



Be First Regeneration Ltd
9th Floor, Maritime House
1 Linton Road
Barking
IG11 8HG

Working in partnership with



Appendix 1

Performance Review Sub-Committee

Page Number	Reference	Site Address
3	21/00330/HSE	90 East Road, RM6 6YT
14	21/00253/FULL	4 Somerby Road, IG11 9XH
27	21/00601/HSE	2 Scholars Way, RM8 2FL
39	21/01538/HSE	244 Oval Road, RM10 9EJ
51	21/02168/PRIEXT	40 Cavendish Gardens, IG11 9DU
61	21/00261/FULL	113 Wilmington Gardens, IG11 9TR
75	21/00543/PRIEXT	50 Halsham Crescent, IG11 9HG
85	21/00434/HSE	23 Southwold Drive, IG11 9AT
97	21/00493/HSE	310 Hedgemans Road, RM9 6BX

Working in partnership



**Barking &
Dagenham**

Performance Review Sub-Committee

Application Reference:

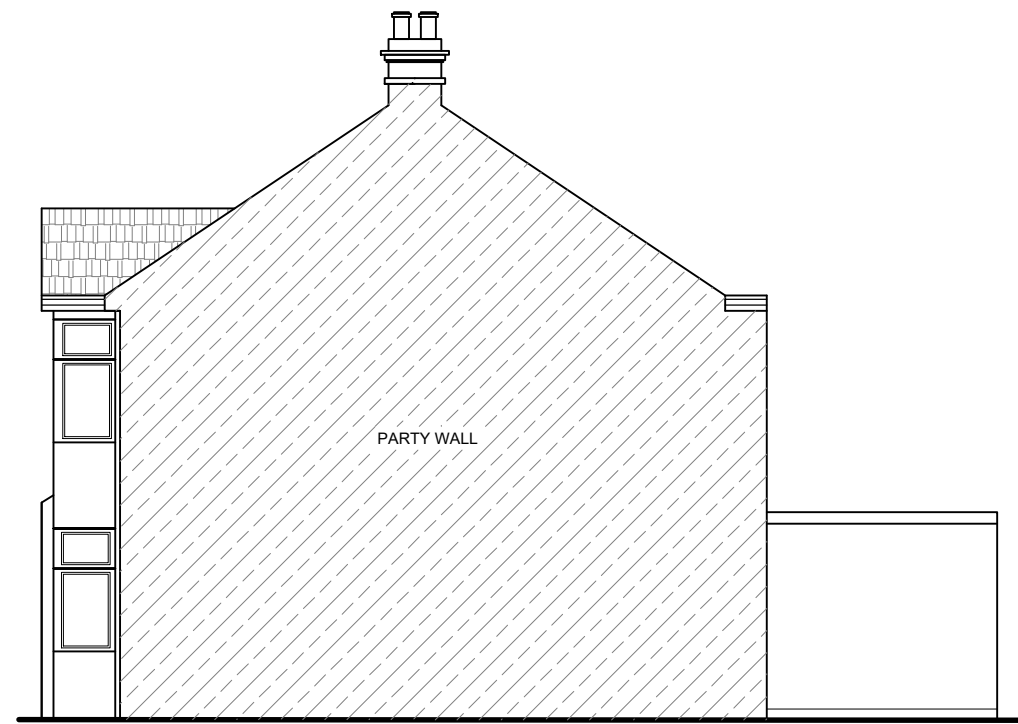
21/00330/HSE

Application Description:

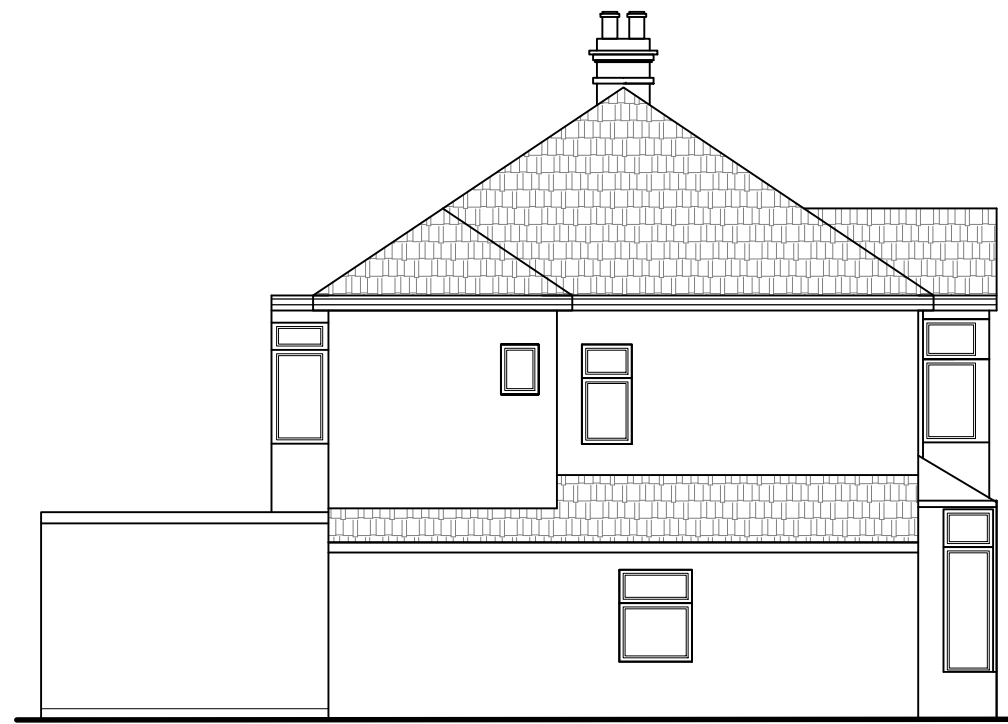
Demolition of existing garage and the construction of a two storey side extension.

Decision:

Approved

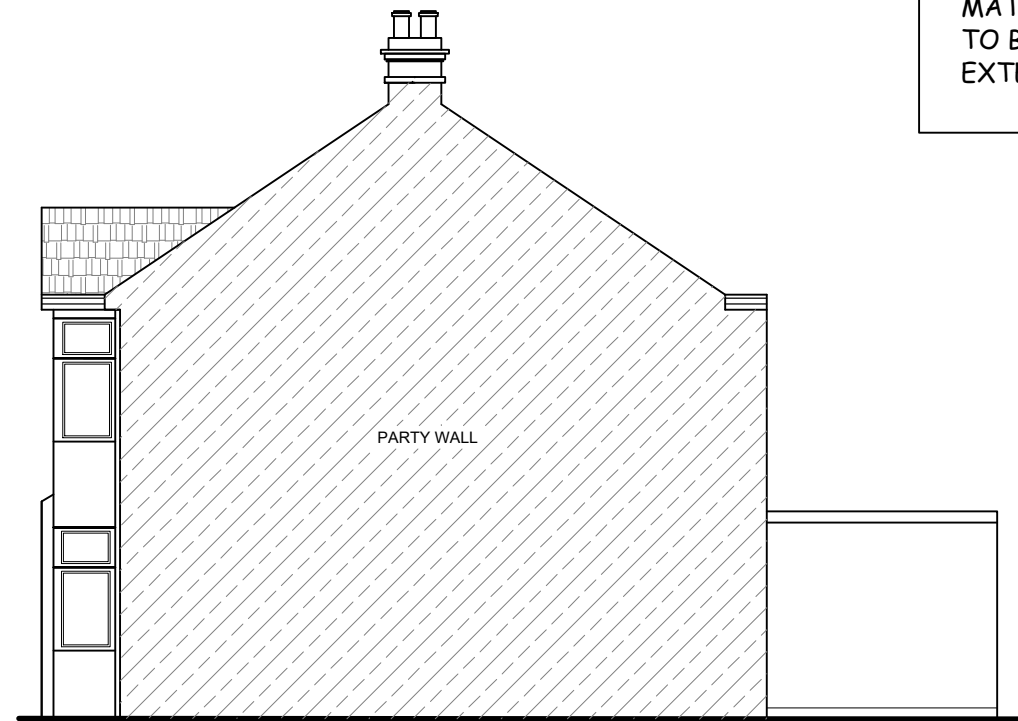


existing other side elevation

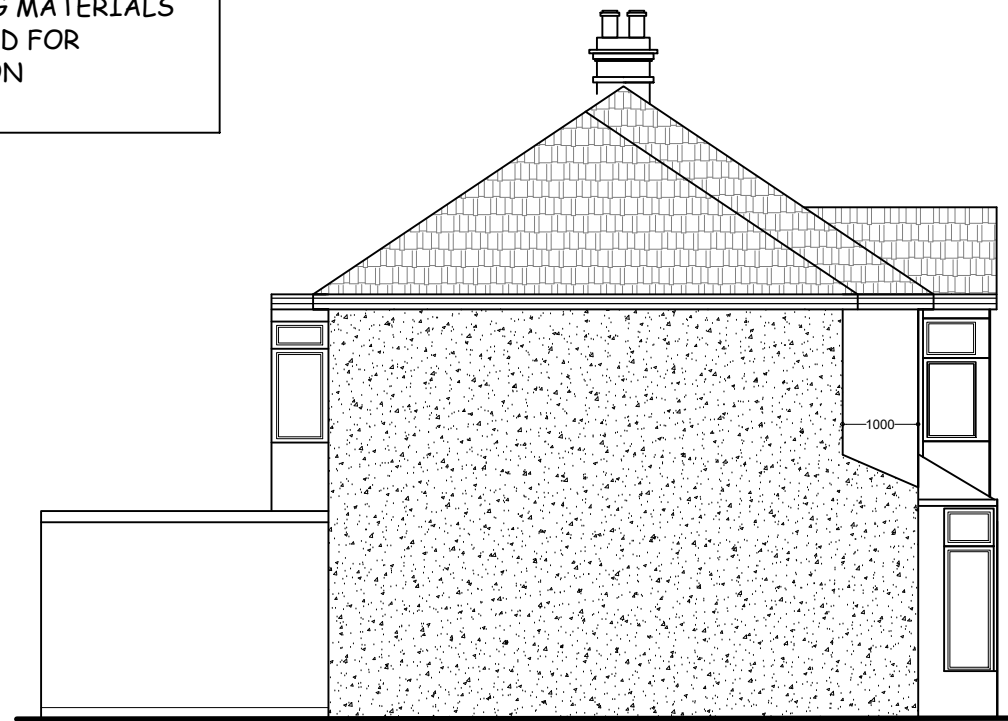


existing side elevation

MATCHING MATERIALS
TO BE USED FOR
EXTENSION



proposed other side elevation

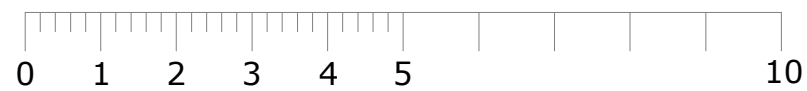


proposed side elevation

SCALE IN METRES

1 : 100

4



90 EAST ROAD
DAGENHAM RM6 6YT

TITLE:
PROPOSED DOUBLE STOREY
SIDE EXTENSION

SCALE: 1:100@A3

DWG NO SD0090/PL03



THE LONDON BOROUGH OF BARKING & DAGENHAM
EAST ROAD

Barking & Dagenham
£80 FINE
PENALTY
CLEAN

R057

Delegated Report

Householder Application for Planning Permission for Works or Extension to a Dwelling

Case Officer:	Cari Jones	Valid Date:	24 February 2021
Officer Recommendation:	Approved	Expiry Date:	21 April 2021
Application Number:	21/00330/HSE	Recommended Date:	25 March 2021
Address:	90 East Road, Chadwell Heath, Romford, RM6 6YT		
Proposal:	Demolition of existing garage and the construction of a two storey side extension.		

Planning Constraints

N/A

Consultations

Consultee:	Date Consulted:	Summary of response:
N/A		

Neighbour Notification

Date Consultation Letter Sent:	24/02/2021
Number of Neighbours Consulted:	5
<i>No response received.</i>	
Address:	Summary of response:
11 Henley gardens RM6 6SX	No objections to the application but made comments regarding hours of construction. Officers acknowledge this however this is considered a material planning consideration and as such, will not be assessed within this report.

Relevant Planning History

Application Number:	21/00214/CLUP	Status:	Lawful (Certificate)
Description:	Application for a lawful development certificate (proposed) for the construction of a hip-to-gable roof extension to accommodate a rear dormer extension including three roof lights to the front to facilitate conversion of roof space into habitable accommodation.		
Application Number:	15/00068/PRIOR6	Status:	Prior Approval Not Required
Description:	Application for prior approval of proposed single storey rear extension (depth: 3.7 metres; height to eaves and maximum height: 2.5 metres).		

Development Plan Context

The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:

National Planning Policy Framework (NPPF) (MHCLG, February 2019)

London Plan (March 2021)	Policy D1 - London's Form, Character and Capacity for Growth Policy D4 - Delivering Good Design Policy D8 - Public Realm
Local Development Framework (LDF) Core Strategy (July 2010)	Policy CR2 - Preserving and Enhancing the Natural Environment Policy CP3 - High Quality Built Environment
Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)	Policy BP8 - Protecting Residential Amenity Policy BP11 - Urban Design

The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at an "advanced" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.

The London Borough of Barking and Dagenham's Draft Local Plan (Regulation 19 Consultation Version, October 2020)	Policy SP4 - Delivering quality design in the borough. Policy DMD1 - Securing high quality design Policy DMD6 - Householder extensions and alterations Policy DMNE3 - Nature conservation and biodiversity
Supplementary Planning Documents	Residential Extensions and Alterations (SPD) (February 2012)

ASSESSMENT

Principle of the Development	
<i>Is the proposed development acceptable "in principle"?</i>	YES
<i>Officer Comment:</i>	The overriding objective of the local policies is to deliver high quality development which improves the quality and distinctive identity of places and meets the housing needs of existing and future residents. As such, it is acknowledged that extensions to existing family dwelling houses can facilitate additional and enhanced living space for improved living conditions for occupants. They are therefore considered acceptable in principle subject to ensuring a high-quality, neighbourly design. Such matters are addressed below.

Achieving High Quality of Urban Design	
<i>Does the proposed development respect the character and appearance of the existing dwelling?</i>	YES
<i>Does the proposed development respect and accord to the established local character?</i>	YES
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points</i>	YES
<i>Is the proposed development acceptable and policy compliant?</i>	YES
<i>Officer Comment:</i>	<p>The application site is a two storey semi-detached dwelling house situated on the eastern side of East Road, Chadwell Heath. This application seeks permission for demolition of the existing garage and the construction of a two storey side extension.</p> <p>Paragraphs 127 and 128 of the NPPF (2019) outline that planning policies and decisions should aim to ensure that developments function well and add to the overall quality of an area not just for the shortterm, but over the lifetime of the development. Paragraph 130 advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The London Plan (2021) policies D1, D4 and D8 all echo the principles of the NPPF with regards to well-designed spaces. Policy D4 of the London Plan particularly emphasizes that all development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings</p> <p>Policy BP8 of the Borough Wide DPD covers the protection of residential amenity and states that developments should not lead to any significant overlooking or overshadowing of neighbouring properties. Policy BP11 of the Borough Wide DPD and policy DMD6 of the Draft Local Plan Reg 19 ensures that development is designed in a sensitive and appropriate manner which minimises impact on surrounding neighbours and respects the character of the area. Likewise, proposals should be designed sympathetically so that they respect and reflect the original and surrounding properties.</p> <p>With regards to the construction of side extensions, The Residential Extensions and Alterations (SPD) (2012) states that the design of your side extension should reflect the type of house and the type of plot. Side extensions have the potential to cause significant impact upon the character of an area. It is essential that you pay particular attention to the manner in which your proposal is designed. All side extensions should be particularly sympathetic in terms of their form, roof treatment, detailing and materials. As with terraced houses, the gap between a semi-detached house and the neighbouring property can contribute positively to the street scene and the character and appearance of the area. Where it is considered that this is the case, it will be expected that the first floor of proposed side extensions are set off the side boundary of the site. Further, the character of a semi-detached house is partly derived from the symmetry it has in relation to its adjacent twin. A side extension can significantly alter this balance. As such, you should seek to make your extension appear subordinate to the existing house. This should be achieved by setting the extension back by a distance of at least one metre at first floor level from the main front wall of the house.</p> <p>At ground floor level, the applicant seeks to demolish the existing garage and constuct the extension in its place. The proposed development will have a depth of 7.81 metres, a width of 2.35 metres at the front elevation and 1.24 metres at the rear elevation. The extension will comprise a pitched roof with an eaves height of 2.91 metres and total height of 3.37 metres. The proposed first floor element will be set-back</p>

1.00 metre from the ground floor level and will have a depth of 6.81 metres and a width of 2.35 metres at the front elevation and 1.24 metres at the rear elevation. The extension will comprise a pitched roof with an eaves height of 5.29 metres and total height of 7.95 metres. The extended space will be utilised as a study and utility at ground floor and bedroom and bathroom at first floor level, taking the total number of bedrooms in the property from 3 to 4.

As stated under section 8 (materials) of the application form, the development will be finished with rendered solid walls, a tiled roof and UPVC windows to match the existing dwelling house. Officers consider that the proposed development would maintain subservience to the existing property and the design of the proposal will reflect and respect its character and appearance. It is acknowledged that the property forms part of a semi-detached pair with No.88 East Road, which also hosts a double storey side extension which was granted in 2003 (Ref.03/00212/FUL). The proposed development will therefore mirror the design and appearance of its semi-detached twin and as such, it is considered that the proposal will have regard to the established local character and as such, will not appear incongruous viewed within the street scene.

In view of the above assessment, the proposed development will respect the design and appearance of the existing dwelling house and would also have regard to the character of its semi-detached twin and the wider street scene. The proposal is therefore considered to accord with the Development Plan policies and guidance specified above.

Delivering Neighbourly Development

	Number 88 East Road	Number 92 East Road	N/A			Number 88 East Road	Number 92 East Road	N/A
Outlook:				Overshadowing:				
Loss from habitable rooms?	NO	YES		Shadow cast into rooms?	NO	NO		
<i>Is it unacceptable?</i>	NO	NO		<i>Is it unacceptable?</i>	NO	NO		
				Shadow into garden?	NO	NO		
Loss of Privacy:				<i>Is it unacceptable?</i>	NO	NO		
Overlooking the garden?	NO	YES						
<i>Is it unacceptable?</i>	NO	NO		Overbearing:				
Overlooking into rooms?	NO	NO		Impact on habitable rooms?	NO	YES		
<i>Is it unacceptable?</i>	NO	NO		<i>Is it unacceptable?</i>	NO	NO		
				Impact on gardens?	NO	NO		
Loss of Daylight:				<i>Is it unacceptable?</i>	NO	NO		
Loss into habitable rooms?	NO	NO						
<i>Is it unacceptable?</i>	NO	NO						

Policies BP8 and BP11 of the Borough Wide Development Document have specific regard to protecting residential amenity. Policy BP8 stresses that All developments (including alterations, extensions, conversions and infill developments) are expected to have regard to the local character of the area and help to create a sense of local identity, distinctiveness and place and not lead to significant overlooking (loss of privacy and immediate outlook) or overshadowing (loss of daylight and sunlight).

At a local level, policies DMD1 and DMD6 of the Draft Local Plan (2020) also emphasizes that householder extensions and alterations must consider the impact on the amenity of neighbouring properties, avoiding significant overlooking (loss of privacy and immediate outlook) and overshadowing (loss of daylight and sunlight). The Altering and Extending your Home SPD (2012) advises of the importance for extensions to properties to be neighbourly, attractive, of high quality and work well for residents and neighbours. The impact to neighbouring amenity will be assessed below:

Number 88 East Road

<i>Officer Comment:</i>	The application site forms part of a semi-detached pair with No.88 East Road which is adjoined to the south of the site. The proposed development will sit to the northerly side of the application site and as such, it is not considered that there will be any harm generated to the amenity of neighbours at this property.
	Number 92 East Road
	This property is located to the north of the site. The proposed development will abut the northerly boundary and will be situated at 1.13 metres away from No.92, maintaining the existing side alleyway between the two properties. Officers note that the host property already has a ground floor side garage extension which extends the same width as the proposed development. Further, the proposal will not protrude beyond the established building line. Therefore, whilst it is acknowledged that the development might generate an increased sense of overbearingness and loss of outlook from the side window of No.92, this already looks out at the side elevation of No.90 and as such, this is not considered to be harmful. Further, there will be no windows installed in the side elevation and as such, there will be no overlooking into the neighbouring property. There may also be some increased overlooking from the first floor rear window into the neighbouring garden, however this is not considered to be significant.
	Officers also acknowledge a representation received from a resident at No.11 Henley Gardens, located to the rear of the application site. Comments were made regarding construction hours. Whilst these are noted, this would not be considered a material planning consideration and is a matter that should be resolved separately.
	Overall, the proposed development is not considered to generate any unacceptable impacts on the living conditions of neighbouring properties. The proposal is therefore considered to accord with the Development Plan policies and guidance specified above.

Delivering Sustainability	
<i>Does the proposed development promote or enhance biodiversity?</i>	NO
<i>Has established vegetation been preserved or appropriately relocated/mitigated against?</i>	NO
<i>Officer Comment:</i>	Although the application has not incorporated any biodiversity enhancement measures, the proposed development would not impinge on the garden space of the property and would therefore have no overall impact on the biodiversity value of the site.

Meeting the Needs of Homeowners	
<i>Are all proposed rooms well-lit by daylight and naturally vented through opening windows?</i>	YES
<i>Are the sizes of all proposed rooms appropriate in size for the purpose they are designed for?</i>	YES
<i>Officer Comment:</i>	The proposed extension is intended to rationalise and expand the layout of the existing dwelling through the provision of appropriately sized and lit home extensions.

Other Material Considerations
N/A

CONCLUSION
The proposed development would respect the character and appearance of the area without having any unacceptable impact on the living conditions of neighbouring properties. The proposal is therefore considered to accord with the Development Plan policies and guidance specified above, and it is recommended that planning permission be granted.

LBBB Reference: 21/00330/HSE

Luckey Begum
90 EAST ROAD
ROMFORD
RM6 6YT

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS
AMENDED)**

Dear Sir / Madam,

Application Number: 21/00330/HSE
Address: 90 East Road, Chadwell Heath, Romford, RM6 6YT
Development Description: Demolition of existing garage and the construction of a two storey side extension.

Thank you for your recent application at the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council.

Yours sincerely,

Graeme Cooke

Graeme Cooke
Director of Inclusive Growth
London Borough of Barking and Dagenham

PLANNING DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)

Agent: **Applicant:** Luckey Begum
90 EAST ROAD
ROMFORD

PART 1 - PARTICULARS OF THE APPLICATION

Application Number: 21/00330/HSE
Application Type: Householder Planning Permission
Development Description: Demolition of existing garage and the construction of a two storey side extension.
Site Address: 90 East Road, Chadwell Heath, Romford, RM6 6YT
Date Received: 24 February 2021
Date Validated: 24 February 2021

PART 2 - PARTICULARS OF THE DECISION

The London Borough of Barking and Dagenham, as Local Planning Authority, in pursuance of its powers under the above mentioned Act, Rules, Orders and Regulations made thereunder, hereby gives notice that PLANNING PERMISSION has been **GRANTED** for the carrying out of the development referred to in PART 1 hereof and as described and shown on the plan(s) and document(s) submitted with the application, subject to the conditions and reasons listed below.

Conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby approved shall only be carried out in accordance with the following approved plans and documents: -

- Site Location Plan and Existing and Proposed Block Plans - SD0090/PD05
- Existing and Proposed Ground and First Floor Plans - SD0090/PL01
- Existing and Proposed Front and Rear Elevations - SD0090/PL03
- Existing and Proposed Side Elevations - SD0090/PL03
- Existing and Proposed Roof Plans - SD0090/PD04
- Site Photograph 1
- Site Photograph 2
- Site Photograph 3

No other drawings or documents apply.

Reason: To ensure that the development is undertaken in accordance with the approved drawing(s) and document(s), to ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to satisfactorily protect the residential amenities of nearby occupiers.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwellinghouse.

Reason: To ensure that the finished appearance of the development will respect the character and visual amenities of the local area.

Summary of Policies and Reasons:

In deciding to grant planning permission in this instance, Be First, working in partnership the London Borough of Barking and

Dagenham, found the proposal to be acceptable following careful consideration of the relevant provisions of the National Planning Policy Framework, the Development Plan and all other relevant material considerations. Upon review, the London Borough of Barking and Dagenham is satisfied that any potential material harm resulting from the proposal's impact on the surrounding area would be reasonably mitigated through compliance with the conditions listed above.

The following policies are of particular relevance to this decision and for the imposition of the abovementioned conditions:

National Planning Policy Framework (NPPF) (MHCLG, February 2019)

London Plan (March 2021)

Policy D1 - London's Form, Character and Capacity for Growth
Policy D4 - Delivering Good Design
Policy D8 - Public Realm

Local Development Framework (LDF) Core Strategy (July 2010)

Policy CR2 - Preserving and Enhancing the Natural Environment
Policy CP3 - High Quality Built Environment

Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)

Policy BP8 - Protecting Residential Amenity
Policy BP11 - Urban Design

The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020)

The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at an "advanced" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial weight will be given to the emerging document in decision-making unless other material considerations indicate that it would not be reasonable to do so.

Policy SP2 - Delivering a well-designed, high-quality and resilient built environment
Policy DMD1 - Securing high-quality design
Policy DMD6 - Householder extensions and alterations

Supplementary Planning Documents

Residential Extensions and Alterations (SPD) (February 2012)

The above policies can be viewed on the Council's website: www.lbbd.gov.uk/planning.

Working with the applicant:

In dealing with this application, Be First, working in partnership with the London Borough of Barking and Dagenham, has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) to work with the Applicant in a positive and proactive manner. As with all applicants, Be First has made available detailed advice in the form of statutory policies and all other relevant guidance, as well as offering a full pre-application advice service, so as to ensure the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

This development is potentially liable for payment of both the Mayor of London and London Borough of Barking and Dagenham's Community Infrastructure Levies (CIL). Further information about CIL, including the process that must be followed and forms that will be required, can be found on the Council's website: <https://www.lbbd.gov.uk/developer-contributions-cil-and-s106> . CIL forms can be submitted to: S106CIL@befirst.london

DATE OF DECISION: 21/04/2021

Yours sincerely,

Graeme Cooke

Graeme Cooke
Director of Inclusive Growth
London Borough of Barking and Dagenham

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
Applicant's Rights following the Grant or Refusal of permission

1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

- **Six (6) months:** Full application (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time and prior approval applications.
- **Twelve (12) weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **Eight (8) weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
- An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice.

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from www.planning-inspectorate.gov.uk or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the council (attn: Planning Appeals Officer).

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are exceptional/special circumstances.

The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

2. Subsequent Application Fees

No planning fee would be payable should a revised planning application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

- the applicant is the same as the applicant of the original application
- site boundary is the same as the site boundary of the original application
- the nature of development remains the same.

3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council.

This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

4. Compensation

In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Working in partnership



**Barking &
Dagenham**

Performance Review Sub-Committee

Application Reference:

21/00253/FULL

Application Description:

Change of use from 3x bedroom house (C3) to a 6 person HMO.

Decision:

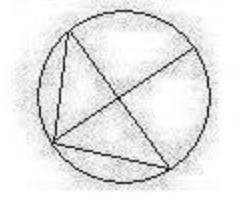
Refused

Similar Application allowed at
Reference: 17/00631/FUL at 7 Cecil Avenue Barking IG11 9TA
Description: Change of use of a single family dwelling (Use Class C3) to a House in Multiple Occupation (Class C4).

**NOT FOR
CONSTRUCTION**
WAIT FOR PLANNING
PERMISSION

REAR ACCESS

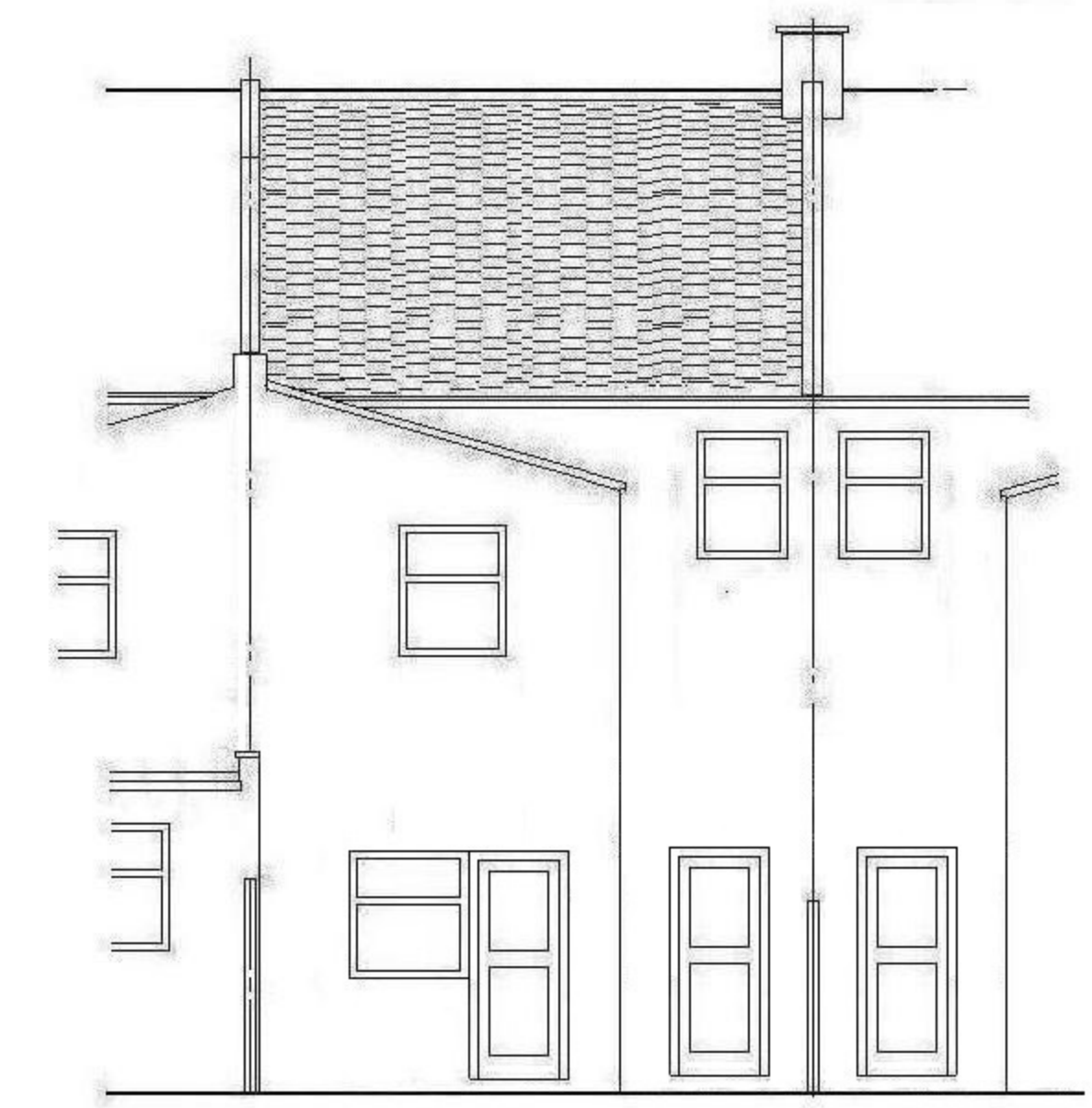
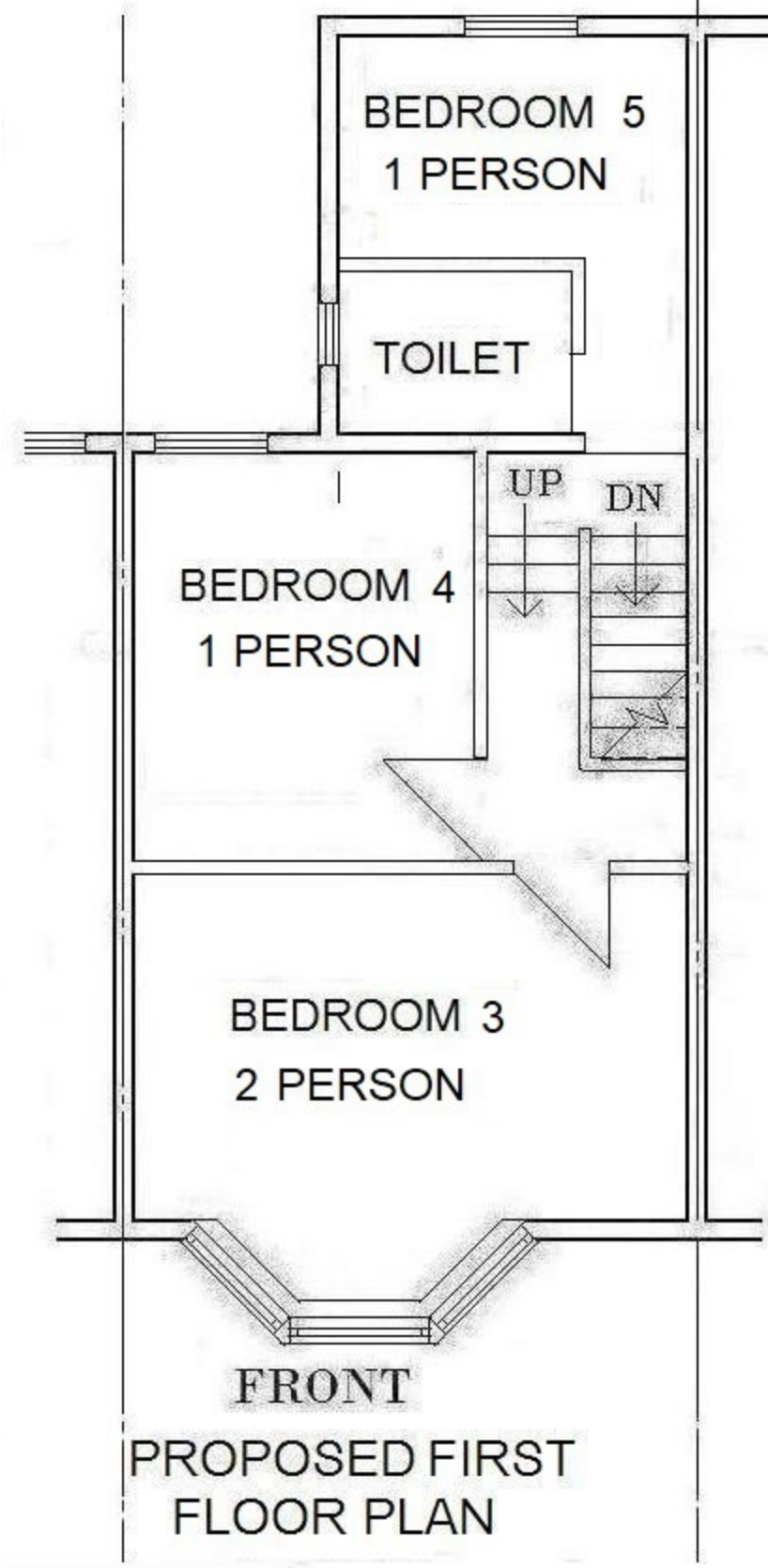
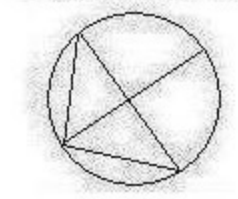
PROPOSED BLOCK
PLAN NORTH



PROPOSED GROUND
FLOOR PLAN
EXISTING
REAR GARDEN

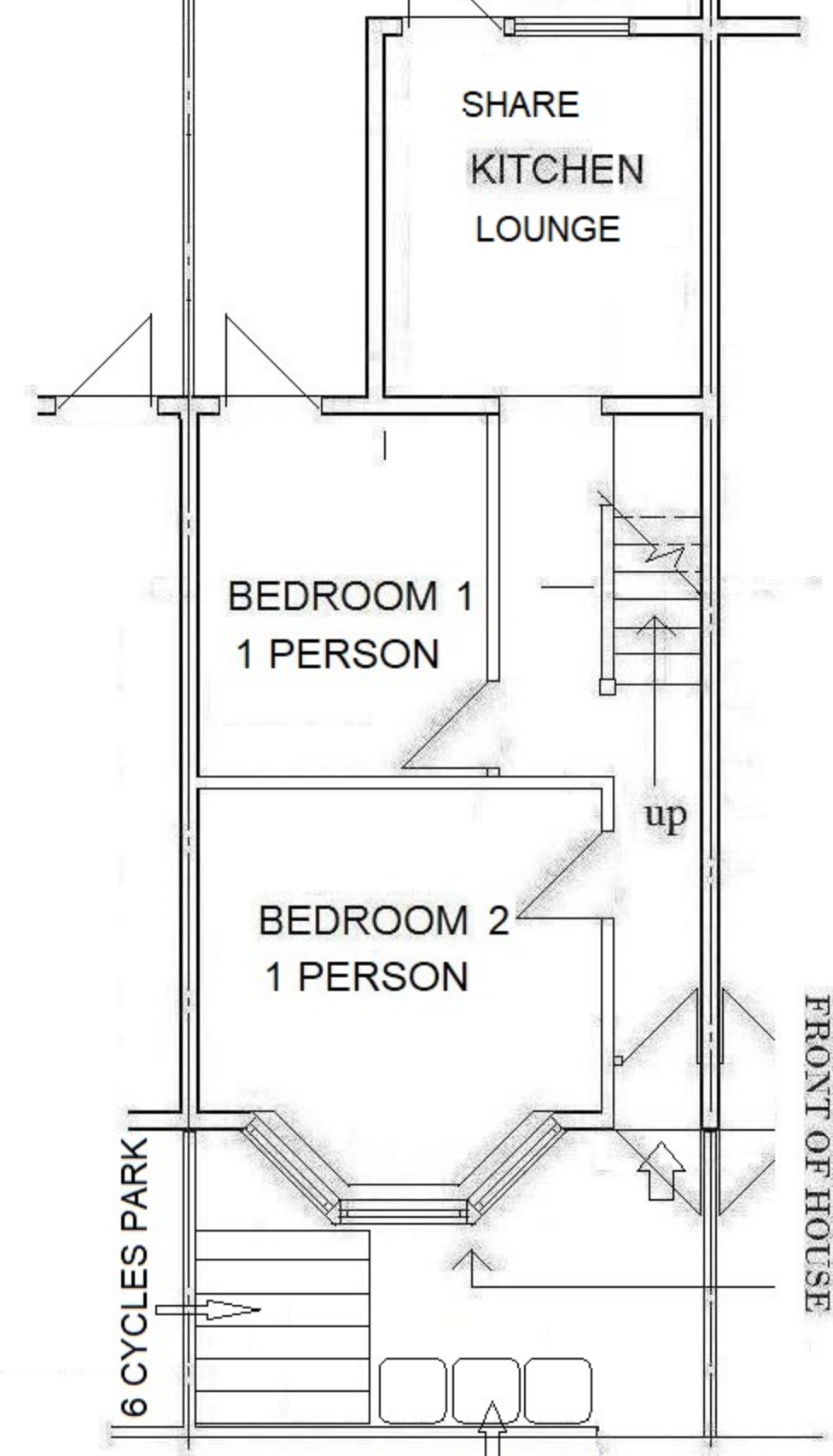
NEIGHBOURS
EXTENSION

PROPOSED BLOCK
PLAN NORTH



PROPOSED REAR ELEVATION

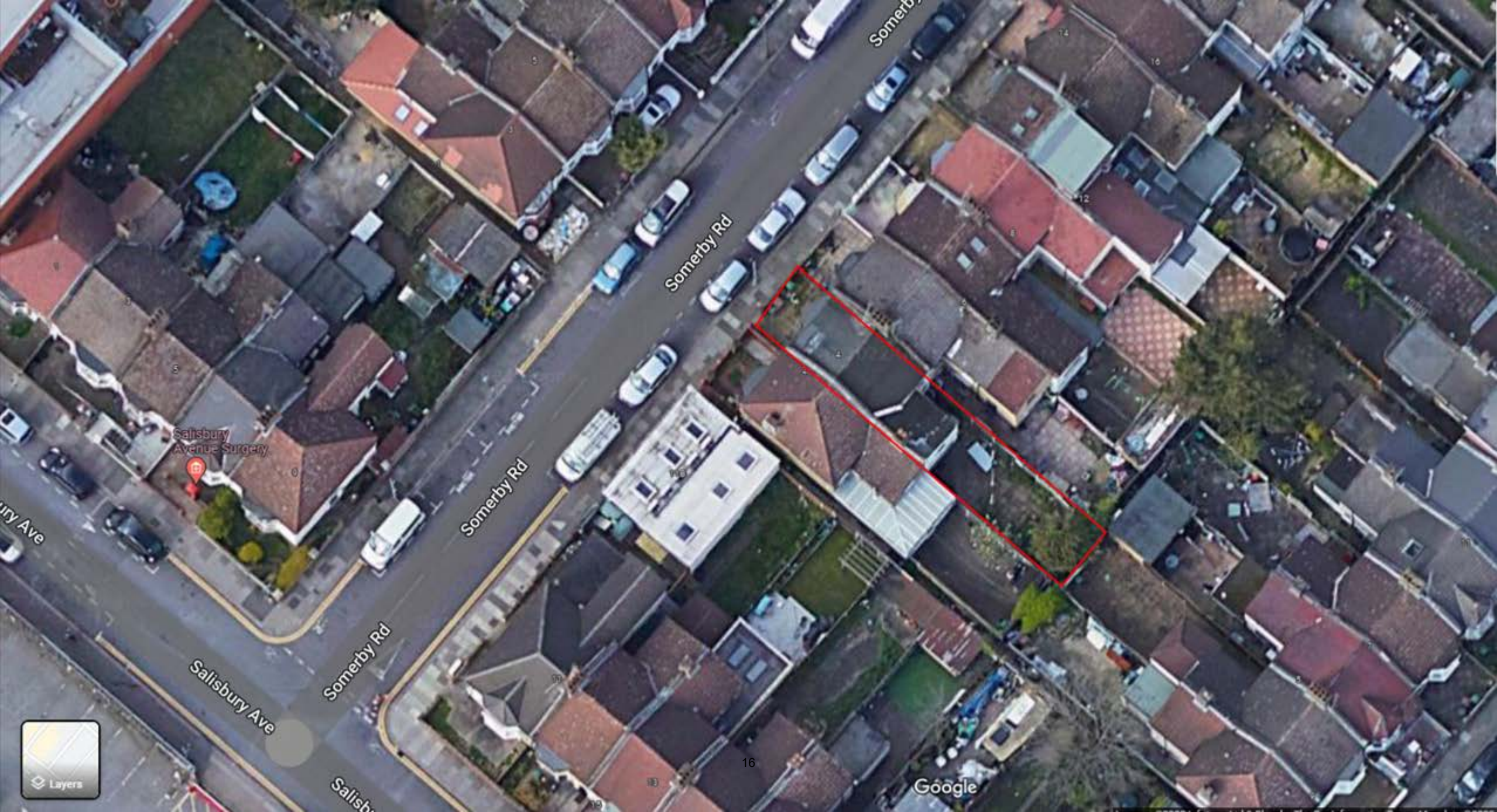
NO EXTENSIONS IN THIS
APPLICATION



3 BINS FOR 6 P
PAVEMENT

Proposed Change of use of a single family dwelling (Use Class C3) to a House in Multiple Occupation (Class C4) at
4 SOMERBY ROAD BARKING IG11 9XH

SCALE
1:100
DRAWING No
255/02



Salisbury Avenue Surgery

Salisbury Ave

Sommerby Rd

Sommerby Rd

Sommerby Rd

Salisbury Ave

Sommerby Rd

Salisbury Ave

16

Google



Delegated Report			
Application for Planning Permission			
Case Officer:	Lauren Carroll	Valid Date:	15 March 2021
Officer Recommendation:	REFUSE	Expiry Date:	10 May 2021
Application Number:	21/00253/FULL	Recommended Date:	13 April 2021
Address:	4 Somerby Road, Barking, IG11 9XH		
Proposal:	Change of use from 3x bedroom house (C3) to a 6 person HMO.		

Planning Constraints

Please highlight relevant constraints:

Site, Situation and Relevant Background Information

The application site is a north west facing end of terraced dwellinghouse located at the southern end of Somerby Road, Barking. The application is seeking permission for the conversion of the dwellinghouse into a HMO. The application site is currently being investigated by the planning enforcement team for converting the dwellinghouse into a HMO without Planning Permission under reference 19/00233/NOPERM. It is noted that there is an article 4 direction in place in the London Borough of Barking and Dagenham preventing the conversion of dwellinghouse's into HMO.

Key Issues

- Principle of the Development
- Dwelling Mix and Quality of Accommodation
- Design and Quality of Materials
- Impacts to Neighbouring Amenity
- Sustainable Transport

ASSESSMENT

Principle of the Development

With regard to the conversion of the 3 bedroom dwellinghouse into a 6 Person's 5 bedroom HMO the principle of development will be discussed below. At a national level the National Planning Policy Framework (NPPF) at Chapter 5 has specific regard to housing stating that 'to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment... [and] within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies'.

The London Plan Objective GG4 states that to create a housing market that works better for all Londoners, those involved in planning and development must create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing. Policy H1 of the London Plan outlines the Boroughs' 10 year target for net housing completion which highlights the pressing need for more homes in London and that a genuine choice of new homes should be supported which are of the highest quality and of varying sizes and tenures in accordance with Local Development Frameworks. Likewise, this policy requires that Londoners have a genuine choice of homes that they can afford which meets their requirements for different types of high-quality accommodation. The London Strategic Housing Market Assessment (SHMA) which formed the evidence base for policy H1 reinforces the need to increase the housing supply to promote opportunity and provide real choice or all Londoners.. In addition policy H2 supports the use of small sites highlighting that boroughs should support the construction of well-designed dwellings on small sites. The Housing SPG further supports the London Plan on such matters. Further, policy H9 promotes the efficient use of existing housing stock to reduce the number of vacant and under-occupied dwellings.

Policy CM1 and CM2 of the Core Strategy seeks to ensure the borough contributes to meeting its housing targets and supports the delivery of a variety of housing types. Policy CC1 of the Core Strategy DPD further supports this noting developments should provide a range of accommodation types and sizes. In particular development should provide a minimum of 40% family housing. This is the type of housing which is in high demand throughout the borough. Family sized homes are defined by properties which have 3 or more bedrooms. This is further supported by policy BC4 of the Borough Wide DPD which seeks to preserve and increase

the stock of family housing in the Borough, as such, the council will resist developments which will result in the loss of family sized home. Officers acknowledge that the London Plan 2021 and NPPF were published after these documents and seek to ensure development provide a range of dwelling types. Therefore, it could be argued that the local policies are outdated and therefore greater weight should be apportioned to the NPPF and London Plan with regard to the type of housing which development should be providing.

Notwithstanding, the draft local plan reg 19 is in its final stages of examination as such substantial weight should be apportioned to this document. Policy SPDG1 seeks to ensure developments contribute to meeting the Borough's housing targets and supports the delivery of a suitable variety of housing to meet high levels of identified need within the Borough. Policy SP3 emphasising the need to optimise suitable sites to help deliver suitable housing for the Borough's high levels of identified housing need. Further, policy DMH 4 seeks to preserve and increase the stock of family housing in the borough as such proposal which seek permission for the conversion or loss of existing family housing with three or more bedrooms will be resisted. The need for more family sized dwellings in the borough is evidence in the SHMA 2019 documents. Therefore, whilst policies set out in the Core Strategy DPD and Borough Wide DPD may be outdated, officers have apportioned substantial weight to the policies found in the Draft Local Plan Reg 19 as these highlight the continued need for more family sized dwellings across the borough based on the most up to date evidence.

Therefore, it is clear that whilst policies support the developments which provide a range of accommodation types and sizes, given the high demand for family sized dwellings in the borough, policies resist developments which will result in the loss of this type of housing.

Further as shown in the Housing Delivery Action Plan 2020 over the past 3 years the council has delivered 57% of its overall targets. As a result the council will be expected to apply the presumption of sustainable development and prepare a Housing Delivery Test Action Plan.

As noted in the policies above developments which will result in the loss of a family sized dwelling will be resisted. As stated in the design and access statement and proposed plans. The proposal is an existing 3 bedroom single dwellinghouse. By definition this property is a family sized home as it is a dwelling with 3 or more bedrooms. The proposal seeks to convert the 3 bedroom property into a 5 bedroom HMO for 6 people. Therefore, the proposal will result in the loss of a family sized dwelling as the conversion will result in the loss of a dwelling with 3 or more bedrooms. As outlined in the policies above this is the type of housing in high demand within the Borough and therefore policies seek to resist their loss.

Officers refer to appeal APP/Z5060/W/20/3262463 for a C3 to HMO conversion which was dismissed. The inspectorate identified the adverse impacts of the development in respect of loss of family housing are matters which attract significant weight and outweigh the benefits associated with the proposed development. The inspectorate concluded that the proposal would therefore conflict with the development plan and there are no other considerations, including the Framework and its presumption in favour of sustainable development, that outweigh this conflict

It is noted that the applicant has not provided any evidence for the need for a House of Multiple Operation within this location.

Given the proposal will result in the loss of a family sized dwellinghouse, and provide rooms which fails to meet internal space standards. The negatives arising from the proposal are considered to outweigh any significant benefits. Therefore, taking into account the presumption of sustainable development, officers on balance consider the principle of development to be unacceptable and contrary to the development policies.

Dwelling Mix and Quality of Accommodation

At national level, the 'Technical Housing Standards – Nationally Described Space Standard' deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the gross internal area of new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor-to-ceiling heights. London Plan Policy D4 seek for new housing to achieve the space standards in line with those set at national level. The Local Plan and Draft Local Plan also reiterate the need for housing developments to conform to these requirements.

Policy D6 of the London Plan also sets out the importance for homes across London to be designed to a high quality – 'New homes should have adequately-sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners over their lifetimes. Particular account should be taken of the needs of children, disabled and older people'. Policy D5 of the London Plan also outline that 90% of new build homes should meet requirement M4(2) (accessible and adaptable dwellings) of Building Regulations Approved Document M and that 10% should meet requirement M4(3) (wheelchair user dwellings). This target is reflected at local level by Policy DMD1 of the Draft Local Plan (Regulation 19) 2020.

All proposed dwellings should meet the minimum required internal space standards as set out in the nationally described space standard and generally ensure that all future occupants benefit from good standards of daylight/sunlight provision. The Council seeks to maximise dual aspect units. Single aspect units would need to be justified to ensure high quality internal space is provided.

The opportunity to redevelop/intensify the site and replace an existing building of little design merit is acknowledged. However, it is important that any new development makes a positive contribution to the setting and has an appropriate relationship with neighbouring properties and the surrounding context.

Internal Area

The Technical Housing Standard's and policy D6 of the London Plan states that a double bedroom should have an area of at least 11.5sqm and a Single bedroom of at least 7.5sqm. Furthermore it states that double bedrooms should have a width of at least 2.75m and a single bedroom = 2.15m. A property with 2 or more bedroom's should have at least one double bedroom. This is further reiterated in BP6 of the Borough Wide Development Plan. Policy BP6 of the Borough Wide Development Plan states that a 5 Bedroom Property should have at least 30m2 of CEL (Cooking Eating and Living) Area's. In addition, The Houses in Multiple Occupation and residential licensing reform, 2018. This requires rooms for single occupation to be 6.51 sqm and double occupation to be 10.22 sqm.

The applicant has not provided sufficient drawings/plans which enable Officer's to measure the size's of the room's. Furthermore, Officer's contacted the applicant for confirmation on the room sizes, however no response was received. Therefore, Officer's are not able to assess whether the property and bedrooms comply with the minimum space standards as stated in the Technical Housing Standard's and Policy D6 of the London Plan or the Houses in Multiple Occupation and residential licensing reform, 2018

Officers also have concerns over the kitchen/living area. Due to the conversions of living spaces to bedrooms in the property, it has resulted in a significantly small kitchen space. Policy BP6 of the Borough Wide Development Plan Policies seeks to ensure that new dwellings provide adequate internal space. It sets out that a 5 person bedspace must have at least a 30 sqm kitchen/living area. Whilst the applicant has failed to provide adequate drawing's to be able to measure the CEL area for the dwellinghouse, by reviewing the floor plans provided, it is evident that the proposal fails to meet the requirements as stated in Policy BP6 of the Borough Wide Development Plan. Therefore, officers consider the proposed development to provide a poor quality of life for it occupiers.

The HMO fails to meet the minimum required internal space standards for a 5 bedroom 6persons dwelling. As such the proposal would provide substandard accommodation detrimental to the standard of living of future occupants. Therefore the proposal is contrary to the objectives of Policy D6 of the Draft London Plan, Policy BP6 of the Borough Wide DPD and the technical housing standards.

By reviewing the floor plans provided it is evident that the applicant is only proposing one small bathroom on the first floor level which would be shared by all 5 bedroom's. Furthermore, the bathroom would need to be accessed via bedroom 5. Officer's find the proposed conversion to a HMO to not comply with the policies as mentioned above and would provide poor quality of life for future occupants.

External Amenity Space

Policy BP5 of the Borough Wide Development Policies DPD seeks to ensure that appropriate external private and/or communal amenity space to meet the needs generated by the development is provided. Where developments in town centre locations are not able to provide external amenity space on the site the application should demonstrate that suitable alternatives such as useable roof terraces, roof gardens and balconies have been considered and incorporated wherever possible. Furthermore, Policy D6 of the London Plan which states that buildings and development should provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces.

The applicant has failed to provide any information regarding the external amenity space for the application site. Again, the officer's contacted the applicant/agent for confirmation, however no response was received. Policy BP5 of the Borough Wide Development Plan states that a 4+ bedroom house should have at least 75sqm of external amenity area, that is deemed as Private, Useable and Safe. As the applicant has failed to submit information regarding the external amenity space, Officer's are unable to assess whether the proposal complies with BP5 of the Borough Wide Development Plan

To conclude, as the applicant has failed to provide adequate information regarding internal and bedroom space standard's, Officer's are unable to assess whether the development complies with the Technical Housing Standards/Houses in Multiple Occupation and residential licensing reform, 2018. However, by reviewing the plans/photo submitted, it is evident that the HMO fails to provide sufficient Cooking, Eating and Living Area's for a 6 person's, 5 Bedroom HMO. Furthermore, Officer's do not find the proposed small bathroom to be sufficient for a 6 persons, 5 bedroom HMO. Therefore, the proposed development fails to comply with the aforementioned policies

Impacts to Neighbouring Amenity

The NPPF, Policy BP8 and BP11 of the Local Development Framework Borough Wide Development Plan has specific regard to protecting residential amenity.

Noise and general disturbance are also discussed in planning policy in regard to protecting residential amenity. Policy DMD 1 of the Draft Local Plan states that all development proposals should mitigate the impact of air, noise and environmental pollution. Policy SP 7 of the Draft Local Plan ensures that all development manages nuisance during both construction and operation through

appropriate mitigation. Policy BP8 of the Local Development Framework Borough Wide Development Plan expects all development to ensure existing and proposed occupiers are not exposed to unacceptable levels of pollution or general disturbance that may arise from the development. This can include noise, smoke, fumes, refuse and/or lighting, and activities as traffic movements, during construction and occupation. Policy DMSI 3 of the Draft Local Plan states that development proposals which generate unacceptable levels of nuisance, either individually or cumulatively, will generally be resisted.

The proposed development will cause no alteration to the external design of the property. Therefore, minimal overlooking or overshadowing will occur to neighbouring properties. However, there will be additional residents living at the application site. This will result in a greater concentration of irregular comings and goings in relation to its surrounding properties. Officers believe this proposal will generate more waste, noise and general disturbance than a single dwellinghouse, negatively impacting neighbouring amenity and in turn the standard of living of neighbouring residents.

Officers in reaching their assessment on this application have had regard to the comments of the Inspector in appeal APP/Z5060/W/20/3253029, which noted that although a relatively large family that could generate a degree of noise and disturbance, unrelated adults are more likely to have individual daily schedules, deliveries and visitors and less likely to undertake activities together than a family. It was also acknowledged the increased number of comings and goings to and from the property, resulting in increased noise and disturbance generated by vehicles moving on and off the drive and parking near to it. Consequently, more noise and disturbance would be generated by the HMO.

Officers note that various neighbours raised their concerns over the development.

For the reasons above, officers consider the proposed development has the potential to increase activity level and coming and goings to and from the site leading to additional levels of noise and disturbance at the property. This is considered to have a negative impact on neighbouring amenity and in turn the health and wellbeing of neighbouring residents. As such the proposal is contrary to the Policies DMD 1, SP 7 and DMSI 3 of the Draft Local Plan, and Policies BP8 and BP11 of the Local Development Framework Borough Wide Development Plan.

Sustainable Transport

The NPPF, London Plan (March 2021) Policies T1 and T4 and LBBD Local Plan Policy DMDT 1 recognise that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. In particular it offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion. Furthermore, London Plan Policy T5 and Local Plan Policy DMT2 highlight the need for Cycling Infrastructure is required for healthy environments. Local Plan Policy DMT2 states that Development will normally be resisted if the proposed development would affect the parking demand in the area. Furthermore, T6 of the London Plan states that Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking.

Car Parking

No car parking is proposed at this dwelling. However, as the PTAL rating is 6b, this means that the dwelling has the very highest level of public transport accessibility. The New London Plan states that dwellings that fall into the 6b PTAL category should be car free. A condition should be attached to this property to ensure this is a car free development, and therefore any applications for resident's car parking permits are rejected unless they require disabled parking

To conclude, Officer's find the proposal acceptable in regards to Transport and compliant with the aforementioned policies.

CONCLUSION

The proposal will result in the loss of a 3 bedroom family sized dwellinghouse which is the type of housing in high demand within the Borough. Therefore the negatives arising from the proposal are considered to outweigh any significant benefits as such having regard to the presumption in favour of sustainable development on balance the principle of development is considered unacceptable. Furthermore, the proposed Cooking, eating and living area fails to meet the minimum space standards as stated in Policy BP6 of the Borough Wide Development Plan and is not deemed as acceptable for a 6 bedroom HMO. Officer's also do not find the proposed one small bathroom located on the ground floor would be sufficient for a 6 bedroom HMO. In addition, the HMO has the potential to increase activity level and coming and goings to and from the site leading to additional levels of noise and disturbance at the property. This is considered to have a negative impact on neighbouring amenity and in turn the health and wellbeing of neighbouring residents.

APPENDIX 1

Development Plan Context	
The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:	
National Planning Policy Framework (NPPF) (MHCLG, February 2019)	
London Plan (March 2021)	GG4 Delivering the homes Londoners need H1 Increasing housing supply H2 Small sites H9 Ensuring the best use of stock D5 Inclusive design D6 Housing quality and standards T1 Strategic approach to transport T4 Assessing and mitigating transport impacts T5 Cycling T6 Car parking
Local Development Framework (LDF) Core Strategy (July 2010)	CM1 General Principles for Development CM2 Managing Housing Growth CP3 High Quality Built Environment
Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)	BC4 Residential Conversions and Houses in Multiple Occupation BP6 : Internal Space Standards BP5 External Amenity Space BP8 Protecting Residential Amenity BP11 Urban Design
<i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at an "advanced" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial weight will be given to the emerging document in decision-making unless other material considerations indicate that it would not be reasonable to do so.</i>	
The London Borough of Barking and Dagenham's Draft Local Plan (Regulation 19 Consultation Version, October 2020)	SPDG1 Delivering growth in Barking and Dagenham SP3 Delivering homes that meet peoples' needs DMH4 Purpose-built shared housing and houses in multiple occupations (HMOs) DMD1 Securing high-quality design SP7 Securing a clean, green and sustainable borough DMSI3 Nuisance DMT1 Making better connected neighbourhoods DMT2 Car parking
Supplementary Planning Documents	DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended) Housing Supplementary Planning Guidance (GLA, March 2016, Updated August 2017) the London Borough of Barking & Dagenham 'Interim Habitats Funding Statement' (Date TBC)

APPENDIX 2

Relevant Planning History			
Enforcement Case:	19/00233/NOPERM	Status:	Pending Consideration
Alleged breach:	Unauthorised HMO		

APPENDIX 3

Consultations		
Consultee:	Date Consulted:	Summary of response:
Transport	16/03/2021	<p>Car Parking</p> <p>No car parking is proposed at this dwelling. However, as the PTAL rating is 6b, this means that the dwelling has the very highest level of public transport accessibility. The New London Plan states that dwellings that fall into the 6b PTAL category should be car free. A condition should be attached to this property to ensure this is a car free development, and therefore any applications for resident's car parking permits are rejected unless they require disabled parking</p>
Access	16/03/2021	<ul style="list-style-type: none"> • Kitchen/Lounge is very small for 6-9 people. • I cannot see a bathroom on the plans only what appears to be a small toilet.
Environmental Health	16/03/2021	<p>Recommended Conditions:</p> <p>- Scheme of Acoustic Protection</p>

APPENDIX 4

Neighbour Notification	
Date Consultation Letter Sent:	16/03/2021
<i>No response received.</i>	
Address:	Summary of response:
No Address Provided	<ul style="list-style-type: none"> • Overcrowding • Increased comings and Going to property • Parking Distruption

LBBB Reference: 21/00253/FULL

Chris Andrews

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS
AMENDED)**

Dear Sir / Madam,

Application Number: 21/00253/FULL
Address: 4 Somerby Road, Barking, IG11 9XH
Development Description: Change of use from 3x bedroom house (C3) to a 6 person HMO.

Thank you for your recent application at the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council.

Yours sincerely,

[Graeme Cooke](#)

Graeme Cooke
Director of Inclusive Growth
London Borough of Barking and Dagenham

PLANNING DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)

Agent: Chris Andrews

Applicant: Nadeem Anwar

PART 1 - PARTICULARS OF THE APPLICATION

Application Number: 21/00253/FULL
Application Type: Full Planning Permission
Development Description: Change of use from 3x bedroom house (C3) to a 6 person HMO.
Site Address: 4 Somerby Road, Barking, IG11 9XH
Date Received: 12 February 2021
Date Validated: 15 March 2021

PART 2 - PARTICULARS OF THE DECISION

The London Borough of Barking and Dagenham, as Local Planning Authority, in pursuance of its powers under the above mentioned Act, Rules, Orders and Regulations made thereunder, hereby gives notice that PLANNING PERMISSION has been **REFUSED** for the carrying out of the development referred to in PART 1 hereof and as described and shown on the plan(s) and document(s) submitted with the application for the reason(s) listed below.

Reason(s):

1. The proposal will result in the loss of a 3 bedroom family sized dwellinghouse which is the type of housing in high demand within the Borough. Therefore the negatives arising from the proposal are considered to outweigh any significant benefits as such having regard to the presumption in favour of sustainable development on balance the principle of development is considered unacceptable and contrary to:-

- National Planning Policy Framework (MHCLG, February 2019)
- Policies GG4, H1, H2 and H9 of the London Plan (March 2021)
- Policies CM1, CM2 and CC1 of the Core Strategy DPD (July 2010)
- Policy BC4 of the Borough Wide DPD (March 2011)
- Policies SPDG1, SP3 and DMH4 of the Draft Local Plan Regulation 19 consultation version (October 2020)
- Housing Supplementary Planning Guidance (GLA, March 2016, Updated August 2017)
- London Borough of Barking and Dagenham Housing Delivery Test Action Plan 2020

2. The development fails to provide sufficient shared cooking, eating and living space for a 5 bedroom, 6 Person's HMO. Furthermore, the proposed single bathroom is not deemed as adequate for a 5 bedroom HMO. The proposal therefore fails to comply with the:

- National Planning Policy Framework (MHCLG, February 2019)
- Policy BP6 of the Borough Wide DPD (March 2011)

3. The proposed HMO has potential to increase activity level and coming and goings to and from the site leading to additional levels of noise and disturbance at the property. This is considered to have a negative impact on neighbouring amenity and in turn the health and wellbeing of neighbouring residents. As such the proposal is contrary to:

- National Planning Policy Framework (MHCLG, February 2019)
- Policies BP8 and BP11 of the Borough Wide DPD (March 2011)
- Policies DMD 1, SP 7 and DMSI 3 of the Draft Local Plan Regulation 19 consultation version (October 2020)

The above policies can be viewed on the Council's website: www.lbbd.gov.uk/planning.

Informative(s):

1. The application hereby refused has been considered against the following plan(s) and/or document(s) submitted with the application: -

- 01 - Site Location Plan
- 02 - Proposed Floor Plans and Elevations

Working with the applicant:

In dealing with this application, Be First, working in partnership with the London Borough of Barking and Dagenham, has implemented the requirements of the National Planning Policy Framework and the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. As with all applicants, Be First has made available detailed advice in the form of statutory policies and all other relevant guidance, as well as offering a full pre-application advice service, so as to ensure the applicant has been given every opportunity to submit an application which is likely to be considered favourably. The necessary amendments to make the application acceptable are substantial and would materially change the proposal. They would require further consultations to be undertaken prior to determination, which could not take place within the statutory determination period specified by the Department of Communities and Local Government. You are therefore encouraged to consider submission of a fresh application incorporating material amendments such as to satisfactorily address the reasons for refusal attached.

DATE OF DECISION: 26/04/2021

Yours sincerely,

Graeme Cooke

Graeme Cooke

Director of Inclusive Growth

London Borough of Barking and Dagenham

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
Applicant's Rights following the Grant or Refusal of permission

1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

- **Six (6) months:** Full application (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time and prior approval applications.
- **Twelve (12) weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **Eight (8) weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
- An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice.

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from www.planning-inspectorate.gov.uk or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the council (attn: Planning Appeals Officer).

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are exceptional/special circumstances.

The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

2. Subsequent Application Fees

No planning fee would be payable should a revised planning application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

- the applicant is the same as the applicant of the original application
- site boundary is the same as the site boundary of the original application
- the nature of development remains the same.

3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council.

This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

4. Compensation

In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Working in partnership



**Barking &
Dagenham**

Performance Review Sub-Committee

Application Reference:

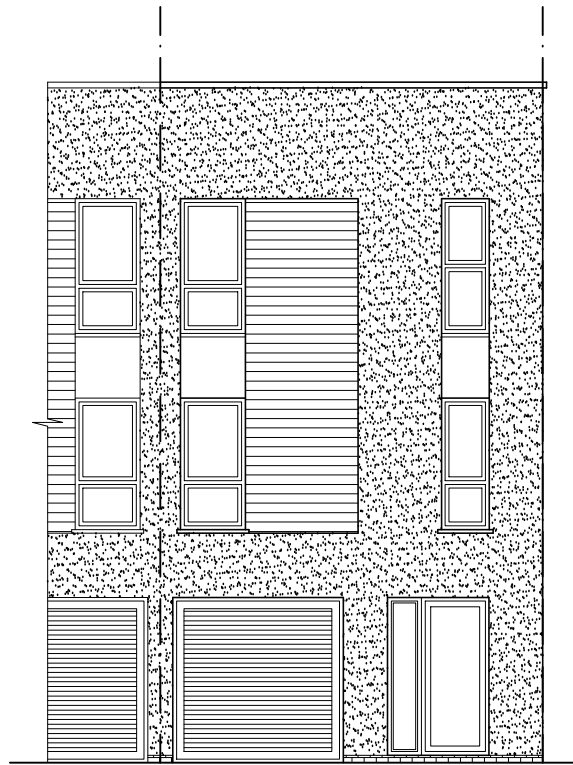
21/00601/HSE

Application Description:

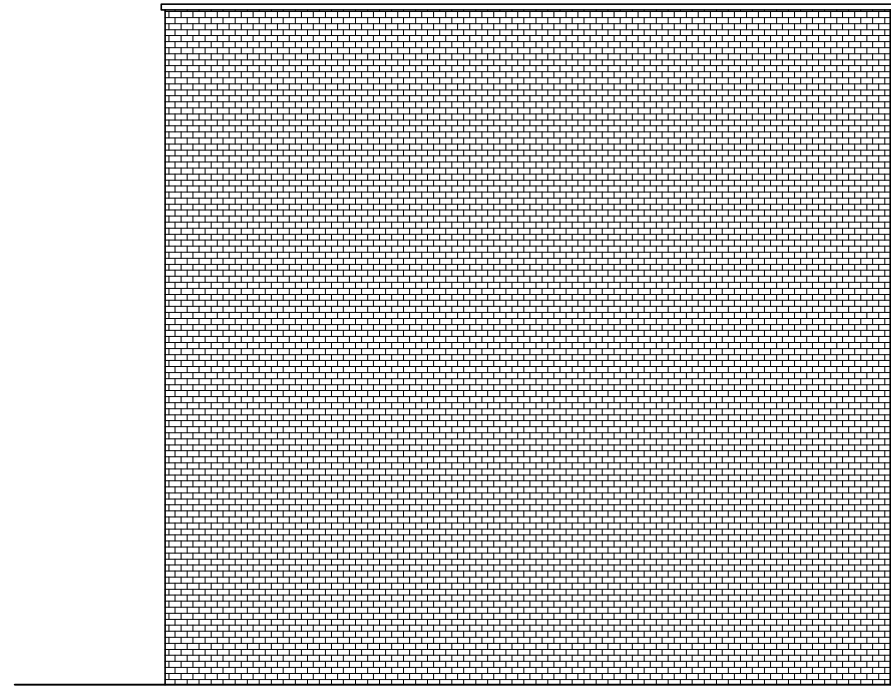
Construction of front porch, first floor balcony at rear elevation and conversion of the Garage to provide habitable accommodation.

