-storey semi-detached dwelling within a predominantly suburban residential area. It forms part of a symmetrical pair with 28 Valentines Way with both dwellings displaying similar architectural proportions, particularly at upper levels. Properties within the street are generally semi-detached, including to

the east and west of the appeal dwelling, or form parts of relatively short groups of terrace houses. A prevailing feature within the street scene is the regular spacing between buildings, contributed predominantly to by the semi-detached dwellings which largely have either side access, or if not, space to the plot boundaries at first floor level contributing to a fairly spacious suburban character, clearly apparent in this section of the street.

6. The proposed first-floor side extension includes a limited set-back from the adjacent plane of the front elevation and a set down from the ridgeline of the existing roof. It would not have a perceptible set back from the shared boundary with 24 Valentines Way (No. 24) and would extend the host dwelling towards this neighbouring semi-detached dwelling.
7. The proposed first-floor side extension, as a result of its scale and forward alignment as well as its proximity to the boundary, would disrupt the architectural symmetry of the pair of semi-detached dwellings of which it forms part. It would also reduce the existing gap between the appeal dwelling and the neighbouring No. 24, leading to a cramped appearance, particularly when viewed obliquely from the street. Such an outcome would undermine the established rhythm of separation that typifies this part of the street and contributes positively to its suburban character. In my view, neither the proposed set-backs or the space retained between the two buildings would be sufficient to avoid this impact.
8. The proposed single storey rear extension would exceed the scale of the fallback scheme permitted under reference 24/00601/PRIEXT. Nevertheless, given its position at the rear of the dwelling and the depth of the rear garden, it would not appear as unduly prominent or incongruous where visible in private views and would be read as part of the generally varied nature of rear extensions in the area. Thus, this element of the scheme would not harm the character and appearance of the area. I deal with its effect on living conditions below.
9. The proposed first floor rear extension would be of a modest scale and massing. I agree with the Council's assessment that this element remains subservient in form and would not adversely affect the character of the dwelling or its surrounds.
10. The Council raises no objection to the front porch and conversion of garage into a habitable room. I have no evidence before me to indicate that either would cause harm to the appearance and character of the dwelling or street scene.
11. While I have identified harm arising from the first-floor side extension, I do not find the other components of the proposal harmful. Nonetheless, the acceptability of the other elements is a neutral factor in the overall balance.
12. I do not have the full details of the circumstances that led to all of the examples of similar extensions and development put to me being accepted. On the evidence presented I therefore cannot be certain that are directly comparable. I have, in any event, determined the appeal based on its own planning merits and consequently the existence of the other developments that have been brought to my attention do not justify harmful development at the appeal site.
13. For the reasons set out above, I find the proposal would harm the character and appearance of the area. As such, it would conflict with Policy D4 of the London Plan (2021) and Policies SP2, DMD1 and DMD5 of the London Borough of Barking and Dagenham's Local Plan 2020-2037 (2024) (LP) which when read together

require new development to be of a high-quality design and relate to its local context. The proposal would additionally conflict with the aims of the Residential Extensions and Alterations Supplementary Planning Document (2012) (SPD) which, amongst other things, seeks extensions to preserve gaps between buildings where they contribute to local character and be sympathetic to the host property. The proposal would also conflict with the National Planning Policy Framework (the Framework), which seeks to ensure that developments are visually attractive and add to the overall quality of the area.

Living conditions

14. The proposed single storey rear extension would extend significantly along the shared boundary with No.24 and would be constructed closer to this boundary than the fallback scheme previously permitted. As a result of its significant depth and proximity to the rear elevation and garden of No.24 the proposed extension would be a dominant feature when viewed from the two closest ground floor rear-facing windows, understood to be the primary source of light and outlook to a kitchen, and the immediate garden area of that neighbouring property. I consider that the resulting sense of enclosure and visual dominance would give rise to an overbearing and oppressive relationship that would materially harm the outlook and daylight enjoyed by the occupiers of No. 24.
15. The harmful impacts identified would not, in my view, be suitably mitigated by the presence of the existing boundary fence which would not fully screen the development nor the limited separation to the closest rear elevation windows of No.24.
16. The Council has also raised concerns regarding potential harm to a flank elevation window within No. 24, understood to be a half-landing or secondary window. Having regard to the relative orientation of the properties, the path of the sun, and the separation distance between the flank elevation of No.24, I find that the relationship between the proposed development and this particular opening would not, in my view, result in any unacceptable harm.
17. With respect to No. 28, I find that the proposed single storey rear extension would not materially exceed the extent or impact of the fallback scheme already permitted. As such, I have identified no additional adverse effect on the living conditions of the occupiers of No. 28.
18. The Council raises no objection to the front porch or first floor side extension and I have no evidence before me to indicate that either would cause harm to the living conditions of adjacent occupiers whether considered in isolation or in combination with the other components of the proposal.
19. Nonetheless, for the reasons set out above, I find the development would unacceptably harm the living conditions of the neighbouring occupiers at No.24 Valentines Way, with particular regard to loss of outlook and daylight. As such, I find conflict with Policy D4 of the London Plan (2021) and Policies SP2, DMD1 and DMD5 of the LP. This requires, amongst things, that developments have a positive relationship with existing and nearby properties. For the same reasons, the proposed development also conflicts with section 12 of the Framework and the SPD.

Conclusion

20. For the reasons given above, the development conflicts with the development plan and there are no material considerations of sufficient weight to indicate that the proposed development should be determined otherwise than in accordance with the development plan. The appeal should therefore be dismissed.

SJ Desai

INSPECTOR