Appeal Decision

Site visit made on 7 July 2017

by S Poole BA(Hons) DipArch MPhil MRTP

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 July 2017

Appeal Ref: APP/Z5060/D/17/3174651
28 Oglethorpe Road, Dagenham RM10 7RX

- 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 Medi Allaraj against the decision of the Council of the London Borough of Barking and Dagenham.
- The application Ref 16/01943/FUL, dated 10 November 2016, was refused by notice dated 6 February 2017.
- The development proposed is described as a double storey side and rear extension.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the living conditions of the occupiers of 30 Oglethorpe Road, with particular regard to outlook and overshadowing.

Reasons

3. The appeal property is a 2-storey end of terrace house which is located in a residential area comprising terraced housing of similar age and appearance. The neighbouring terrace comprising 30 to 36 Oglethorpe Road is laid out at right angles to the terrace of which the appeal property forms part. As a consequence the rear gardens of the appeal property and its unattached neighbour, No. 30, are relatively enclosed. This however is tempered to a large degree by the gap between the flank walls of the properties.

4. The proposal would include the erection of a 2-storey side extension and a part single and part 2-storey rear addition. This would result in the formation of two elements of 2-storey development in very close vicinity to the boundary between the appeal property and No. 30. As a consequence of their siting, height and bulk these additions would severely enclose the rear garden of No. 30. In my judgement this would unacceptably reduce outlook from the garden and sunlight reaching it causing unacceptable levels of overshadowing in the morning.

5. For these reasons I conclude that the proposal would have an unacceptable effect on the living conditions of the occupiers of No. 30. The proposal is therefore contrary to Policies BP8 and BP11 of the Barking and Dagenham
Borough Wide Development Policies Development Plan Document (2011) (DPD) which, amongst other matters, seek to maintain and protect residential amenity by ensuring development does not lead to significant overshadowing or loss of outlook. It is also contrary to the aims of the Council’s Supplementary Planning Document for Residential Extensions and Alterations (2012).

**Conclusion**

6. For the reasons set out above, and having regard to all other matters raised including the absence of any objections to the proposal, I conclude that the appeal should fail.

*S Poole*

INSPECTOR