Decision:

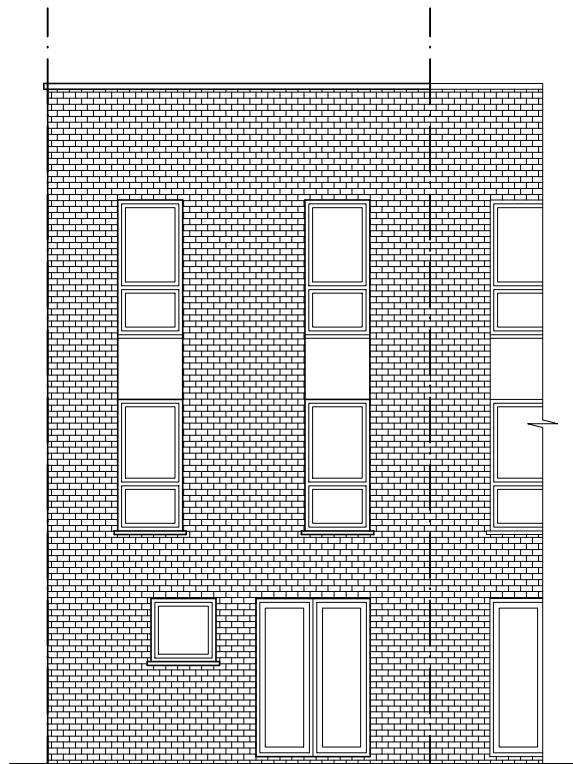
Refused



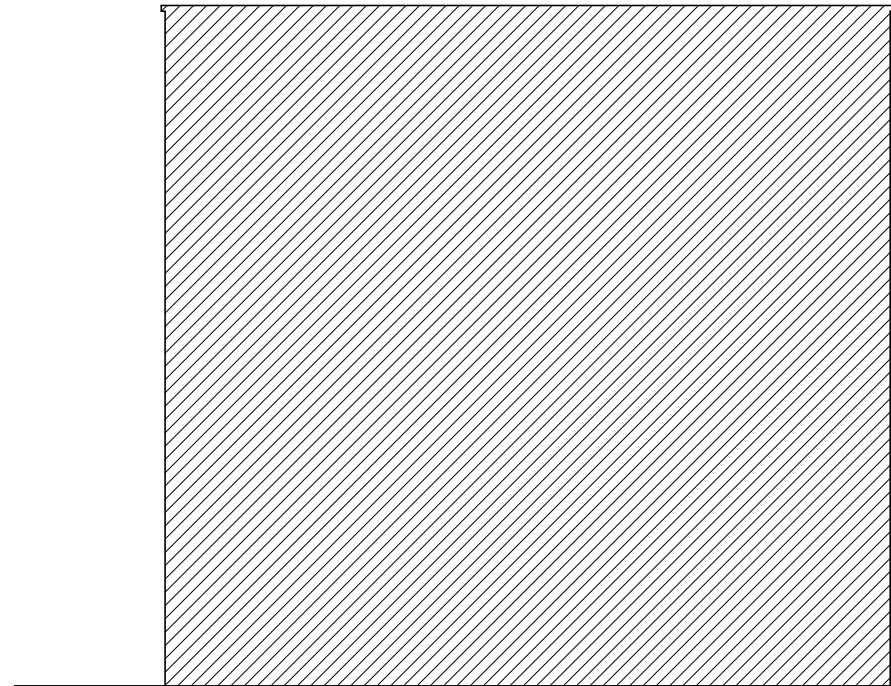
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(1:100 @ A3)



SIDE ELEVATION
(1:100 @ A3)



REAR ELEVATION
(1:100 @ A3)



SIDE ELEVATION
(1:100 @ A3)



CODE
21.010
2SW

CLIENT JAGDEEP TANK
PROJECT EXTERNAL WORKS
2, SCHOLARS WAY, DAGENHAM, RM8 2FL

NO	A305		TITLE
VER	A	REV	00

EXISTING ELEVATIONS
28

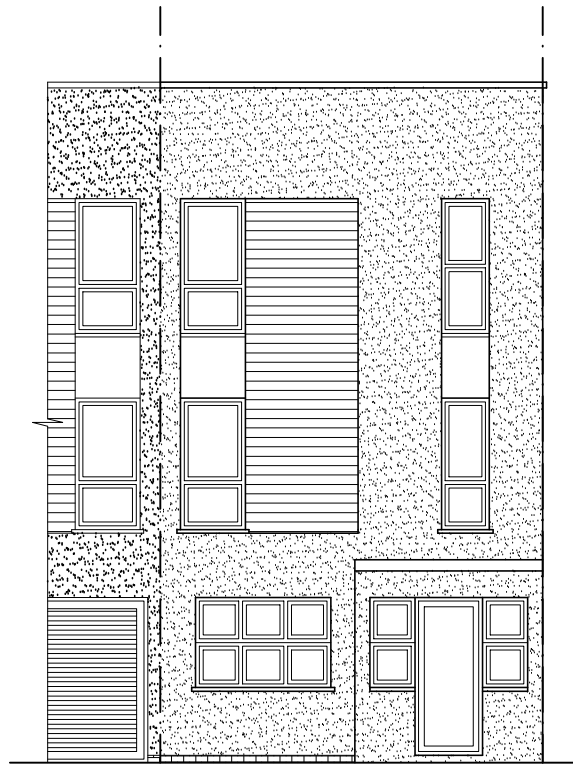
DATE	2020.03.16	
DES	JRS	DRN HRI

ARCICON
AN INTEGRATED APPROACH

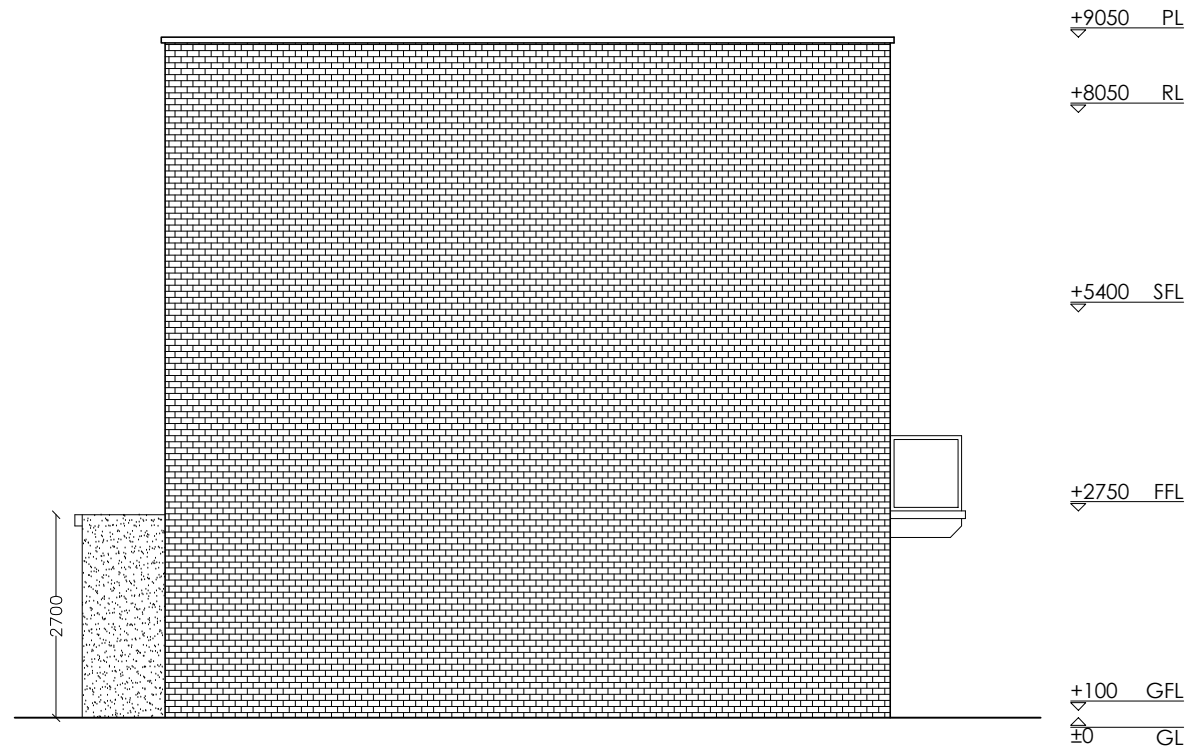
+44 (0) 7557140325 | mail@arcicon.com
+44 (0) 2084706165 | arcicon.com

26 St. Olaves Road, Eastham, London E6 2PA

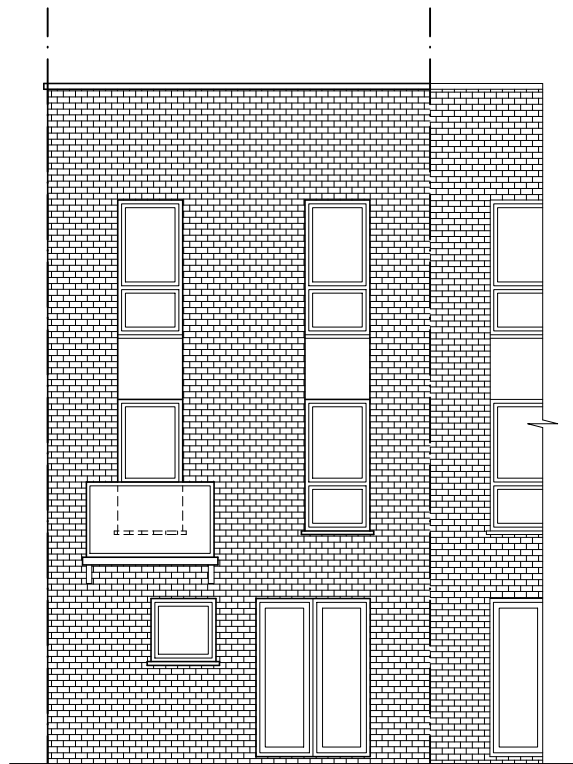




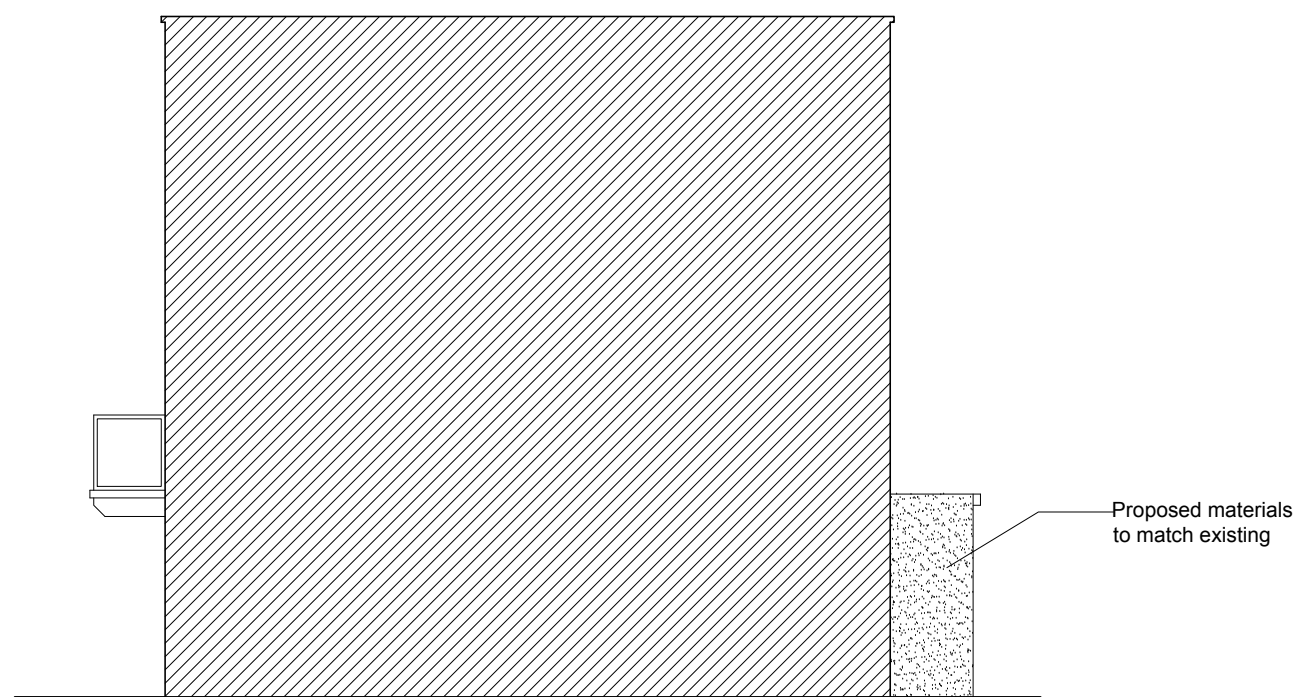
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(1:100 @ A3)



SIDE ELEVATION
(1:100 @ A3)



REAR ELEVATION
(1:100 @ A3)



SIDE ELEVATION
(1:100 @ A3)



CODE
21.010
2SW

CLIENT JAGDEEP TANK
PROJECT EXTERNAL WORKS
2, SCHOLARS WAY, DAGENHAM, RM8 2FL

NO	A307		TITLE
VER	A	REV	00

PROPOSED ELEVATIONS
29

DATE	2020.03.16	
DES	JRS	DRN HRI

ARCICON
AN INTEGRATED APPROACH

+44 (0) 7557140325 | mail@arcicon.com
+44 (0) 2084706165 | arcicon.com

26 St. Olaves Road, Eastham, London E6 2PA





Academy Way

Scholars Way

Scholars Way

Scholars Way

Academy Way

Academy Way

Google

Revive Room
- Dagenham

30

28

32

34

38

40

Delegated Report

Householder Application for Planning Permission for Works or Extension to a Dwelling

Case Officer:	Orla Bermingham	Valid Date:	02 April 2021
Officer Recommendation:	Refuse	Expiry Date:	28 May 2021
Application Number:	21/00601/HSE	Recommended Date:	13 April 2021
Address:	2 Scholars Way, Dagenham, RM8 2FL		
Proposal:	Construction of front porch, first floor balcony at rear elevation and conversion of the Garage to provide habitable accommodation.		

Neighbour Notification

Date Consultation Letter Sent:	02/04/2021
Number of Neighbours Consulted:	6
<i>No response received.</i>	

Relevant Planning History

Application Number:	06/01284/OUT	Status:	Approved
Description:	<i>Retention of the main building and conversion to 106 residential units, demolition of all remaining buildings and construction of 936 houses and flats (between 2 and 10 storeys in height), together with the creation of a new access at Lodge Avenue, associated landscaping and car parking (full details) and the erection of a primary school (outline proposal with details reserved for subsequent approval)</i>		

Development Plan Context

The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:

National Planning Policy Framework (NPPF) (MHCLG, February 2019)

London Plan (March 2021)	Policy D1 - London's Form, Character and Capacity for Growth Policy D4 - Delivering Good Design Policy D8 - Public Realm
Local Development Framework (LDF) Core Strategy (July 2010)	Policy CR2 - Preserving and Enhancing the Natural Environment Policy CP3 - High Quality Built Environment
Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)	Policy BP8 - Protecting Residential Amenity Policy BP11 - Urban Design

The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at an "advanced" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.

The London Borough of Barking and Dagenham's Draft Local Plan (Regulation 19 Consultation Version, October 2020)	Policy SP2 - Delivering a well-designed, high quality and resilient built environment Policy SP4 - Delivering quality design in the borough. Policy DMD1 - Securing high quality design Policy DMD6 - Householder extensions and alterations Policy DMNE3 - Nature conservation and biodiversity
Supplementary Planning Documents	Residential Extensions and Alterations (SPD) (February 2012)

ASSESSMENT

Principle of the Development

<i>Is the proposed development acceptable 'in principle'?</i>	YES
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<i>Officer Comment:</i>	The overriding objective of the local policies is to deliver high quality development which improves the quality and distinctive identity of places and meets the housing needs of existing and future residents. As such, it is acknowledged that extensions to existing family dwelling houses can facilitate additional and enhanced living space for improved living conditions for occupants. They are therefore considered acceptable in principle subject to ensuring a high-quality, neighbourly design. Such matters are addressed below.
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Achieving High Quality of Urban Design	
<i>Does the proposed development respect the character and appearance of the existing dwelling?</i>	NO
<i>Does the proposed development respect and accord to the established local character?</i>	NO
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points</i>	NO
<i>Is the proposed development acceptable and policy compliant?</i>	NO

<i>Officer Comment:</i>	<p>The application site is an end of terrace on the eastern side of Scholar's Way. The application seeks permission for the construction of front porch, first floor balcony at rear elevation and conversion of the Garage to provide habitable accommodation.</p> <p>The proposed front porch projects 1.2 metres from the original front elevations and have a width of 2.5 metres. It will have a flat roof with a maximum height of 2.7 metres. The proposed first floor balcony will project one metre from the rear elevations and have a width of 1.8 metres. The proposed garage conversion to provide additional living room space with alterations to the front elevations.</p> <p>Policy SP 2 of the Draft Local Plan (Regulation 19) reiterates that the Council will promote high-quality design, providing a safe, convenient, accessible and inclusive built environment and interesting public spaces and social infrastructure for all through recognising and celebrating local character and the borough's heritage, adopting a design-led approach to optimising density and site potential by responding positively to local distinctiveness and site context. Policy DMD 1 of the Draft Local Plan states that all development proposals should be creative and innovative, recognising that existing local character and accommodating change is not mutually exclusive, architecture should be responsive, authentic, engaging, and have an enduring appeal. Policy DMD 6 of the Draft Local Plan notes that householder extensions and alterations will need to be designed in a sensitive and appropriate manner, being sympathetic to the design of the original dwelling with regards to scale, form, materials and detailing.</p> <p>Proposed Front Porch</p> <p>The proposed front porch projects 1.2 metres from the original front elevations and have a width of 2.5 metres. It will have a flat roof with a maximum height of 2.7 metres.</p> <p>The Supplementary Planning Document recognises that front extensions will invariably have an impact upon the street scene. In some cases, the impact of an extension at the front of the property may not be acceptable. To avoid any impact upon the street scene, extensions should not have a depth of more than 1 metre. The proposed front extension fails to comply with the SPD recommendation, and therefore is considered inappropriate in scale.</p> <p>The Supplementary Planning Document also recognises the importance that a front extension reflects any existing detailing on the house which contributes positively to its character. The position and design of windows are often important in helping to achieve this. The roof design of the front extension should also match that of the main house. The proposed front extension attempts to replicate the position of windows and materials used on the existing dwellinghouse. However, this is a modern dwelling situated on a uniform terrace which has maintained the front elevations. Therefore, the proposed front porch presents a mismatching design which would introduce an unbalanced feature to the front elevation of this dwellinghouse with implications arising from discoring against the existing rhythm of frontages within the wider streetscene. The proposed porch fails to compliment the appearance of the original dwellinghouse and surrounding area.</p> <p>Proposed First Floor Balcony</p> <p>The proposed first floor balcony will project one metre from the rear elevations and have a width of 1.8 metres. This presents a discordant feature on the rear elevations which fails to respect the uniformity of the modern terrace. Therefore, officers consider the proposed first floor balcony fails to compliment the appearance of the original dwellinghouse and surrounding area.</p> <p>Proposed Garage Conversion</p> <p>The proposed garage conversion provides additional living room space with alterations to the front</p>
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elevations.

The property was built under 06/01284/OUT application, which has been conditioned so that "Any garages shall only be used for the accommodation of motor vehicles incidental to the use of a dwelling house as a residence and shall not be used as living accommodation. Reason: In order to prevent on street parking congestion harmful to residential amenity, visual appearance, and the free flow of traffic and in accordance with policy T24 of the UDP." The site falls within 'Character Area 6' as defined in the original masterplan for Academy Central which sought to create a coherent streetscape with traditional terraces fronting Academy Way and Lodge Avenue. The proposal would be contrary to the design intent for the original scheme which is safeguarded by specific planning conditions. The proposed garage conversion presents a mismatching design which would introduce an unbalanced feature to the front elevation of this dwellinghouse with implications arising from discoring against the existing rhythm of frontages within the wider streetscene.

However, officers recognise the garage conversion approved at no 26 Scholars Way (11/00979/FUL). Due to its close proximity, this sets a precedent in the wider street scene. Therefore the proposed garage conversion is considered to respect the established local character. As there is no transport concerns, officers consider the proposed garage conversion appropriate in design.

Conclusion

The proposed front porch and first floor balcony by reason of presenting a mismatching design, introduces an unbalanced feature to the front and rear elevations of this dwellinghouse and disrupts the uniformity within the wider streetscene. This is considered inappropriate in design and not in accordance with the objectives of the NPPF, Policy D4 of the London Plan, Policies SP 2, DMD 1 and DMD 6 of the Draft Local Plan, Policy BP8 and BP11 of the Local Development Framework Borough Wide Development Plan, and the Supplementary Planning Document.

Delivering Neighbourly Development

	4 and 6 Scholars Way	36 - 42 Academy Way	N/A			4 and 6 Scholars Way	36 - 42 Academy Way	N/A
Outlook:				Overshadowing:				
Loss from habitable rooms?	NO	NO		Shadow cast into rooms?	NO	NO		
<i>Is it unacceptable?</i>				<i>Is it unacceptable?</i>				
				Shadow into garden?	NO	NO		
Loss of Privacy:				<i>Is it unacceptable?</i>				
Overlooking the garden?	YES	YES						
<i>Is it unacceptable?</i>	YES	YES		Overbearing:				
Overlooking into rooms?	NO	NO		Impact on habitable rooms?	NO	NO		
<i>Is it unacceptable?</i>				<i>Is it unacceptable?</i>				
				Impact on gardens?	YES	YES		
Loss of Daylight:				<i>Is it unacceptable?</i>	YES	YES		
Loss into habitable rooms?	NO	NO						
<i>Is it unacceptable?</i>								

The application site is an end of terrace on the eastern side of Scholar's Way. The application seeks permission for the construction of front porch, first floor balcony at rear elevation and conversion of the Garage to provide habitable accommodation.

The NPPF and the London Plan Policies both have relevance to the importance of quality development in addressing neighbouring amenity and avoiding unacceptable impacts. Policy DMD 1 of the Draft Local

<i>Officer Comment:</i>	<p>Plan (Regulation 19) states that all development proposals should consider the impact on the amenity of neighbouring properties with regard to significant over looking (loss of privacy and immediate outlook) and overshadowing (unacceptable loss of daylight and sunlight), wind and microclimate. Policy DMD 6 of the Draft Local Plan (Regulation 19) notes that householder extensions and alterations will need to be designed in a sensitive and appropriate manner, considering the impact on the amenity of neighbouring properties, avoiding significant over looking (loss of privacy and immediate outlook) and over shadowing (loss of daylight and sunlight). Policy BP8 and BP11 of the Local Development Framework Borough Wide Development Plan has specific regard to protecting residential amenity.</p> <p>Noise and general disturbance are also discussed in planning policy in regard to protecting residential amenity. Policy DMD 1 of the Draft Local Plan states that all development proposals should mitigate the impact of air, noise and environmental pollution. Policy SP 7 of the Draft Local Plan ensures that all development manages nuisance during both construction and operation through appropriate mitigation. Policy BP8 of the Local Development Framework Borough Wide Development Plan expects all development to ensure existing and proposed occupiers are not exposed to unacceptable levels of pollution or general disturbance that may arise from the development. This can include noise, smoke, fumes, refuse and/or lighting, and activities as traffic movements, during construction and occupation. Policy DMSI 3 of the Draft Local Plan states that development proposals are required to ensure noise-sensitive and air quality-sensitive development is directed to appropriate locations, and protect these against any existing and proposed sources of noise and air pollution through careful design, layout and use of materials and adequate insulation. Development proposals which generate unacceptable levels of nuisance, either individually or cumulatively, will generally be resisted.</p> <p>Due to its relatively small scale, compared against other types of extensions, the proposed porch presents minimal impact to the neighbouring amenity. Similarly, due to its relatively small alterations, compared against other types of extensions, the proposed garage conversion presents minimal impact to the neighbouring amenity.</p> <p>However, the proposed first floor balcony raises concerns over neighbouring amenity. The proposed first floor balcony will result in a significant loss of privacy to neighbouring properties as it will overlook their gardens. It will also increase the noise and general disturbance experienced to neighbouring gardens. This constitutes to a degree of overbearingness. Officers consider this impact to be unacceptable.</p> <p>For this reason, officers consider the proposed first floor balcony fails to adequately protect neighbouring amenity and is not in accordance with the objectives of the NPPF, Policy SP 7, DMSI 3, DMD 1 and DMD 6 of the Draft Local Plan, Policy BP8 and BP11 of the Local Development Framework Borough Wide Development Plan.</p>
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Delivering Sustainability	
<i>Does the proposed development promote or enhance biodiversity?</i>	NO
<i>Has established vegetation been preserved or appropriately relocated/mitigated against?</i>	NO
<i>Officer Comment:</i>	Although the application has not incorporated any biodiversity enhancement measures, the proposed development would not impinge on the garden space of the property and would therefore have no overall impact on the biodiversity value of the site.

