Appeal Decision

Site visit made on 2 December 2016

by S Poole BA(Hons) DipArch MPhil MRTPi
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20th December 2016

Appeal Ref: APP/Z5060/D/16/3158515
25 Charlotte Road, Dagenham RM10 8TD

- 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 Donny Hoey against the decision of the Council of the London Borough of Barking and Dagenham.
- The application Ref 16/00550/FUL, dated 11 April 2016, was refused by notice dated 21 June 2016.
- The development proposed is described as a detached outbuilding/annexe to provide independent living accommodation for a disabled daughter

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effects of the proposal on:

   (i) the living conditions of the occupiers of 27 Charlotte Road, with particular regard to outlook and natural light; and

   (ii) the character and appearance of area.

Reasons

3. The appeal property is a 2-storey end of terrace house. It is located in a residential area and occupies a corner plot to the rear of which there are bungalows. The proposal would comprise the erection of a single-storey building containing 2 bedrooms, a bathroom and a kitchen/living area. It is intended that the building would provide living accommodation for the appellant’s disabled daughter who has epilepsy.

   Living conditions

4. The long northern elevation of the proposal would abut a significant proportion of the boundary shared with the rear garden of 27 Charlotte Road. Due to its height, length and close vicinity to the boundary it would severely enclose the rear part of this neighbouring garden resulting in a significant loss of outlook from the garden and a high degree of overshadowing.

5. For these reasons the proposal would have an unacceptable effect on the living conditions of the occupiers of 27 Charlotte Road. It therefore fails to comply
with Policies BP8 and BP11 of the Borough Wide Development Policies Development Planning Document (2011) (BWDP) which, amongst other matters, state that new development should not lead to significant overshadowing and should maintain residential amenity.

Character and appearance

6. Whilst the area surrounding the appeal site is varied, development in rear gardens is limited to ancillary buildings that are subordinate in scale to the host properties. By contrast the proposal would occupy almost the full-width of the rear part of the garden and would have a footprint similar to that of the host property. This would be at odds with the prevailing pattern of development. In addition the upper part of the proposal would be conspicuous from Richardson Gardens.

7. Due to its siting and size I therefore conclude that the proposal would have an unacceptable effect on the character and appearance of the area. It therefore fails to comply with BWDP Policies BP8 and BP11 which, amongst other matters, state that new development should have regard to and protect local character. It is also contrary to the aims of Policy CP3 of the Council’s Core Strategy (2010).

Other Matters

8. I appreciate the appellant’s daughter’s desire to live independently, but with support from her parents, and need for quiet personal space away from the family house. However I do not find that this provides sufficient justification for a permanent building of the size proposed. I therefore conclude that the appellant’s personal circumstances are not sufficient to outweigh the clear conflicts with development plan policy identified above.

Conclusion

9. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR