



Appeal Decision

Site visit made on 19 August 2025 by T Morris BA (Hons) MSc

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2025

Appeal Ref: APP/Z5060/D/25/3367310

59 Western Avenue, Dagenham, Barking and Dagenham RM10 8UD

- 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 Mr Hafuzi against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application reference is 25/00551/HSE.
 - The development proposed is construction of a part two storey part single storey rear 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.

Application for Costs

3. An application for costs has been made by the appellant. This is subject of a separate decision.

Main Issues

4. The main issues are the effect of the proposed development on:
 - i) the character and appearance of the existing dwelling and the surrounding area; and,
 - ii) the living conditions of neighbouring occupiers, in terms of outlook, daylight and privacy.

Reasons for the Recommendation

Character and appearance

5. The appeal property is a two-storey, end-terraced dwelling which features a gable roof. Western Avenue mostly features dwellings which are grouped in small terraces. The terraces are generally consistent in terms of their scale, gable roofs, as well as window layout and proportions, factors which contribute to a coherent appearance in the area overall. The rear elevations and the rear roof slopes are mostly plain and unaltered, with extensions generally limited to the ground floor. Although there are some two-storey extensions and roof extensions in the area,

these are few and far between and I observed on my site visit that some of these do not appear to be sympathetic to their original dwellings. Overall, the simple form and the visual consistency of the dwellings on Western Avenue, including to their rear elevations, makes a positive contribution to the character and appearance of the area.

6. Although the hipped roof form of the proposed two-storey rear extension would reduce some of its bulk, it would fail to reflect the characteristic gable roof form of the existing dwelling and the vast majority of those on Western Avenue. Moreover, despite the modest depth and width of the extension, due to its significantly lower roof ridge height, it would have a somewhat squat appearance in comparison to the scale of the existing dwelling. The offset position of the windows at the first floor would further contrast with the otherwise orderly window layout of the surrounding dwellings. Consequently, the two-storey rear extension would not be sympathetic to the design of the existing dwelling, and it would detract from the character and appearance of the surrounding area.
7. Although it was not shown on the submitted plans, the planning history shows that the appeal property has a lawful development certificate for a rear dormer extension. On my site visit, I observed that the dormer window was under construction. Furthermore, in their statement of case, the appellant confirms that the dormer window has been implemented. Therefore, although I am not formally considering the dormer window under this appeal, it is clear that the dormer window and the two-storey rear extension would both be constructed at the site.
8. In that regard, the two-storey rear extension when combined with the dormer window would further differentiate the proposed development from the design of the existing dwelling. Cumulatively, these extensions would appear unacceptably bulky and jarring and would largely erode any perception of the original form of the dwelling when viewed from the rear. The proposal as a whole would therefore fail to complement the appearance of the original dwelling, and once completed, it would be a visually discordant feature amongst the surrounding terraces.
9. Whilst I appreciate that the harm caused by the proposed development would be confined to the rear of the property, it would nevertheless be visible from the rear gardens of neighbouring properties and from the access road to the rear of the dwellings on Western Avenue. Regardless, the absence of public visibility does not obviate the need for high quality design. Indeed, the National Planning Policy Framework (Framework) is clear that developments should be visually attractive and add to the overall quality of the area. The absence of visibility from the frontage does not therefore justify the harm that would be caused by the proposal.
10. I have also had regard of the examples of developments on Western Avenue which are referred to by the appellant. I observed some of these on my site visit. Whilst the plans and decision notices have been provided, I do not have the full details of these cases in order to give them significant weight. The absence of such details limits their weight in the appeal, which I have in any event determined on its own individual planning merits.
11. From the evidence before me, the developments at 99, 117 and 179 Western Avenue all seem to be set amongst properties which have also been extended to a significant degree. That is different to the appeal property which is surrounded by dwellings which generally appear to be largely original and uniform at first floor and

roof level. The example at 21 Western Avenue does appear to be more comparable, albeit from the photograph provided it appears as though there is a larger gap to the adjacent dwelling compared to the appeal property.