Meeting the Needs of Homeowners	
<i>Are all proposed rooms well-lit by daylight and naturally vented through opening windows?</i>	YES
<i>Are the sizes of all proposed rooms appropriate in size for the purpose they are designed for?</i>	YES
<i>Officer Comment:</i>	The proposed extension is intended to rationalise and expand the layout of the existing dwelling through the provision of appropriately sized and lit home extensions.

CONCLUSION	
<p>The proposed front porch and first floor balcony by reason of presenting a mismatching design, introduces an unbalanced feature to the front and rear elevations of this dwellinghouse and disrupts the uniformity within the wider streetscene.</p> <p>The proposed first floor balcony will result in a significant loss of privacy to neighbouring properties as it will overlook their gardens. It will also increase the noise and general disturbance experienced to neighbouring gardens. This constitutes to a degree of overbearingness and officers consider this impact to be unacceptable.</p> <p>The proposed development fails to respect the character and appearance of the area and results in an unacceptable impact on the living conditions of neighbouring properties. The proposal is therefore considered contrary to the Development Plan policies and guidance specified above, and it is recommended that planning permission be refused.</p>	

LBBB Reference: 21/00601/HSE

Raja Sekaran
42 Brudenell Close
Amersham
HP6 6FH

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS
AMENDED)**

Dear Sir / Madam,

Application Number: 21/00601/HSE
Address: 2 Scholars Way, Dagenham, RM8 2FL
Development Description: Construction of front porch, first floor balcony at rear elevation and conversion of the Garage to provide habitable accommodation.

Thank you for your recent application at the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council.

Yours sincerely,

[Graeme Cooke](#)

Graeme Cooke
Director of Inclusive Growth
London Borough of Barking and Dagenham

PLANNING DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)

Agent: Raja Sekaran
42 Brudenell Close
Amersham HP6 6FH

Applicant: Jagdeep Tank
2 Scholars Way, Dagenham, RM8 2FL

PART 1 - PARTICULARS OF THE APPLICATION

Application Number: 21/00601/HSE
Application Type: Householder Planning Permission
Development Description: Construction of front porch, first floor balcony at rear elevation and conversion of the Garage to provide habitable accommodation.
Site Address: 2 Scholars Way, Dagenham, RM8 2FL
Date Received: 02 April 2021
Date Validated: 02 April 2021

PART 2 - PARTICULARS OF THE DECISION

The London Borough of Barking and Dagenham, as Local Planning Authority, in pursuance of its powers under the above mentioned Act, Rules, Orders and Regulations made thereunder, hereby gives notice that PLANNING PERMISSION has been **REFUSED** for the carrying out of the development referred to in PART 1 hereof and as described and shown on the plan(s) and document(s) submitted with the application for the reason(s) listed below.

Reason(s):

1. The proposed front porch and first floor balcony by reason of presenting a mismatching design, introduces an unbalanced feature to the front and rear elevations of this dwellinghouse and disrupts the uniformity within the wider streetscene. This is considered harmful to the appearance of the house, built form of the terrace and character of the area. As such, the proposed development is contrary to:

- National Planning Policy Framework (MHCLG, February 2019);
- Policy D4 of the London Plan (March 2021);
- Policies SP 2, DMD 1 and DMD 6 of the Draft Local Plan (Regulation 19 Consultation Version, October 2020);
- Policy CP3 of the LDF Core Strategy (July 2010);
- Policies BP8 and BP11 of the LDF Borough Wide Development Plan Policies DPD (March 2011);
- The Residential Extensions and Alterations Supplementary Planning Document (February 2012).

2. The proposed first floor balcony by reason of siting and design would result in an increased sense of overbearingness and a harmful loss of privacy to neighbouring occupiers, therefore constituting unneighbourly development and contrary to:

- National Planning Policy Framework (MHCLG, February 2019);
- Policy D4 of the London Plan (March 2021);
- Policies DMD 1 and DMD 6 of the Draft Local Plan (Regulation 19 Consultation Version, October 2020);
- Policy CP3 of the LDF Core Strategy (July 2010);
- Policies BP8 and BP11 of the LDF Borough Wide Development Plan Policies DPD (March 2011);
- The Residential Extensions and Alterations Supplementary Planning Document (February 2012).

The above policies can be viewed on the Council's website: www.lbbd.gov.uk/planning.

Informative(s):

1. The application hereby refused has been considered against the following plan(s) and/or document(s) submitted with the application:

- A306 - Proposed Floor Plans - 16/03/2021

- A307 - Proposed Elevations - 16/03/2021

Working with the applicant:

In dealing with this application, Be First, working in partnership with the London Borough of Barking and Dagenham, has implemented the requirements of the National Planning Policy Framework and the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. As with all applicants, Be First has made available detailed advice in the form of statutory policies and all other relevant guidance, as well as offering a full pre-application advice service, so as to ensure the applicant has been given every opportunity to submit an application which is likely to be considered favourably. The necessary amendments to make the application acceptable are substantial and would materially change the proposal. They would require further consultations to be undertaken prior to determination, which could not take place within the statutory determination period specified by the Department of Communities and Local Government. You are therefore encouraged to consider submission of a fresh application incorporating material amendments such as to satisfactorily address the reasons for refusal attached.

DATE OF DECISION: 05/05/2021

Yours sincerely,

[Graeme Cooke](#)

Graeme Cooke

Director of Inclusive Growth

London Borough of Barking and Dagenham

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
Applicant's Rights following the Grant or Refusal of permission

1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

- **Six (6) months:** Full application (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time and prior approval applications.
- **Twelve (12) weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **Eight (8) weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
- An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice.

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from www.planning-inspectorate.gov.uk or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the council (attn: Planning Appeals Officer).

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are exceptional/special circumstances.

The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

2. Subsequent Application Fees

No planning fee would be payable should a revised planning application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

- the applicant is the same as the applicant of the original application
- site boundary is the same as the site boundary of the original application
- the nature of development remains the same.

3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council.

This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

4. Compensation

In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Working in partnership



**Barking &
Dagenham**

Performance Review Sub-Committee

Application Reference:

21/01538/HSE

Application Description:

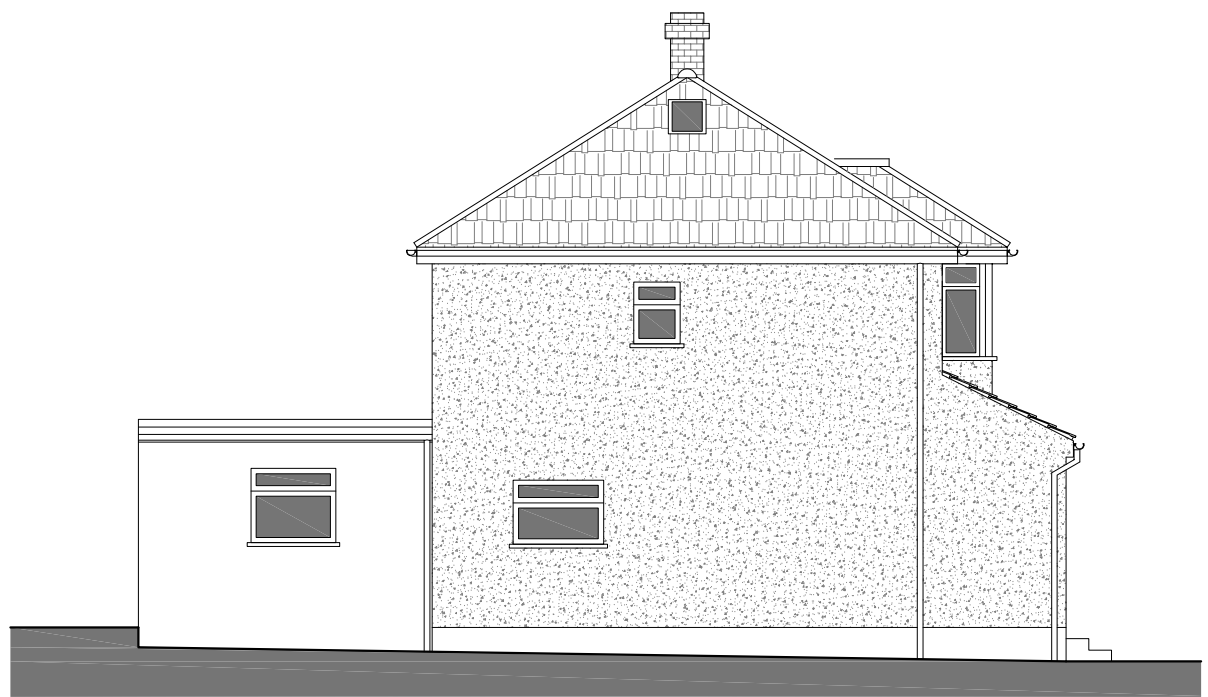
Construction of a first floor rear extension

Decision:

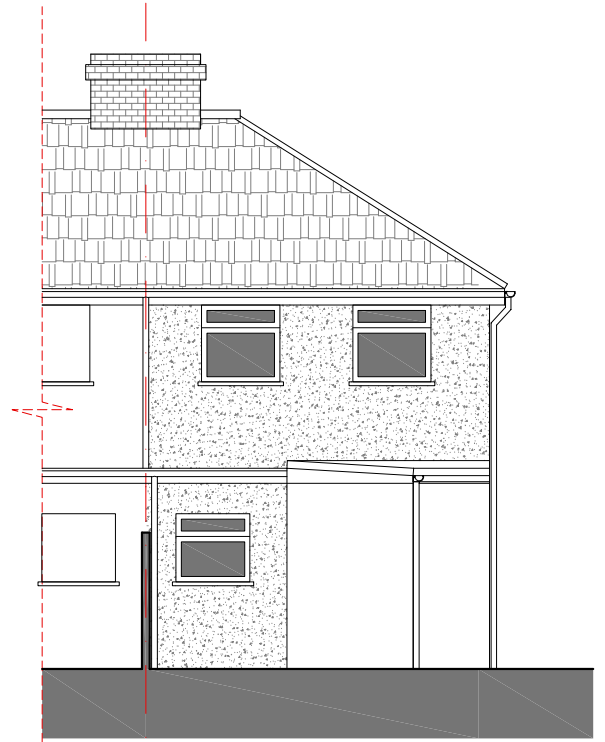
Refused



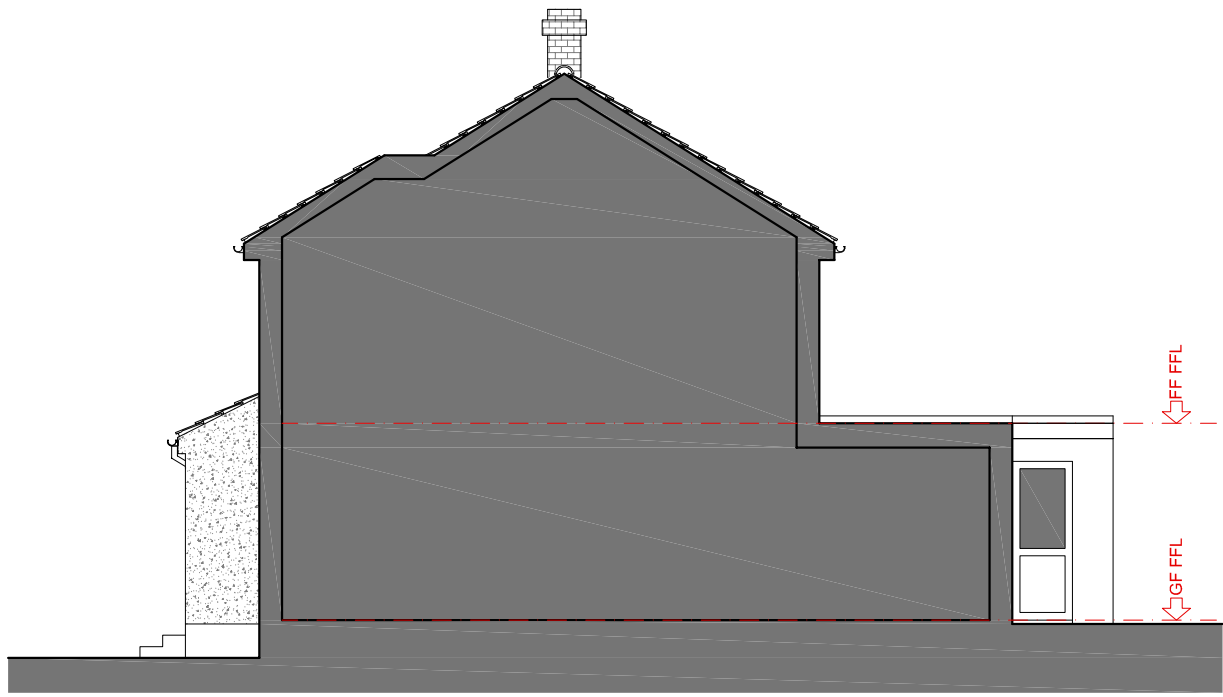
FRONT ELEVATION



LHS ELEVATION



REAR ELEVATION



RHS ELEVATION



NOTES
 • CDM Regulation 2015
 • The Copy right of this drawing is the property of Create and must not be copied otherwise reproduced without written consent.
 • The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy to be verified with the Architect before proceeding with the works.

Date	Rev:	Description_Author

Drawn	LV
Scale @ A3	1:100

For **PLANNING** only

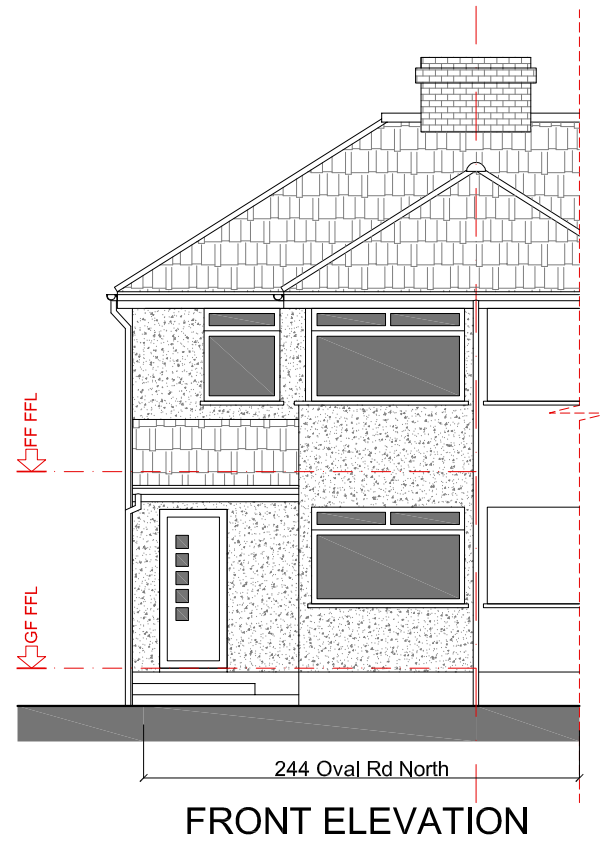
PROJECT	First Floor Extension
LOCATION	244 Oval Rd North, RM10 9EJ

DRAWING TITLE	EXISTING Elevations
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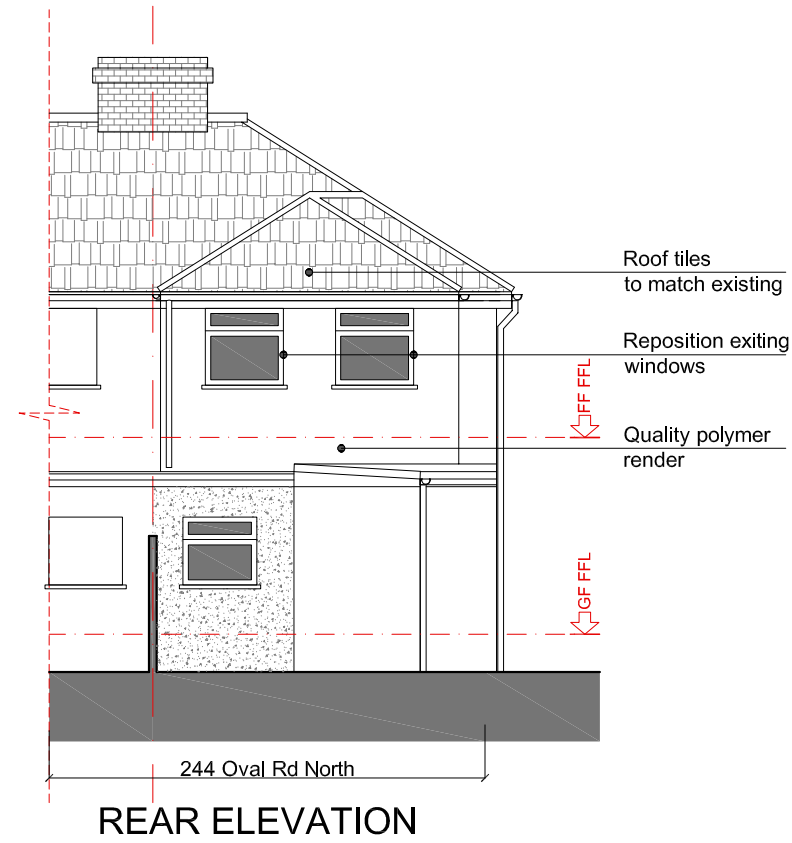
Job No	439/21	Date	03.2021
Drawing No	003	Rev	A

V&V ARCHITECTS
 M: +44 7955 356876
 E: Info@vvarchitects.co.uk
 W: www.vvarchitects.co.uk

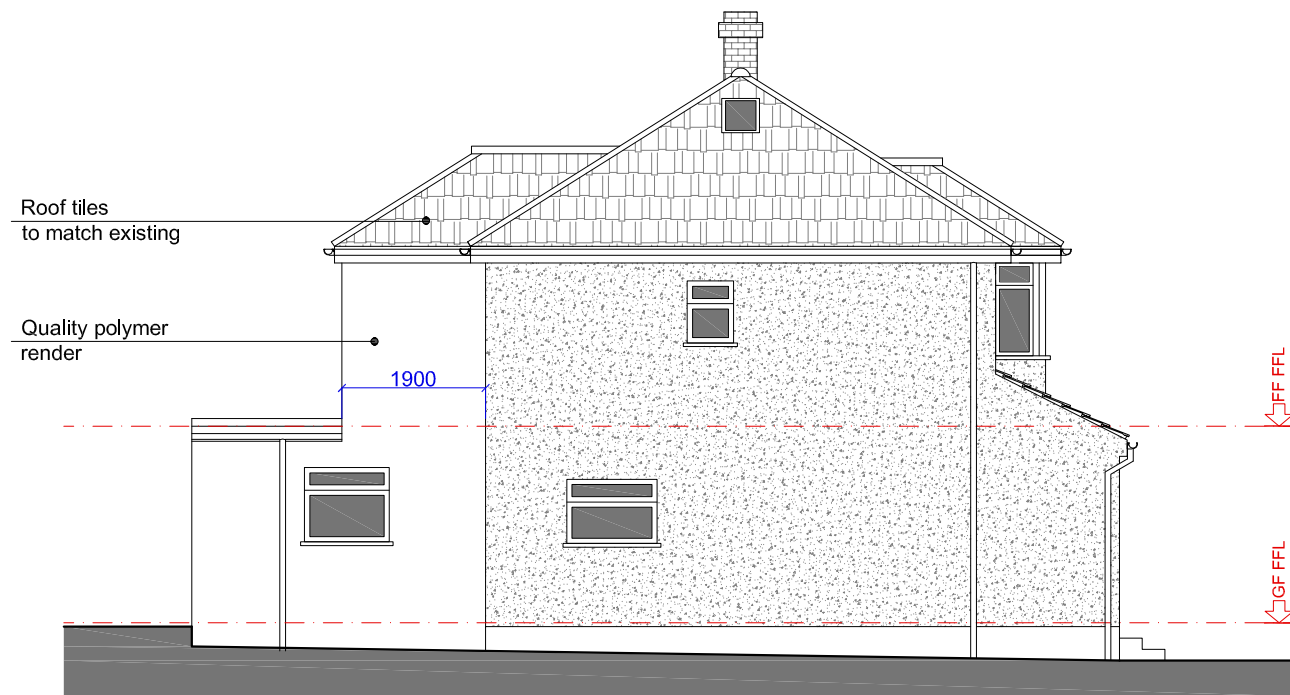
NOTE:
 This amended scheme is based on a nearby precedent Ref: 16/01228/FUL at 136 Beam Avenue, Dagenham, Barking And Dagenham, RM10 9BL



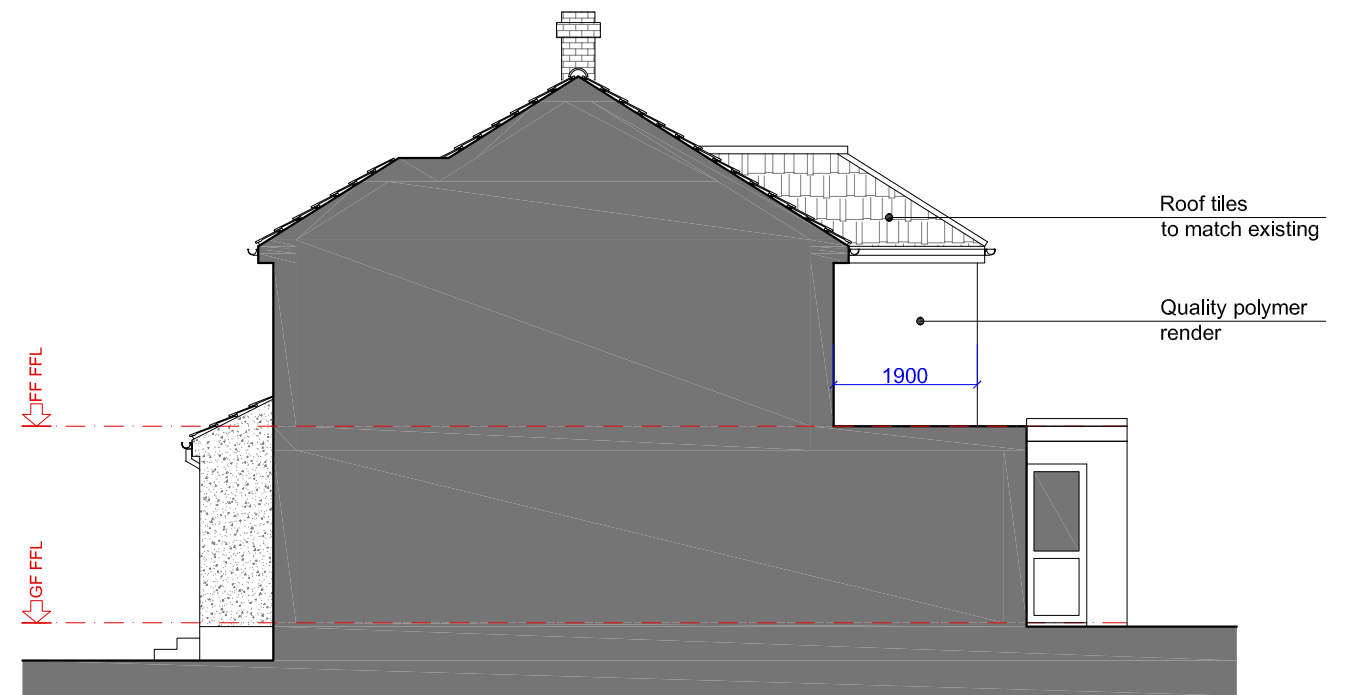
FRONT ELEVATION



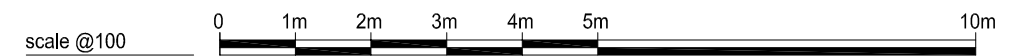
REAR ELEVATION



LHS ELEVATION



RHS ELEVATION



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Date	Rev:	Description_Author

Drawn SV
 Scale @ A3 1:100
 For **PLANNING** only

PROJECT
First Floor Extension
 LOCATION
 244 Oval Rd North, RM10 9EJ

DRAWING TITLE
PROPOSED Elevations

Job No
 439/21
 Date
 03.2021
 Drawing No
021
 Rev
C

V&V ARCHITECTS
 M: +44 7955 356876
 E: Info@vvarchitects.co.uk
 W: www.vvarchitects.co.uk



Delegated Report

Householder Application for Planning Permission for Works or Extension to a Dwelling

Case Officer:	Cari Jones	Valid Date:	14 August 2021
Officer Recommendation:	Refused	Expiry Date:	09 October 2021
Application Number:	21/01538/HSE	Recommended Date:	30 September 2021
Address:	244 Oval Road North, Dagenham, Barking And Dagenham, RM10 9EJ		
Proposal:	Construction of a first floor rear extension		

Planning Constraints

N/A

Consultations

Consultee:	Date Consulted:	Summary of response:
N/A		

Neighbour Notification

Date Consultation Letter Sent:	16.08.2021
Number of Neighbours Consulted:	5
<i>No response received.</i>	

Relevant Planning History

Application Number:	21/00890/HSE	Status:	Refused
Description:	Construction of a first floor rear extension and construction of a hip-to-gable roof extension including two roof lights to the front.		

