Appeal Decision

Site visit made on 16 April 2018

by Clive Tokley MRTPI
an Inspector appointed by the Secretary of State

Decision date: 01 May 2018

Appeal Ref: APP/Z5060/D/18/3193638

100 Sterry Road, Dagenham, RM10 8NT.

- 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 R Pazdrazdis against the decision of the Council of the London Borough of Barking and Dagenham.
- The application ref 17/01577/FUL, dated 25 September 2017, was refused by notice dated 4 December 2017.
- The development proposed is a two storey side extension, loft conversion, part two storey, part one storey rear extension, and internal alterations.

Decision

1. The appeal is dismissed.

Introduction

2. At my site visit I saw that work had commenced on a rear extension, a rear dormer and hip to gable conversion. The appellant indicates that these extensions were the subject of prior notification approvals. The works that have been carried out do not accord with those in the appeal proposal and my determination of the appeal is based on the appeal proposal.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the dwelling and the area and its effect on the living conditions of the occupiers of No 102 Sterry Road as regards light and outlook.

Reasons

Character and appearance

4. Sterry Road is within the Becontree Estate which is an extensive inter-war planned residential area. The estate is not the subject of any heritage designation, but it is recognised in the DPD as being of some local importance. Policy CP2 of the Borough Wide Development Policies Development Plan Document (DPD) indicates that the Borough has few nationally designated heritage assets and indicates that with this in mind the Council will take care to, amongst other things, reinforce local distinctiveness.

5. In the vicinity of the appeal property the development comprises mainly terraces and semi-detached houses. The semi-detached pairs are positioned at focal points of the development such as road junctions and the end of culs de
No 100 lies on the east side of Sterry Road at the southern end of a terrace. To its immediate south a semi-detached pair of houses (Nos 98 and 96) is set back further from the road and aligns with the axis of Lake Gardens to the west. To the south is another terrace. Similar semi-detached pairs are positioned on each side of the entrance to Lake Gardens on the west side of Sterry Road. Similar architectural devices have been used elsewhere in the residential area and the relationships between the terraces and semi-detached houses and the spaces between them are key elements in establishing the distinctive spatial character of the area.

6. I saw that some of the nearby houses had ground floor rear extensions and at the front their appearance has been changed by replacement windows and front porches. However for the most part the original detailing and symmetry of the houses at both front and rear has been retained.

7. The Council's adopted Residential Extensions and Alterations Supplementary Planning Document (SPD) indicates that extensions should be designed to reflect the positive elements of the character of the area in which they are located and that when designing extensions the character of the existing dwelling should be respected. It indicates that extensions which undermine the character of the area by not respecting its positive characteristics will not normally be acceptable. As regards side extensions to terraced houses it indicates that where gaps between buildings contribute positively to the character of the area it will be expected that the first floor of side extensions are set off the boundary of the site.

8. The layout of the houses with spaces between the terraces and the semi-detached pairs are important positive elements in the character of this area. The proposal would result in the flank wall of No 100 being within 0.3m of the boundary with No 98. This would result in the space between the houses being reduced by almost 50% creating a narrow gap between the dwellings. The reduction in the space between buildings would be prominently in view when approached from the west along Lake Gardens. It would contrast with the retained wider gap to the south of the pair and would unacceptably detract from the symmetry which underlies the distinctive spatial character and appearance of the area.

9. The front-facing windows would be poorly positioned creating an unbalanced appearance. The flank wall topped by a parapet would be out-of-keeping with the character of the area where overhanging eaves prevail. The position of the house in advance of No 98 would result in the flank wall being clearly in view as an incongruous feature when approaching along Sterry Road from the south. The appellant draws attention to the fall-back “permitted development” (PD) hip to gable conversion and I acknowledge that this too would be out of character with the hipped roofs of the area. However that proposal would not result in the reduction in the space between the buildings.

10. At the rear the proposal would introduce a bulky and uncharacteristic gable that would detract from the character and appearance of the house and the area at the rear of the houses. The appellant draws attention to original rear gables on a terrace on the west side of Sterry Road; however those gables have a very limited rearward projection and have roofs that are lower than the main building.
11. The proposal would detract from the character and appearance of the host building and the area. It would conflict with the objectives of the SPD guidance and with Policy CP2. It would also conflict with Policy BP8 of the DPD which indicates that developments should have regard to the local character of the area and Policy BP11 which seeks to ensure that the character and amenity of the area is protected or enhanced. It would also conflict with the equivalent policies in the London Plan that are referred to by the appellant.

12. The proposal would not represent “good design” and therefore as indicated in paragraph 56 of the National Planning Policy Framework it would fail to satisfy a key aspect of sustainable development.

Living conditions

13. No 102 Sterry Road is attached to the appeal property and lies to the north. That house has a rear conservatory with a translucent roof with its flank wall on or close to the boundary between the properties. The extension would not project as far as the rear wall of the conservatory and would have no effect on the outlook from rear-facing ground floor windows. The first-floor flank wall of the proposal would be off-set from the boundary with No 102 and whilst it would be seen from the closest bedroom window its height relative to that window would prevent it from appearing over-bearing. When viewed from the garden beyond the conservatory the full bulk of the proposal would be off-set from the boundary and in my view it would not be unacceptably intrusive or over-bearing.

14. The conservatory is partly-lit from windows along the boundary with No 100. However that light would be blocked by the PD extension and the occupiers of No 100 cannot reasonably expect to continue to receive light from windows that have been located alongside the boundary. The translucent roof and the rear and north side windows would enable a significant amount of light to enter the conservatory. The first floor extension would be positioned to the south of the conservatory and would result in the loss of some direct sunlight to the conservatory roof; however taking account of the extent of the translucent roof and the other windows the proposal would not unacceptably detract from daylighting within the conservatory or rooms that “borrow” light from it.

15. The DPD contains guidance for determining the acceptable depth of a two-storey rear extension. This includes reference to “solid roof” extensions. The meaning of this term is not explained but the officer report indicates that it means roofs that are not translucent. The purpose of the guidance is to ensure that extensions have no material impact on neighbouring amenity. Whilst the proposal would not conform with the Council’s interpretation of its DPD I have concluded that it would not be unacceptably harmful to living conditions and that it would not conflict with DPD Policy BP8.

Conclusion

16. The appellant argues that the proposal is to be preferred to the PD fall back that is under construction. I accept that as regards both the rear dormer and the hip to gable conversion the fall-back development would fail to reinforce the distinctive character of the area. However that does not justify the grant of permission for a proposal which would undermine the distinctive spatial character of the area and would be poorly designed.
17. I have concluded on the second main issue that the proposal would not unacceptably detract from the living conditions of the occupiers of No 102 Sterry Road. However taking account of all matters I conclude that the proposal would be unacceptably harmful to the character and appearance of the dwelling and the area and that for this reason the appeal should not succeed.

*Clive Tokley*

INSPECTOR