12. In the approved plans for each development, none of the properties show an existing dormer extension, as is the case at the appeal property. Whilst rear dormers are shown in the submitted aerial photographs, I am not aware of the timescale or the planning status of these installations. Furthermore, some of the examples serve to confirm the harm that can be caused in character and appearance terms through incohesive cumulative additions. Whilst I have considered the examples, they do not outweigh the harm that would be caused were the appeal to be allowed.
13. In addition, all of the examples referred to were approved prior to the adoption of the current local plan which explicitly requires that 'extensions should take into account the positive aspects of the existing roofscape of the area and seek to apply the same style as the roof of the original property, including the pitch, eaves treatment and materials used'. This is despite the fact that the Residential Extensions and Alterations Supplementary Planning Document (2012) (SPD) remains in place, given the primacy of the development plan in decision making.
14. I therefore conclude that the proposed development would be harmful to the character and appearance of the existing dwelling and the surrounding area. It would conflict with Policy D4 of the London Plan (LP) (2021) and Policies SP2, DMD1 and DMD5 of the Barking and Dagenham Local Plan (BDLP) (2024). Amongst other matters, these policies require that developments relate to the local context and that extensions should be sympathetic to the design of the original dwelling.

Living conditions

15. The SPD explains that no part of a proposed extension should extend beyond a 45-degree angle as taken from the corner of the adjacent property. The Council state that the first-floor rear extension would breach the 45-degree angle to both neighbouring properties, that being 57 Western Avenue (No 57) and 61 Western Avenue (No 61). However, I must consider this guidance alongside the site-specific circumstances of the proposal.
16. The appeal property adjoins No 57. Due to the shallow depth of the first-floor rear extension and that it would be set in from the side boundary to No 57, it would not significantly enclose the nearest windows on the rear elevation of No 57. Furthermore, the appellant's plans demonstrate that the extension would not breach the 45-degree angle when measured from the nearest window at No 57. Whilst this deviates from the guidance in the SPD, it nevertheless accounts for the actual positions of the windows, rather than the corner of the building, and therefore accounts for the site-specific circumstances. For these reasons, I am satisfied that the proposal would not unacceptably harm the living conditions of occupiers of No 57, in terms of outlook and daylight.
17. The appeal property is adjacent to No 61, which is the end property of the adjacent terrace. The appeal property and No 61 are however separated by an alleyway which would provide some distance between the first-floor extension and the rear facing windows of No 61, thus reducing any significant enclosing impacts. I also observed on my site visit that the nearest first floor window at No 61 is obscurely

glazed. While I cannot be certain of its use as I do not have the floorplans for No 61, it is unlikely to be a main habitable room since the window is obscurely glazed, and exterior plumbing would suggest it is a bathroom. Due to these circumstances, I am also satisfied that the proposal would not unacceptably harm the living conditions of occupiers of No 61, in terms of outlook and daylight.

18. The Council have also raised concerns that the proposal would result in overlooking and a loss of privacy at neighbouring properties. However, all of the windows within the extension would be rear facing. While it would be possible to see into neighbouring gardens from the new windows at an oblique angle, this is common at terraced properties within dense urban areas, such as the appeal site. Given that there would be no side facing windows in the extension, the proposal would not result in any direct overlooking of neighbouring properties. Consequently, I am also satisfied that the proposal would not result in any significant overlooking or loss of privacy at neighbouring properties.
19. I therefore conclude that the proposed development would not be harmful to the living conditions of neighbouring occupiers, in terms of outlook, daylight and privacy. It would therefore comply with Policies DMD1 and DMD5 of the BDLP, which amongst other matters, require that developments must not significantly impact on the quality of life for neighbouring residents. On this matter, the Council also cite conflict with Policies D4 of the LP and SP2 of the BDLP. However, these policies mostly relate to design and are not determinative on this main issue.

Other Matter

20. I acknowledge that a single storey extension to the property has been granted prior approval. The whole of the development is nevertheless before me. In this case, I find there to be a clear and substantive difference in the cumulative impacts of the single storey ground floor extension and dormer window, when compared to the impacts of the proposed two storey extension and dormer window. It is therefore not a directly comparable fallback, and I give it limited weight in the appeal.

Conclusion and Recommendation

21. While I have found that the proposed development would not be harmful to the living conditions of neighbouring occupiers, this is a neutral factor which does not justify the harm to the character and appearance of the existing dwelling and the surrounding area. Consequently, the proposal would conflict with the development plan as a whole and there are no other material considerations which would alter this conclusion. I therefore recommend that the appeal should be dismissed.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

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

A M Nilsson

INSPECTOR