Development Plan Context

The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:

National Planning Policy Framework (NPPF) (MHCLG, February 2019)

London Plan (March 2021)	Policy D1 - London's Form, Character and Capacity for Growth Policy D4 - Delivering Good Design Policy D8 - Public Realm
Local Development Framework (LDF) Core Strategy (July 2010)	Policy CR2 - Preserving and Enhancing the Natural Environment Policy CP3 - High Quality Built Environment
Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)	Policy BP8 - Protecting Residential Amenity Policy BP11 - Urban Design

The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at an "advanced" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.

The London Borough of Barking and Dagenham's Draft Local Plan (Regulation 19 Consultation Version, October 2020)	Policy SP2 - Delivering a well-designed, high quality and resilient built environment Policy DMD1 - Securing high quality design Policy DMD6 - Householder extensions and alterations Policy DMNE3 - Nature conservation and biodiversity
Supplementary Planning Documents	Residential Extensions and Alterations (SPD) (February 2012)

ASSESSMENT

Principle of the Development	
<i>Is the proposed development acceptable "in principle"?</i>	YES
<i>Officer Comment:</i>	The overriding objective of the local policies is to deliver high quality development which improves the quality and distinctive identity of places and meets the housing needs of existing and future residents. As such, it is acknowledged that extensions to existing family dwelling houses can facilitate additional and enhanced living space for improved living conditions for occupants. They are therefore considered acceptable in principle subject to ensuring a high-quality, neighbourly design. Such matters are addressed below.

Achieving High Quality of Urban Design	
<i>Does the proposed development respect the character and appearance of the existing dwelling?</i>	NO
<i>Does the proposed development respect and accord to the established local character?</i>	NO
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points</i>	NO
<i>Is the proposed development acceptable and policy compliant?</i>	NO
<i>Officer Comment:</i>	<p>The application site is a two storey, end of terrace dwellinghouse situated on the westerly side of Oval Road North, Dagenham.</p> <p>The applicant previously applied for the construction of a first floor rear extension and construction of a hip-to-gable roof extension including two roof lights to the front under application ref 21/00890/HSE. This was refused on 14.06.2021 because 1) <i>The proposed development, by reason of its design, siting and incongruous roof form will disrupt the built form and uniformity within the terrace and the wider street scene</i> and 2) <i>The scale, siting and design of the proposed first floor rear extension would result in an increased sense of overbearingness and a harmful loss of outlook and daylight to neighbouring occupiers at No.242 Oval Road North.</i></p> <p>This application seeks permission for the construction of a first floor rear extension.</p> <p>Paragraphs 127 and 128 of the NPPF (2019) outline that planning policies and decisions should aim to ensure that developments function well and add to the overall quality of an area not just for the shortterm, but over the lifetime of the development. Paragraph 130 advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The London Plan (2021) policies D1, D4 and D8 all echo the principles of the NPPF with regards to well-designed spaces. Policy D4 of the London Plan particularly emphasizes that all development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.</p> <p>Policy BP8 of the Borough Wide DPD covers the protection of residential amenity and states that developments should not lead to any significant overlooking or overshadowing of neighbouring properties. Policy BP11 of the Borough Wide DPD and policy DMD6 of the Draft Local Plan Reg 19 ensures that development is designed in a sensitive and appropriate manner which minimises impact on surrounding neighbours and respects the character of the area. Likewise, proposals should be designed sympathetically so that they respect and reflect the original and surrounding properties.</p> <p>Regarding the construction of first floor rear extensions, the Residential Extensions and Alterations (SPD) (February 2012) states that the depth of any proposed first floor extension as measured from the main rear wall should not exceed the distance from the proposed extension to the corner of the adjacent property. Where the adjacent property has a solid roof extension, the distance shall be taken from the corner of the extended part. As such, no part of the proposed extension should extend beyond a 45 degree angle as taken from the corner of the adjoining property. Furthermore, it is important that the design of your extension is sympathetic towards the original house. Particular attention should be paid to ensure the roof treatment reflects the character of the original dwelling.</p> <p>The proposed development will extend the first floor by 1.90m above the existing ground floor rear extension. The extension will have a maximum width of 4.42 metres, reducing to 3.78 metres at the rear elevation. The proposal will comprise a pitched roof with an eaves height of 5.26 metres and total height of 7.25 metres. The proposal will be rendered with a concrete tiled roof, and upvc brown frame windows to match the existing dwellinghouse. The proposed extension will extend the entire width of the dwellinghouse and as such, would extend beyond a 45 degree angle from the corner of adjoining property no.242 Oval Road North. This is considered unacceptable and contrary to the guidance of the SPD.</p> <p>Furthermore, Officers acknowledge that along the street scene the dwellings and their rear gardens are tightly arranged and whilst many of the houses host ground floor rear development, double storey</p>

extensions are uncommon. Therefore, the proposal would introduce a form of development which is at odds with the established local character.

Oversall, the proposed development by reason of design and siting would not respect the character and appearance of the dwellinghouse and the local character. The proposed development is therefore considered contrary to the Development Plan policies and guidance specified above.

Delivering Neighbourly Development

	<i>Number 242 Oval Road North</i>	<i>Number 246 Oval Road North</i>	<i>N/A</i>			<i>Number 242 Oval Road North</i>	<i>Number 246 Oval Road North</i>	<i>N/A</i>
Outlook:				Overshadowing:				
Loss from habitable rooms?	YES	NO		Shadow cast into rooms?	YES	NO		
<i>Is it unacceptable?</i>	YES	NO		<i>Is it unacceptable?</i>	YES	NO		
				Shadow into garden?	YES	NO		
Loss of Privacy:				<i>Is it unacceptable?</i>	NO	NO		
Overlooking the garden?	NO	NO						
<i>Is it unacceptable?</i>	NO	NO		Overbearing				
Overlooking into rooms?	NO	NO		Impact on habitable rooms?	YES	NO		
<i>Is it unacceptable?</i>	NO	NO		<i>Is it unacceptable?</i>	YES	NO		
				Impact on gardens?	YES	NO		
Loss of Daylight:				<i>Is it unacceptable?</i>	YES	NO		
Loss into habitable rooms?	YES	NO						
<i>Is it unacceptable?</i>	YES	NO						

Policies BP8 and BP11 of the Borough Wide Development Document have specific regard to protecting residential amenity. Policy BP8 stresses that All developments (including alterations, extensions, conversions and infill developments) are expected to have regard to the local character of the area and help to create a sense of local identity, distinctiveness and place and not lead to significant overlooking (loss of privacy and immediate outlook) or overshadowing (loss of daylight and sunlight).

At a local level, policies DMD1 and DMD6 of the Draft Local Plan (2020) also emphasizes that householder extensions and alterations must consider the impact on the amenity of neighbouring properties, avoiding significant overlooking (loss of privacy and immediate outlook) and overshadowing (loss of daylight and sunlight). The Altering and Extending your Home SPD (2012) advises of the importance for extensions to properties to be neighbourly, attractive, of high quality and work well for residents and neighbours.

Regarding the construction of first floor rear extensions, the Residential Extensions and Alterations (SPD) (February 2012) states that the depth of any proposed first floor extension as measured from the main rear wall should not exceed the distance from the proposed extension to the corner of the adjacent property. Where the adjacent property has a solid roof extension, the distance shall be taken from the corner of the extended part. As such, no part of the proposed extension should extend beyond a 45 degree angle as taken from the corner of the adjoining property.

Number 242 Oval Road North

This property bounds the application site to the north. Officers note that this property hosts a small single storey rear extension. The proposed first floor extension will abut the boundary with this property at a depth of 1.90 metres and as such, would extend beyond a 45 degree angle from the corner of this adjoining property, thereby contrary to the above guidance of the SPD.

Officer Comment:

It is unclear from the drawings whether the neighbouring window nearest to the development is a habitable room however it is expected the layout of this dwelling would mirror that of the host dwelling and as such, this first floor rear room is likely to be a bedroom. By reason of the sitting of the extension on the boundary, and the neighbours northerly positioning, the proposal is considered to generate an unacceptable loss of outlook and daylight into the rear rooms of this property, as well as an increased sense of overbearingness. As such, the impacts generated to the amenity of this neighbour is considered unacceptable and contrary to the above policies and guidance.

Number 246 Oval Road North

This property is located to the south of the application site and also hosts a single storey rear extension. The proposed first floor rear extension will abut the boundary with this property at a depth of 1.90 metres. By reason of the distance separating the two properties and the orientation of the extension away from no.246, it is not considered that the impacts generated to the amenity of this property would be harmful enough to solely warrant a reason for refusal.

In conclusion, the proposed first floor rear extension, by reason of its design and siting, would generate unacceptable loss of outlook, daylight and increased overbearingness for occupiers at no.242 Oval Road North. The proposal is therefore considered contrary to the Development Plan policies and guidance specified above.

Delivering Sustainability	
<i>Does the proposed development promote or enhance biodiversity?</i>	NO
<i>Has established vegetation been preserved or appropriately relocated/mitigated against?</i>	NO
<i>Officer Comment:</i>	Although the application has not incorporated any biodiversity enhancement measures, the proposed development would not impinge on the garden space of the property and would therefore have no overall impact on the biodiversity value of the site.

Meeting the Needs of Homeowners	
<i>Are all proposed rooms well-lit by daylight and naturally vented through opening windows?</i>	YES
<i>Are the sizes of all proposed rooms appropriate in size for the purpose they are designed for?</i>	YES
<i>Officer Comment:</i>	The proposed extension is intended to rationalise and expand the layout of the existing dwelling through the provision of appropriately sized and lit home extensions.

Other Material Considerations
N/A

CONCLUSION
The proposed development fails to respect the character and appearance of the area and results in an unacceptable impact on the living conditions of neighbouring properties. The proposal is therefore considered contrary to the Development Plan policies and guidance specified above, and it is recommended that planning permission be refused.

LBBB Reference: 21/01538/HSE

Sigita Vaitiekuniene
Flat 1c, 85 Mayow Road
London
SE26 4AA

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS
AMENDED)**

Dear Sir / Madam,

Application Number: 21/01538/HSE
Address: 244 Oval Road North, Dagenham, Barking And Dagenham, RM10 9EJ
Development Description: Construction of a first floor rear extension

Thank you for your recent application at the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council.

Yours sincerely,

Marilyn Smith

Marilyn Smith
Head of Planning and Assurance
London Borough of Barking and Dagenham

PLANNING DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)

Agent: Sigita Vaitiekuniene
Flat 1c, 85 Mayow Road
London SE26 4AA

Applicant: Kristina Ostapec
244 OVAL ROAD NORTH
DAGENHAM SE26 4AA

PART 1 - PARTICULARS OF THE APPLICATION

Application Number: 21/01538/HSE
Application Type: Householder Planning Permission
Development Description: Construction of a first floor rear extension
Site Address: 244 Oval Road North, Dagenham, Barking And Dagenham, RM10 9EJ
Date Received: 14 August 2021
Date Validated: 14 August 2021

PART 2 - PARTICULARS OF THE DECISION

The London Borough of Barking and Dagenham, as Local Planning Authority, in pursuance of its powers under the above mentioned Act, Rules, Orders and Regulations made thereunder, hereby gives notice that PLANNING PERMISSION has been **REFUSED** for the carrying out of the development referred to in PART 1 hereof and as described and shown on the plan(s) and document(s) submitted with the application for the reason(s) listed below.

Reason(s):

1. The proposed development, by reason of its design, siting and incongruous roof form will disrupt the built form and uniformity within the terrace and street scene. The proposed development would therefore represent unsympathetic and uncharacteristic additions to the site. The proposed development is therefore contrary to:

- National Planning Policy Framework (MHCLG, February 2019);
- Policies D1, D4, D8 of The London Plan (March 2021);
- Policy CP3 of the LDF Core Strategy (July 2010);
- Policy BP11 of the LDF Borough Wide Development Plan Policies DPD (March 2011);
- The Residential Extensions and Alterations Supplementary Planning Document (February 2012);
- Policies SP2, DMD1, DMD6 of the Draft Local Plan (Regulation 19 Consultation version, October 2020)

2. The scale, siting and design of the proposed first floor rear extension would result in an increased sense of overbearingness and a harmful loss of outlook and daylight to neighbouring occupiers at No.242 Oval Road North, therefore constituting unneighbourly development and contrary to:

- National Planning Policy Framework (MHCLG, February 2019);
- Policies BP8 and BP11 of the LDF Borough Wide Development Plan Policies DPD (March 2011);
- The Residential Extensions and Alterations Supplementary Planning Document (February 2012);
- Policies DMD1 and DMD6 of the Draft Local Plan (Regulation 19 Consultation version, October 2020)

The above policies can be viewed on the Council's website: www.lbbd.gov.uk/planning.

Informative(s):

1. The application hereby refused has been considered against the following plan(s) and/or document(s) submitted with the application: -

- Existing and Proposed Block Plans - 001 REV A - Dated 03.2021
- Proposed Ground, First Floor and Roof Plans - 020 REV C - Dated 03.2021
- Proposed Front, Rear and Side Elevations - 021 REV C - Dated 03.2021
- Site Photographs - 439/21 - Dated May 2021
- Site Location Plan

Working with the applicant:

In dealing with this application, Be First, working in partnership with the London Borough of Barking and Dagenham, has implemented the requirements of the National Planning Policy Framework and the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. As with all applicants, Be First has made available detailed advice in the form of statutory policies and all other relevant guidance, as well as offering a full pre-application advice service, so as to ensure the applicant has been given every opportunity to submit an application which is likely to be considered favourably. The necessary amendments to make the application acceptable are substantial and would materially change the proposal. They would require further consultations to be undertaken prior to determination, which could not take place within the statutory determination period specified by the Department of Communities and Local Government. You are therefore encouraged to consider submission of a fresh application incorporating material amendments such as to satisfactorily address the reasons for refusal attached.

DATE OF DECISION 04.10.2021

Yours sincerely,

Marilyn Smith

Marilyn Smith

Head of Planning and Assurance
London Borough of Barking and Dagenham

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
Applicant's Rights following the Grant or Refusal of permission

1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

- **Six (6) months:** Full application (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time and prior approval applications.
- **Twelve (12) weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **Eight (8) weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
- An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice.

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from www.planning-inspectorate.gov.uk or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the council (attn: Planning Appeals Officer).

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are exceptional/special circumstances.

The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

2. Subsequent Application Fees

No planning fee would be payable should a revised planning application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

- the applicant is the same as the applicant of the original application
- site boundary is the same as the site boundary of the original application
- the nature of development remains the same.

3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council.

This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

4. Compensation

In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Working in partnership



**Barking &
Dagenham**

Performance Review Sub-Committee

Application Reference:

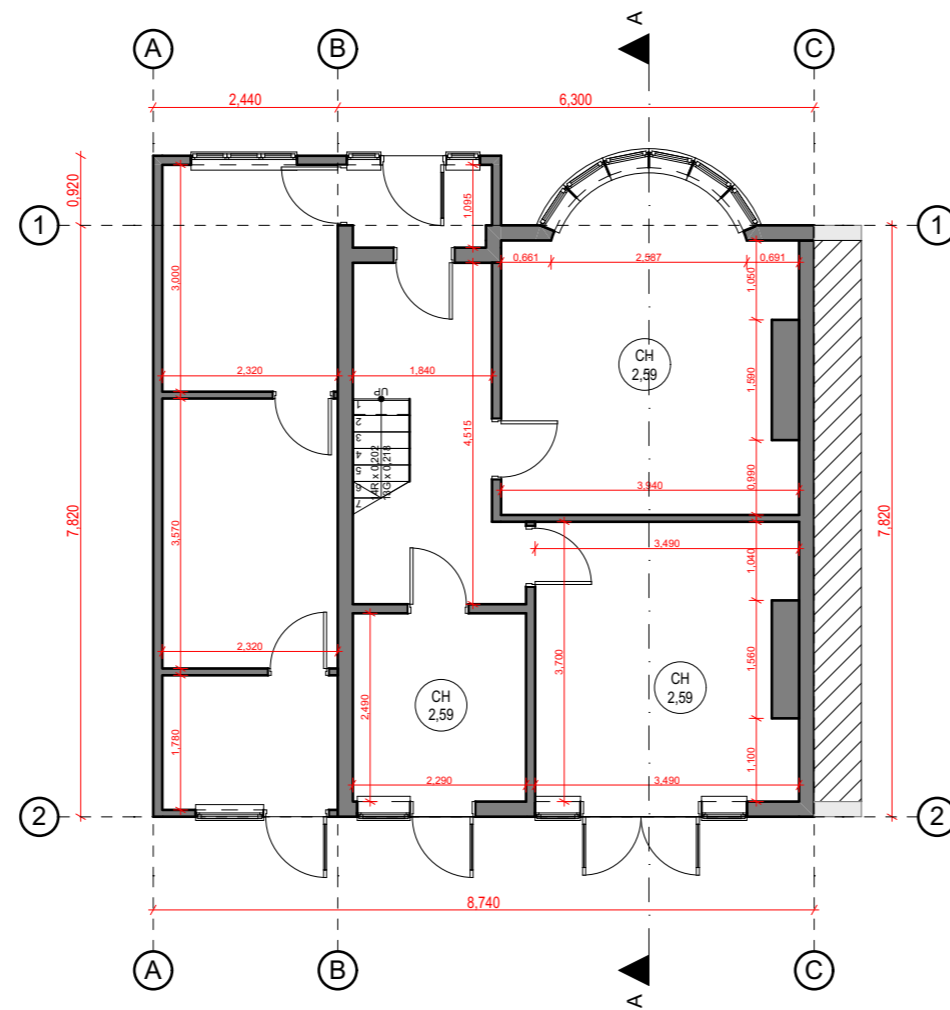
21/02168/PRIEXT

Application Description:

Prior notification application for the construction of a single storey rear extension. The proposed extension will extend beyond the rear wall by 6.00 metres. The maximum height of the proposed extension from the natural ground level is 3.00 metres. The height at eaves level of the proposed extension measured from the natural ground level is 2.80 metres.

Decision:

Approved – Prior Approval Not Required



- Notes:
- 1) All aspects of this drawing are subject to site survey and preparation of full set out drawings by main contractor. Any major discrepancies to be discussed with L'Autre Monde prior to manufacture of components. All areas where heights are critical, are to be surveyed and setting out drawings prepared at the earliest opportunity.
 - 2) All dimensions relating to suppliers or sub-contractors must be checked and agreed between the main contractors and suppliers or subcontractors.
 - 3) This drawing represents design intent only. Specialist sub-contractors are responsible for the accurate, safe and fit for purpose execution of all issues under the domain. Overall responsibility for implementation lies with the main contractor. All variations which may be the result of technical safety requirements must be discussed with L'Autre Monde prior to implementation. Where variations are necessary, profile of original design intent must be maintained or alternative proposals submitted to L'Autre Monde for consideration.
 - 4) Contractor to ensure all details are commensurate with structural stability.
 - 5) All details are to conform with the relevant statutory requirements.
 - 6) All electrical installation to comply with current industry regulations and good practice.
 - 7) All design profiles to be maintained in detailing and manufacturing.
 - 8) If in doubt, as, consult or advise, please do not assume.
 - 9) Drawings and Design © L'Autre Monde Ltd

Rev	Notes	Date
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L'AUTRE MONDE
ARCHITECTURAL
L'Autre Monde Limited
www.lautremonde.co.uk
E: info@lautremonde.co.uk

Client: S Ikbal

Address: 40 Cavendish Garden,
Barking IG11 9DU

Project: **6m REAR EXTENSION**

Drawing:
EXISTING GROUND FLOOR PLAN

Drawing No : E-GFP1	Rev: A
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Drawn By: RRM	Date: 16/11/2021
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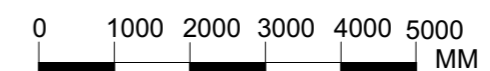
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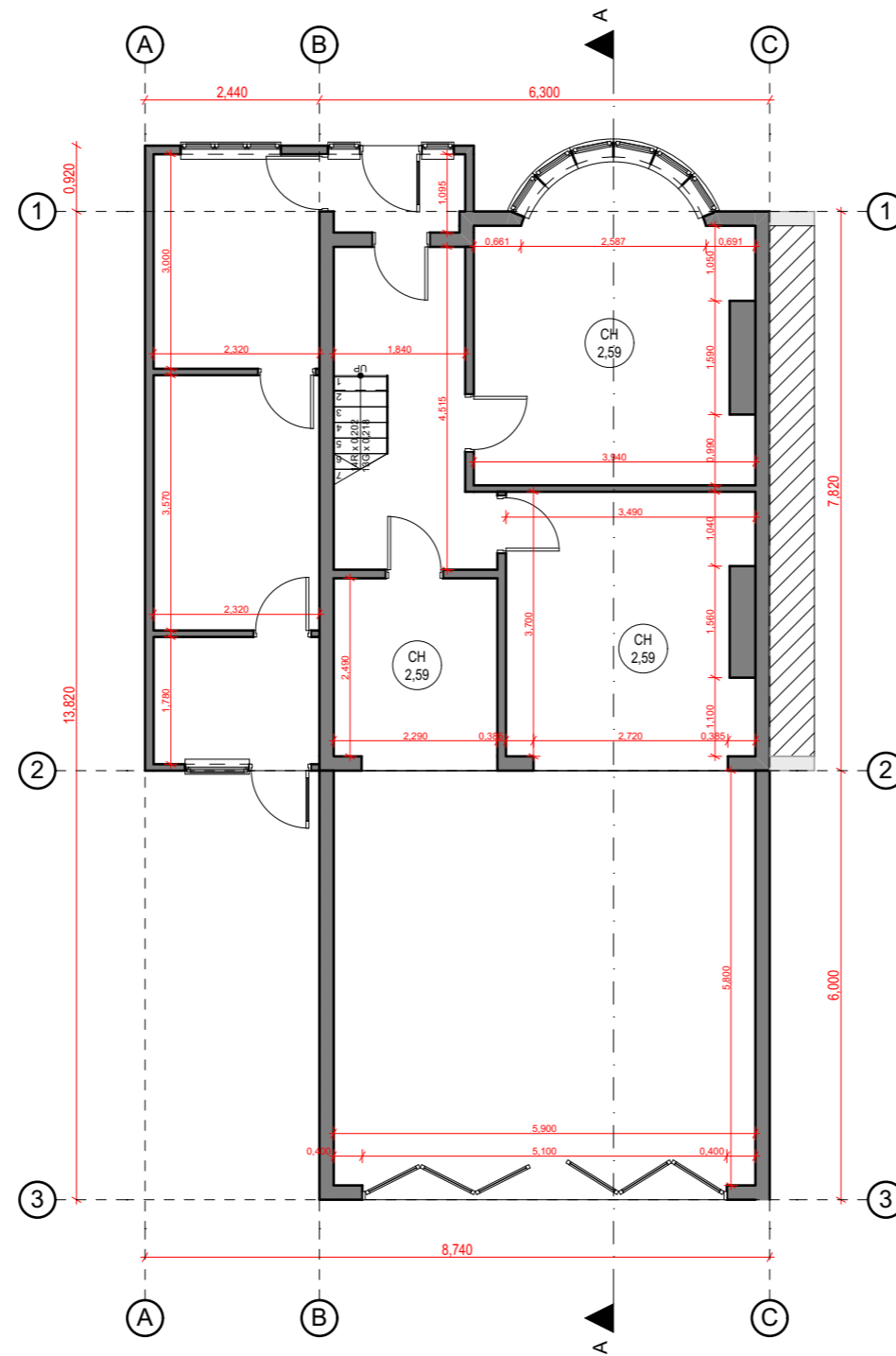
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Other : Printed at A3

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- Notes:
- 1) All aspects of this drawing are subject to site survey and preparation of full set out drawings by main contractor. Any major discrepancies to be discussed with L'Autre Monde prior to manufacture of components. All areas where heights are critical, are to be surveyed and setting out drawings prepared at the earliest opportunity.
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 - 6) All electrical installation to comply with current industry regulations and good practice.
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 - 8) If in doubt, as, consult or advise, please do not assume.
 - 9) Drawings and Design © L'Autre Monde Ltd

Rev	Notes	Date



L'AUTRE MONDE
ARCHITECTURAL
L'Autre Monde Limited
www.lautremonde.co.uk
E: info@lautremonde.co.uk

Client: S Ikbal

Address: 40 Cavendish Garden,
Barking IG11 9DU

Project: **6m REAR EXTENSION**

Drawing:
PROPOSED GROUND FLOOR PLAN

Drawing No :
P-GFP1

Rev:
A

Drawn By: RRM

Date: 16/11/2021

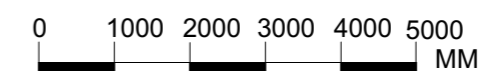
Scale 1:100

PI: n/a

Other : Printed at A3

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Cavendish Gardens

Cavendish Gardens

Cavendish Gardens

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Halsham Cres

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Google

Delegated Report Notification for Prior Approval for a Proposed Larger Home Extension			
Case Officer:	Anna Jennings	Valid Date:	01 December 2021
Officer Recommendation:	Prior Approval Not Required	Expiry Date:	12 January 2022
Application Number:	21/02168/PRIEXT	Recommended Date:	05 January 2022
Address:	40 Cavendish Gardens, Barking, Barking And Dagenham, IG11 9DU		
Proposal:	Prior notification application for the construction of a single storey rear extension. The proposed extension will extend beyond the rear wall by 6.00 metres. The maximum height of the proposed extension from the natural ground level is 3.00 metres. The height at eaves level of the proposed extension measured from the natural ground level is 2.80 metres.		

Neighbour Notification	
Address:	Summary of response:
42 Cavendish Gardens, Barking, Barking And Dagenham, IG11 9DU	No response.
38 Cavendish Gardens, Barking, Barking And Dagenham, IG11 9DU	No response.
21 Halsham Crescent, Barking, Barking And Dagenham, IG11 9HG	No response.
19 Halsham Crescent, Barking, Barking And Dagenham, IG11 9HG	No response.
19 Woodbridge Road, Barking, Barking And Dagenham, IG11 9ER	No response.

Relevant Legislation
<ul style="list-style-type: none"> The Town and Country Planning Act 1990 (as amended) The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 1, Class A

ASSESSMENT

A. Dwellinghouse	
Is the application site a Dwellinghouse?	YES

B. Pre-Commencement & Planning Enforcement	
Have works commenced on site (all or in part) in relation to that proposed?	NO
Is the application site the subject of a related enforcement case?	NO

C. Conservation Area (Article 2(3) land)	
Is the application site located within a Conservation Area (Article 2(3) land)?	NO

D. Permitted Development Rights	
Have the provisions of Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) been removed from YES/NO the application site?	NO

E. Application Clarity	
Has the developer provided sufficient information to enable the authority to establish whether the proposed development complies with the conditions, limitations or restrictions applicable to development permitted by Class A	YES

F. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 1, Class A Criteria

Does the proposed development comply with the conditions, limitations or restrictions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 1, Class A?

YES

CONCLUSION

Prior Approval Not Required

Having regard to the proposed development and further to the assessment above, Prior Approval for a 'Proposed Larger Home Extension' is not required.

LBBB Reference: 21/02168/PRIEXT

Laura Bloomfield
L'autre Monde Candy Wharf, 22 Copperfield Road
London
E3 4RL

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS
AMENDED)**

Dear Sir / Madam,

Application Number: 21/02168/PRIEXT
Address: 40 Cavendish Gardens, Barking, Barking And Dagenham, IG11 9DU
Development Description: Prior notification application for the construction of a single storey rear extension. The proposed extension will extend beyond the rear wall by 6.00 metres. The maximum height of the proposed extension from the natural ground level is 3.00 metres. The height at eaves level of the proposed extension measured from the natural ground level is 2.80 metres.

Thank you for your recent application at the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council.

Yours sincerely,

Marilyn Smith

Marilyn Smith
Head of Planning Assurance
London Borough of Barking and Dagenham

PLANNING DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)

Agent:	Laura Bloomfield L'autre Monde Candy Wharf, 22 Copperfield Road London E3 4RL	Applicant:	Ikbal 40 CAVENDISH GARDENS BARKING E3 4RL
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PART 1 - PARTICULARS OF THE APPLICATION

Application Number: 21/02168/PRIEXT
Application Type: Prior Approval: Larger Home Extension
Development Description: Prior notification application for the construction of a single storey rear extension. The proposed extension will extend beyond the rear wall by 6.00 metres. The maximum height of the proposed extension from the natural ground level is 3.00 metres. The height at eaves level of the proposed extension measured from the natural ground level is 2.80 metres.
Site Address: 40 Cavendish Gardens, Barking, Barking And Dagenham, IG11 9DU
Date Received: 01 December 2021
Date Validated: 01 December 2021

PART 2 - PARTICULARS OF THE DECISION

The London Borough of Barking and Dagenham, as Local Planning Authority, in pursuance of its powers under the above mentioned Act, Rules, Orders and Regulations made thereunder, hereby gives notice that **PRIOR APPROVAL** is **NOT REQUIRED** for the carrying out of the proposal referred to in PART 1 hereof and as described and shown on the plan(s) and document(s) submitted with the application, subject to the conditions and reasons listed below.

Conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby approved shall only be carried out in accordance with the following approved plans and documents:

- P-GFP1- Proposed Ground Floor Plan- 16/11/2021
- P-FFP1- Proposed First Floor Plan- 16/11/2021
- P-RP1- Proposed Roof Floor Plan- 16/11/2021
- P-SEC1- Proposed Section A-A- 16/11/2021
- P-FE1- Proposed Front Elevation- 16/11/2021
- P-RE1- Proposed Rear Elevation- 16/11/2021
- P-SE1- Proposed Side Elevation 1- 16/11/2021
- P-SE2- Proposed Side Elevation 2- 16/11/2021
- Location Plan- 16/11/2021

No other drawings or documents apply.

Reason: To ensure that the development is undertaken in accordance with the approved drawing(s) and document(s), to ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to satisfactorily protect the residential amenities of nearby occupiers.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match

those used in the existing dwellinghouse.

Reason: To ensure that the finished appearance of the development will respect the character and visual amenities of the local area.

Working with the applicant:

In dealing with this application, Be First, working in partnership with the London Borough of Barking and Dagenham, has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) to work with the Applicant in a positive and proactive manner. As with all applicants, Be First has made available detailed advice in the form of statutory policies and all other relevant guidance, as well as offering a full pre-application advice service, so as to ensure the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

DATE OF DECISION: 12/01/2022

Yours sincerely,

Marilyn Smith

Marilyn Smith
Head of Planning Assurance
London Borough of Barking and Dagenham

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
Applicant's Rights following the Grant or Refusal of permission

1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

- **Six (6) months:** Full application (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time and prior approval applications.
- **Twelve (12) weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **Eight (8) weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
- An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice.

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from www.planning-inspectorate.gov.uk or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the council (attn: Planning Appeals Officer).

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are exceptional/special circumstances.

The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

2. Subsequent Application Fees

No planning fee would be payable should a revised planning application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

- the applicant is the same as the applicant of the original application
- site boundary is the same as the site boundary of the original application
- the nature of development remains the same.

3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council.

This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

4. Compensation

In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Working in partnership



**Barking &
Dagenham**

Performance Review Sub-Committee

Application Reference:

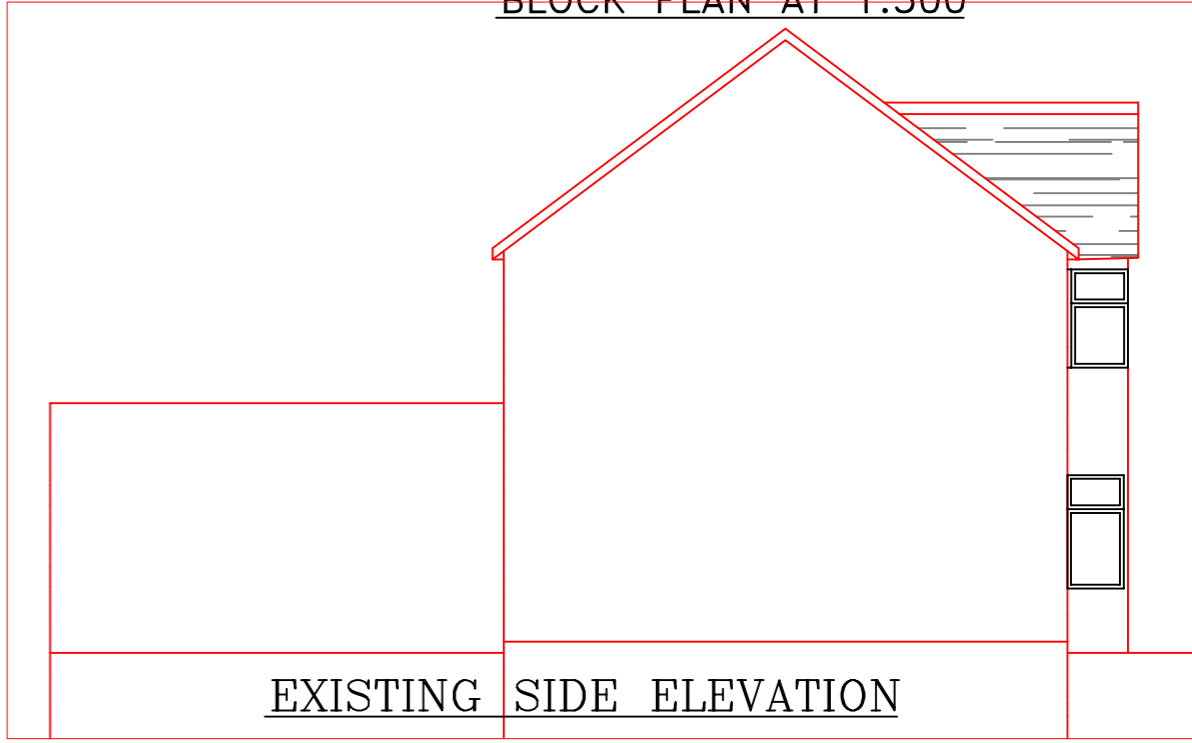
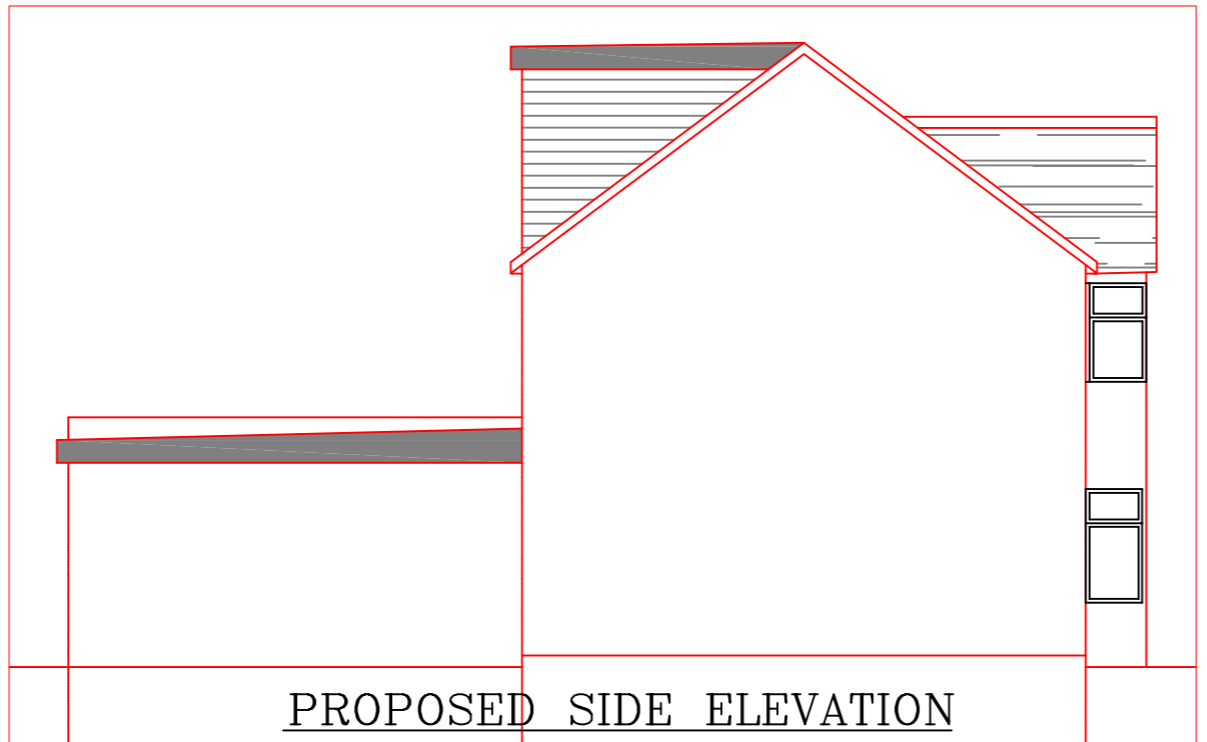
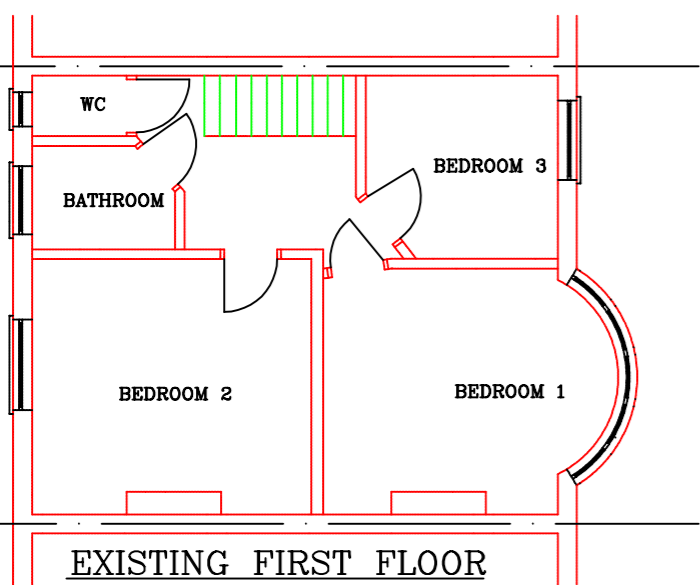
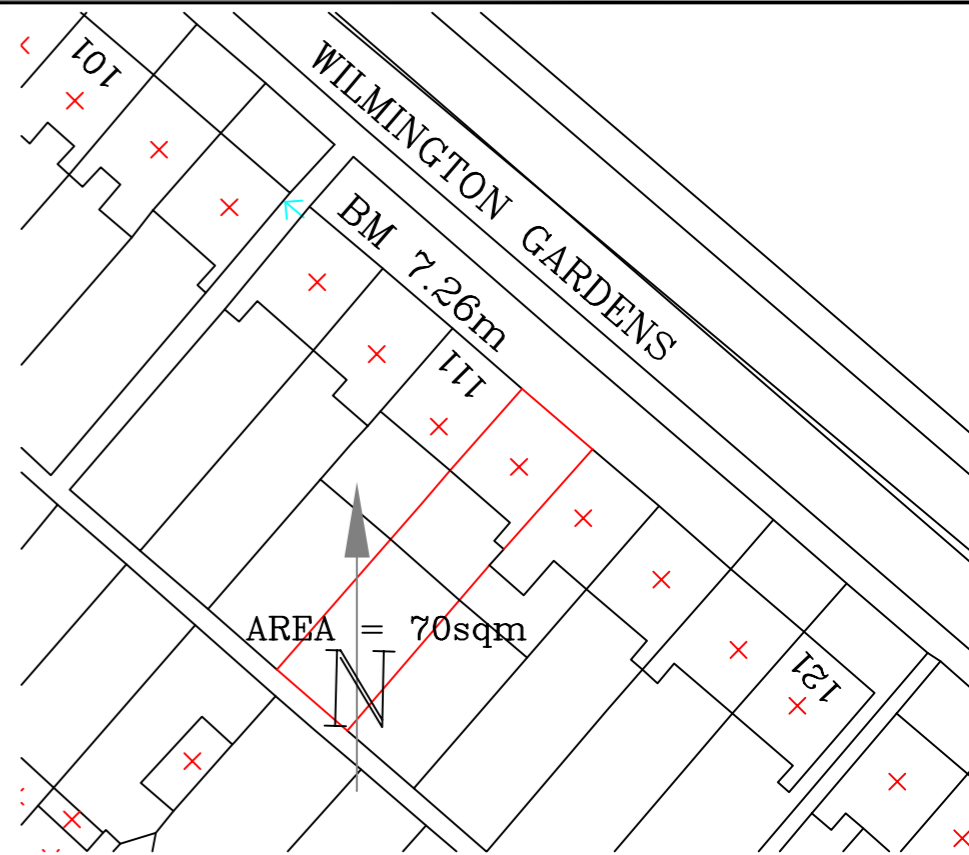
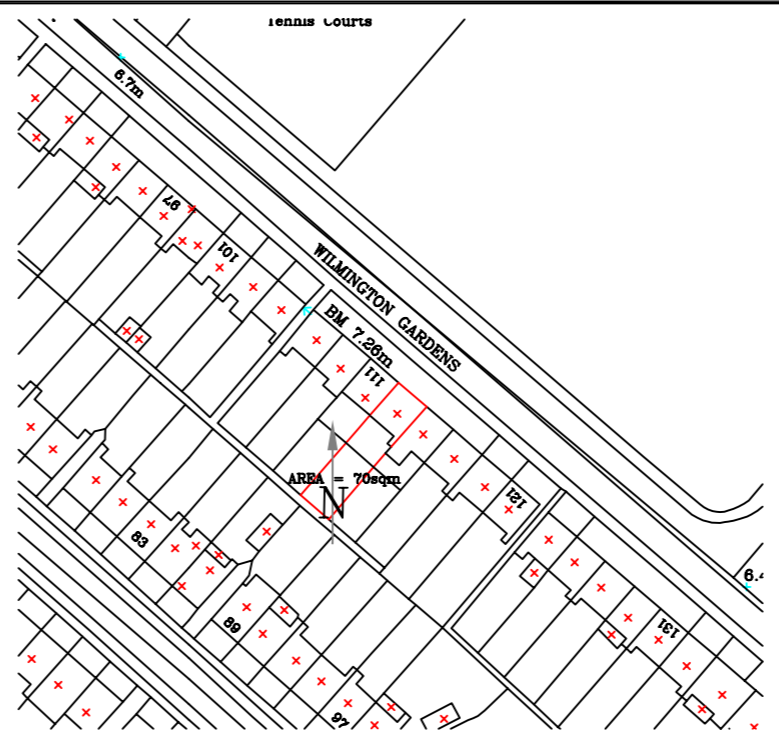
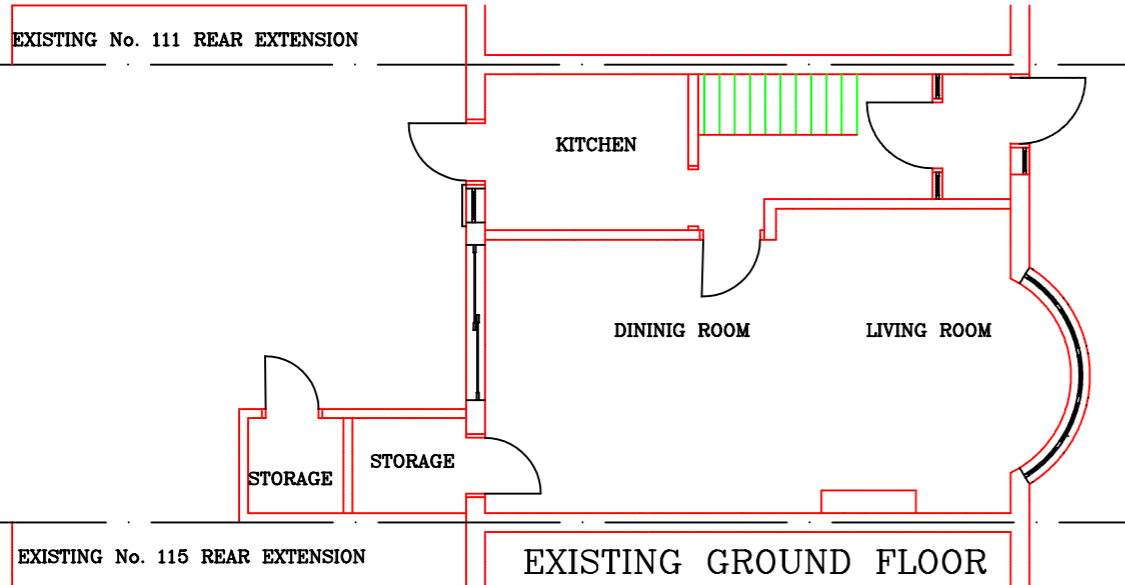
21/00261/FULL

Application Description:

Conversion of existing dwelling into two 3x bedroom flats with the construction of a rear dormer extension including two roof lights to the front to facilitate conversion of roof space into habitable accommodation.

Decision:

Refused



PROPOSAL	CONVERSION OF HOUSE TO 2No. 3 BEDROOMS FLATS	
ADDRESS	113 WILMINGTON GARDEN, BARKING, IG11 9TU	
OWNER	MR BALJIT SINGH	DATE FEBRUARY 2021
DRAWN BY	GU	SCALE 1:100
DRAWING No.	2020/SK/113/1	REV:



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Google

Delegated Report			
Application for Planning Permission			
Case Officer:	Lauren Carroll	Valid Date:	18 February 2021
Officer Recommendation:	REFUSE	Expiry Date:	15 April 2021
Application Number:	21/00261/FULL	Recommended Date:	23 March 2021
Address:	113 Wilmington Gardens, Barking, IG11 9TR		
Proposal:	Conversion of existing dwelling into two 3x bedroom flats with the construction of a rear dormer extension including two roof lights to the front to facilitate conversion of roof space into habitable accommodation.		

Planning Constraints

Please highlight relevant constraints:
None

Site, Situation and Relevant Background Information

The application site is a North east facing terraced 3 bedroom dwellinghouse on the southern western side of Wilmington Gardens. The property is located opposite Eastbury Community School. The application site has approval for a 6.0m rear extension which was approved under planning application 21/00003/PRIEXT. The application is seeking permission for the Conversion of existing dwelling into two 3x bedroom flats with the construction of a rear dormer extension including two roof lights to the front to facilitate conversion of roof space into habitable accommodation.

Key Issues

- Environmental (EIA)
- Principle of the Development
- Dwelling Mix and Quality of Accommodation
- Design and Quality of Materials
- Impacts to Neighbouring Amenity
- Sustainable Transport

ASSESSMENT

Principle of the Development

At a national level the National Planning Policy Framework (NPPF) at Chapter 5 has specific regard to housing stating that 'to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment... [and] within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies'. Therefore, this highlights that it's up to the Local Planning Authority to investigate what type of housing units are required and this should be reflected within Local Planning Policy.

The policies outlined in Chapter 4 (Housing) of the London Plan (2021) acknowledges the stress on housing demand and provides increased targets for Local Authorities and revised policies in respect of ensuring additional housing contribution according to local needs. In both the NPPF and the London Plan (2021), it states that Local Planning Authorities should carry out local housing needs assessments to highlight the different types of housing required within the Borough. When carrying out a local Strategic Housing Marketing Assessment in 2019, it was shown that Barking and Dagenham need to preserve the quantity of family sized (3+ bedroom) dwellinghouses. This housing need has been shown in Local Planning Policy.

The London Plan Policies 2021 aim to deliver the homes that London needs (GG4) by increasing housing supply (H1), supporting new homes on small sites that diversify the type and mix of housing (H2), seeking to ensure that the loss of existing housing is replaced by new housing at higher densities with at least the equivalent level of overall floorspace (H8), and refer to the need for additional family housing and to reduce pressure on the subdivision or conversion of properties (H10). Furthermore, in sub explanation paragraph of Policy H2 (Small Sites) of the London Plan (2021) it states that 'Where existing houses are redeveloped or subdivided, boroughs may require the provision of family-sized units (3 bed + units) providing sufficient design flexibility is provided to allow the existing footprint of a house to be enlarged in order to meet this requirement'

Policy BC4 of the Borough Wide Development Plan (2011) resists the loss, including change of use, of housing with three

bedrooms or more, citing a need to preserve and increase the stock of family housing. This is further supported by policies CM1 and CM2 of the Core Strategy (2010). Whilst policy BC4 of the Borough Wide Development Plan and the Core Strategy were adopted prior to the introduction of the National Planning Policy Framework (NPPF) which was introduced in 2012 (revised in 2019) and the London Plan (2021), the need to preserve family sized dwelling's is further reiterated in the emerging Local Plan. The NPPF states 'Local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given)'. Policy SP 3 of the Draft Local Plan states that in order to address borough's housing need, the Council will seek to ensure development does not undermine the supply of self-contained housing, in particular family homes. Additionally, Policy DMH 4 of the Draft Local Plan notes that the Council is seeking to preserve and increase the stock of family housing in the borough. Proposals for conversions or loss of existing family housing with three bedrooms or more will be resisted.

The application is seeking permission for the conversion of an existing three bedroom dwellinghouse into 2x3 Bedroom flats. It is noted in the policies above the need to retain the number of family sized dwellinghouse's within the Borough. Whilst the proposed development would lead to an increase in 1 three bedroom unit, this would be at the detriment to the loss of a family dwellinghouse. Three Bedroom flats are materially different to a family dwellinghouse with its own garden. Whilst Officer's acknowledge that the proposal would provide an additional unit of housing, would increase the density of the site and would widen the range of housing in the area, as sought by some of the development plan policies referred to above. However, it fails to take into account local need and those benefits would not outweigh the loss of a family home.

To Conclude, the proposed development would lead to the loss of a family sized dwellinghouse, therefore failing to comply with the NPPF, Chapter 4 and Policy H2 of the London Plan, Policies BC4 of the Borough Wide Development Plan, Policies CM1 and CM2 of the Core Strategy, and Policies SP3 and DMH4 of the Draft Local Plan.

Dwelling Mix and Quality of Accommodation

At national level, the 'Technical Housing Standards – Nationally Described Space Standard' deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the gross internal area of new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor-to-ceiling heights. London Plan Policy D4 seek for new housing to achieve the space standards in line with those set at national level. The Local Plan and Draft Local Plan also reiterate the need for housing developments to conform to these requirements.

Policy D6 of the London Plan also sets out the importance for homes across London to be designed to a high quality – 'New homes should have adequately-sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners over their lifetimes. Particular account should be taken of the needs of children, disabled and older people'. Policy D5 of the London Plan also outline that 90% of new build homes should meet requirement M4(2) (accessible and adaptable dwellings) of Building Regulations Approved Document M and that 10% should meet requirement M4(3) (wheelchair user dwellings). This target is reflected at local level by Policy DMD1 of the Draft Local Plan (Regulation 19) 2020.

All proposed dwellings should meet the minimum required internal space standards as set out in the nationally described space standard and generally ensure that all future occupants benefit from good standards of daylight/sunlight provision. The Council seeks to maximise dual aspect units. Single aspect units would need to be justified to ensure high quality internal space is provided.

The opportunity to redevelop/intensify the site and replace an existing building of little design merit is acknowledged. However, it is important that any new development makes a positive contribution to the setting and has an appropriate relationship with neighbouring properties and the surrounding context.

Internal Area

The Technical Housing Standard's and policy D6 of the London Plan states that a double bedroom should have an area of at least 11.5sqm and a Single bedroom of at least 7.5sqm. Furthermore, a property with 2 or more bedroom's should have at least one double bedroom. This is further reiterated in BP6 of the Borough Wide Development Plan. Policy BP6 of the Borough Wide Development Plan states that 3 Bedroom Spaces should have at least 24m2 of Cooking/Eating/Living area's.

The Technical Housing Standard's and Policy D6 of the London Plan list the minimal internal area standards for a 3 bedroom . 1 and 2 storey flats - stated below.

No of people	Internal Area (m2) - 1 Storey	Internal Area (m2) - 2 Storey
4	74	84
5	86	93
6	95	102

The proposed sizes for both units are stated below:

Flat (1) - Ground Floor - 1 Storey

Internal Area = 74.95m² (COMPLIES - 4 PEOPLE)

Bedroom (1) = 13.9m² (COMPLIES - DOUBLE BEDROOM)

Bedroom (2) = 13.3m² (COMPLIES - DOUBLE BEDROOM)

Bedroom (3) = 8.1m² (COMPLIES - SINGLE BEDROOM)

Living Area = 22m² (DOES NOT COMPLY)

Flat (2) - First and Loft Floor - 2 storey

Internal Area = 84.0m² (COMPLIES - 4 PEOPLE)

Bedroom (1) = 14.5m² (COMPLIES - DOUBLE BEDROOM)

Bedroom (2) = 16.3m² (COMPLIES - DOUBLE BEDROOM)

Bedroom (3) = 12.5m² (COMPLIES - DOUBLE BEDROOM)

Living Area = 18.1m² (DOES NOT COMPLY)

External Amenity Space

Policy BP5 of the Borough Wide Development Policies DPD seeks to ensure that appropriate external private and/or communal amenity space to meet the needs generated by the development is provided. Where developments in town centre locations are not able to provide external amenity space on the site the application should demonstrate that suitable alternatives such as useable roof terraces, roof gardens and balconies have been considered and incorporated wherever possible. Furthermore, Policy D6 of the London Plan which states that buildings and development should provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces.

Policy BP5 of the Borough Wide Development Plan states that there should be at least 40m² of external amenity space for 2+ bedroom flats. The Design and Access statement provided states that the 70m² of rear garden will be shared by both flats. Whilst this is below the 40m² recommended external amenity space for a 2+ bedroom flat, as stated in Policy BP5 of the Borough Wide Development Plan, Officer's do not find this significant for a refusal. Furthermore, the application site is located within a 5 minute walking distance to Barking Park.

To Conclude, The both proposed three bedrooms units comply with the minimum internal standards as stated in Policy D6 of the London Plan and the Technical Housing Standard's. Furthermore, whilst the proposed development would not meet the minimum external amenity standard's as stated in Policy BP5 of the Borough Wide Development Plan, due to the close proximity with Barking Park, Officer's find it acceptable.

Design and Quality of Materials

The NPPF details at chapter 12 that good design is a key aspect of sustainable development and the creation of quality buildings and places is fundamental to what the planning and development process should achieve. It reiterates that design quality should be considered throughout the evolution and assessment of individual proposals and that planning permission should be refused for development of poor design.

Such aspirations are further reiterated and detailed within the London Plan within Policy GG1 and Chapter 3 particularly through Policies D1, D3, D4 and D8. Of particular pertinence is Policy D3 which specifically outlines that development must make the best use of land by following a design led approach that optimises the capacity of sites. It explains that the design led approach uses design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. The policy emphasises the importance of responding to local distinctiveness in design, orientation, scale and appearance etc, as well as the experience of such space ie considering neighbouring impacts. Policy D4 specifically emphasises the need for detailed design at application stage. The policy specifically states that design and access statements should demonstrate that the proposal meets the design requirements of the London Plan. It reiterates that maximum detail appropriate for the design stage be provided. This is to ensure clarity over what design has been approved and to avoid future amendments and value engineering resulting in changes that would be detrimental to the design quality. The policy emphasises this is particularly important for residential developments. Assessment of the design of large elements of a development, such as landscaping or building façades, should be undertaken as part of assessing the whole development and not deferred for consideration after planning permission has been granted. It specifies that deferring assessment of the design quality of large elements of a development to the consideration of a

planning condition should be avoided.

Core Strategy Policy CP3 and Borough Wide Policy BP11 both echo the same principles in requiring a high quality of design and a development which responds well to local character and the established pattern of development yet does not detrimentally affect neighbouring amenity.

This is further supported by policies SP2, DMD1 and DMD6 which seek to ensure developments contribute to providing a high quality built environment which contributes positively to the character of the surrounding area. In particular household extensions and alterations need to be designed in a sensitive and appropriate manner and must not significantly impact on the quality of life of surrounding neighbours. This is further supported by policy BP11 of the Borough Wide DPD and policy CP3 of the Core Strategy DPD.

The only changes to the existing dwellinghouse consists of a Loft Conversion including a rear dormer. The application site has a 6.0m rear extension which was approved under application 21/00003/PRIEXT. Officer's note that the rear extension has not been constructed yet. The applicant is also proposing two front rooflights. Loft Conversions with Rear Dormer's are a common form of development on Wilmington Garden's.

Therefore, officer's find the proposal acceptable in terms of design and therefore compliant with the aforementioned policies

Impacts to Neighbouring Amenity

The NPPF, London Plan Chapter 3, LBBB Borough Wide policy BP8 seeks the importance of addressing neighbouring amenity and avoiding unacceptable impacts. Policy D12 of the London Plan additionally has specific focus on the importance of the Agent of Change Principle reiterating the importance of the responsibility of new developments for demonstrating neighbourliness in respect of protecting those existing uses surrounding from complaint from the new residential neighbours.

Policy DMD1 of the Draft Local Plan Reg 19 seeks to ensure all development proposals consider the impact on neighbouring amenity with regard to significant overlooking (loss of privacy and immediate outlook) and overshadowing (unacceptable loss of daylight/sunlight). Policy DMS13 further expands on this noting development proposals which generate an unacceptable level of nuisance including noise, waste, comings and goings and general disturbances will be resisted. This is supported by policy DMD6 of the Draft Local Plan Reg 19 and policy BP8 of the Borough Wide DPD.

The proposed external alterations to the house would include a loft conversion including a rear dormer and a rear extension which was previously approved under planning application 21/00003/PRIEXT. Officer's find the proposed development to not cause any loss of amenities to neighbouring properties.

As the proposed development, would lead to an increase in the number of people on site, the development would lead to an increase in noise at first floor level. Furthermore, the increase in the number of households on site would lead to an increase in the amount of waste generated. However, Officer's dont find it to cause an unacceptable level of nuisance including noise, waste, comings and goings and general disturbance.

Sustainable Transport

The NPPF, London Plan (March 2021) Policies T1 and T4 and LBBB Local Plan Policy DMDT 1 recognise that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. In particular it offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion. Furthermore, London Plan Policy T5 and Local Plan Policy DMT2 highlight the need for Cycling Infrastructure is required for healthy environments. Local Plan Policy DMT2 states that Development will normally be resisted if the proposed development would affect the parking demand in the area. Furthermore, T6 of the London Plan states that Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking.

The site has a PTAL rating of 5 will access to all public transport modes in London. The PTAL measure (Public Transport Access Level), which rates a selected place based on how close it is to public transport and how frequent services are in the area. Therefore, the application site has an excellent level of access to public transport. Table 10.3 of the London Plan notes that outer London areas with a PTAL rating of 5 should be car free.

The Design and Access statement provided states 'There is no impact on transport as there is off street parking available with residence permit holder off street car parking ticket. In addition the Barking railway station and the local shopping centre is just only 5 minutes away. Also the primary school is just in front of the property it's a just a walking distance away'.

Furthermore, comments from the Transport team have stated that they have no objections to the proposal

Therefore, the proposed development complies with the aforementioned policies

Accessibility

Table 3.2 of the London Plan states that The development should ensure that: -the experience of arrival. via footpaths. entrances

and shared circulation spaces is comfortable, accessible and fit for purpose.

Policy CP3 of the core strategy states that new developments should achieve a high standard of inclusive design. It should be legible, usable and permeable, and accessible to all those who may need to use them. Policy BP11 of the Borough Wide Development Plan Document states that development must provide accessible and inclusive features in the development (including access to the site and access to and through the building) so that all potential users, regardless of disability or age can use them easily.

The design and access statement states that 'The access to the first floor residence to the garden is via back ally way which connects the ally way between property numbers 105 and 107'. Officer's have significant safety concerns regarding using this as the only entrance way to the upper level flat. The rear alley way is not pedestrianised and fails to have any street lighting. Therefore, Officer's find the proposed rear entrance unacceptable.

CONCLUSION

Whilst the proposed development meets the minimum internal space standards for 3 bedroom flats and would add an additional 3 bedroom flat within the Borough, the proposed development would lead to the loss of a family sized dwellinghouse which policies seek to retain. The Rear extension previously approved under application 21/0003/PRIEXT was approved in order to allow the applicant to increase the footspace of the original property. The proposed development includes internal and external alterations to provide two smaller three bedroom flats. Although it would retain and add an additional family-sized unit of housing, this would be significantly smaller than the existing dwelling. Proposals which lead to the loss of family sized dwellinghouse's are normally resisted. Furthermore, Officer's have significant safety concerns regarding the proposed back entrance to the upper floor flat. The design and access statement states that 'The access to the first floor residence to the garden is via back ally way which connects the ally way between property numbers 105 and 107'. Officer's have significant safety concerns regarding using this as the only entrance way to the upper level flat. The rear alley way is not pedestrianised and fails to have any street lighting. Therefore, Officer's find the proposed rear entrance unacceptable.

APPENDIX 1

Development Plan Context	
The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:	
National Planning Policy Framework (NPPF) (MHCLG, February 2019)	
London Plan (March 2021)	GG1 Strong and Inclusive Communities GG4 Delivering the homes Londoners need H1 Increasing housing supply H2 Small sites H8 Loss of existing housing and estate redevelopment H10 Housing size mix D1 London's form, character and capacity for growth D3 Optimising site capacity through the design-led approach D4 Delivering good design D5 Inclusive design D6 Housing quality and standards D8 Public realm D12 Fire safety T1 Strategic approach to transport T4 Assessing and mitigating transport impacts T5 Cycling T6 Car Parking
Local Development Framework (LDF) Core Strategy (July 2010)	CM1 General Principles for Development CM2 Managing Housing Growth CP3 High Quality Built Environment
Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)	BC4 Residential Conversions and Houses in Multiple Occupation BP5 External Amenity Space BP6 BP7: Advertisement
<i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at an "advanced" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial weight will be given to the emerging document in decision-making unless other material considerations indicate that it would not be reasonable to do so.</i>	
The London Borough of Barking and Dagenham's Draft Local Plan (Regulation 19 Consultation Version, October 2020)	SP3 Delivering homes that meet peoples' needs DMSI3 Nuisance DMD1 Securing high-quality design DMD6 Householder extensions and alteration DMT1 Making better connected neighbourhoods DMT2 Car Parking
	DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended) Housing Supplementary Planning Guidance (GLA, March 2016, Updated

APPENDIX 2

Relevant Planning History			
Application Number:	21/00003/PRIEXT	Status:	Prior Approval Not required
Description:	Prior notification application for the construction of a single storey rear extension and installation of three roof lights. The proposed extension will extend beyond the rear wall by 6.00 metres. The maximum height of the proposed extension from the natural ground level is 3.15 metres. The height at eaves level of the proposed extension measured from the natural ground level is 3.00 metres.		

APPENDIX 3

Consultations		
<i>Consultee:</i>	<i>Date Consulted:</i>	<i>Summary of response:</i>
Transport		Based on the information provided it is our considered view that there is no apparent adverse highway safety issue or any substantial reason to object.
Access		<ul style="list-style-type: none"> • Door widths to be a minimum clear width of 775mm – 800mm clear width preferred. • Shower room seems very small, please consider a sliding door as this will take up less space, please can client provide specification for shower room? • 750mm space will be required in front of WC.
Env Health	18/02/2021	It is not clear from the application if ground works are proposed. If so the contaminated land condition should be attached.

APPENDIX 4

Neighbour Notification	
Date Consultation Letter Sent:	18/02/2021
<i>No response received.</i>	
Address:	Summary of response:

LBBD Reference: 21/00261/FULL

Baljit Singh
113 WILMINGTON GARDENS
BARKING
IG11 9TR

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS
AMENDED)**

Dear Sir / Madam,

Application Number: 21/00261/FULL
Address: 113 Wilmington Gardens, Barking, IG11 9TR
Development Description: Conversion of existing dwelling into two 3x bedroom flats with the construction of a rear dormer extension including two roof lights to the front to facilitate conversion of roof space into habitable accommodation.

Thank you for your recent application at the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council.

Yours sincerely,

Graeme Cooke

Graeme Cooke
Director of Inclusive Growth
London Borough of Barking and Dagenham

PLANNING DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)

Agent: **Applicant:** Baljit Singh
113 WILMINGTON GARDENS
BARKING

PART 1 - PARTICULARS OF THE APPLICATION

Application Number: 21/00261/FULL
Application Type: Full Planning Permission
Development Description: Conversion of existing dwelling into two 3x bedroom flats with the construction of a rear dormer extension including two roof lights to the front to facilitate conversion of roof space into habitable accommodation.
Site Address: 113 Wilmington Gardens, Barking, IG11 9TR
Date Received: 14 February 2021
Date Validated: 18 February 2021

PART 2 - PARTICULARS OF THE DECISION

The London Borough of Barking and Dagenham, as Local Planning Authority, in pursuance of its powers under the above mentioned Act, Rules, Orders and Regulations made thereunder, hereby gives notice that PLANNING PERMISSION has been **REFUSED** for the carrying out of the development referred to in PART 1 hereof and as described and shown on the plan(s) and document(s) submitted with the application for the reason(s) listed below.

Reason(s):

1. The conversion of the dwelling into 2x 3 bedroom flats would result in the loss of a 3 bedroom family dwelling house to the detriment of the stock of larger homes in the borough, contrary to NPPF, therefore, the development is contrary to:

- NPPF
- Chapter 4 and Policies H2, H8 and H10 of the London Plan
- Policies BC4 of the Borough Wide Development Plan
- Policies CM1 and CM2 of the Core Strategy
- Policies SP3 and DMH4 of the Draft Local Plan.

2. The proposed rear alley entrance to the upper floor flat is not pedestrianized and fails to have any street lighting. The alley way is therefore deemed not safe or acceptable. The proposal therefore fails to comply with:

NPPF

Policy CP3 of the Core Strategy

Policy BP11 of the Borough Wide Development Plan

Informative(s):

The application hereby refused has been considered against the following plan(s) and/or document(s) submitted with the application:

1 - Block Plan and Proposed Side Elevations - Feb 2021

2 - Proposed Ground Floor Plan - Feb 2021

3 - Proposed First Floor and Loft Plans - Feb 2021

4 - Structural Layout and Section Plan - Feb 2021

Design and Access Statement

The above policies can be viewed on the Council's website: www.lbbd.gov.uk/planning.

Working with the applicant:

In dealing with this application, Be First, working in partnership with the London Borough of Barking and Dagenham, has implemented the requirements of the National Planning Policy Framework and the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. As with all applicants, Be First has made available detailed advice in the form of statutory policies and all other relevant guidance, as well as offering a full pre-application advice service, so as to ensure the applicant has been given every opportunity to submit an application which is likely to be considered favourably. The necessary amendments to make the application acceptable are substantial and would materially change the proposal. They would require further consultations to be undertaken prior to determination, which could not take place within the statutory determination period specified by the Department of Communities and Local Government. You are therefore encouraged to consider submission of a fresh application incorporating material amendments such as to satisfactorily address the reasons for refusal attached.

DATE OF DECISION: 13/04/2021

Yours sincerely,

Graeme Cooke

Graeme Cooke

Director of Inclusive Growth

London Borough of Barking and Dagenham

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
Applicant's Rights following the Grant or Refusal of permission

1. Appeals to the Secretary of State

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- **Six (6) months:** Full application (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time and prior approval applications.
- **Twelve (12) weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **Eight (8) weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
- An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice.

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from www.planning-inspectorate.gov.uk or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the council (attn: Planning Appeals Officer).

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are exceptional/special circumstances.

The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

2. Subsequent Application Fees

No planning fee would be payable should a revised planning application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

- the applicant is the same as the applicant of the original application
- site boundary is the same as the site boundary of the original application
- the nature of development remains the same.

3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council.

This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

4. Compensation

In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Working in partnership



**Barking &
Dagenham**

Performance Review Sub-Committee

Application Reference:

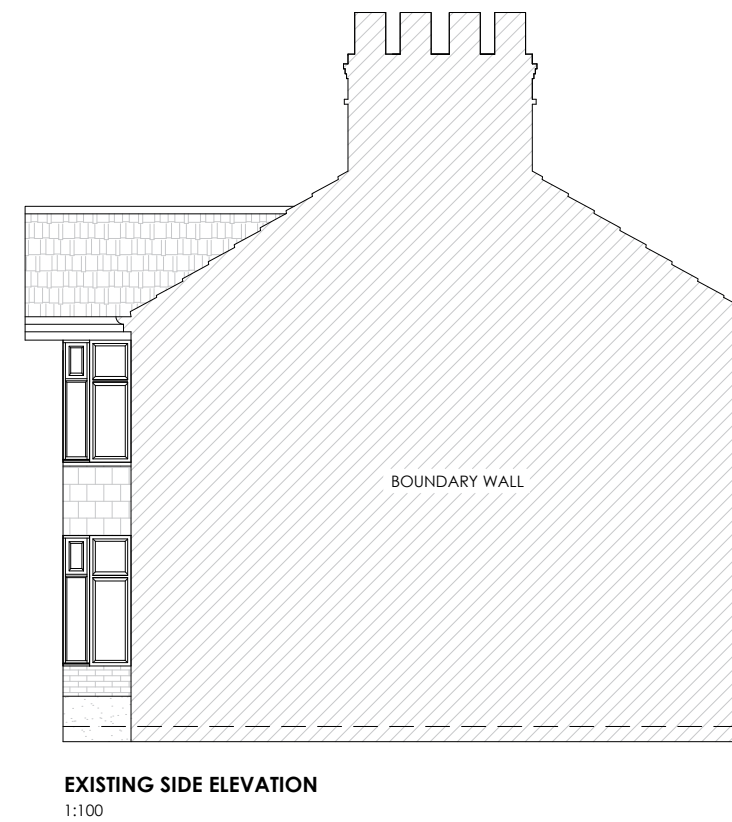
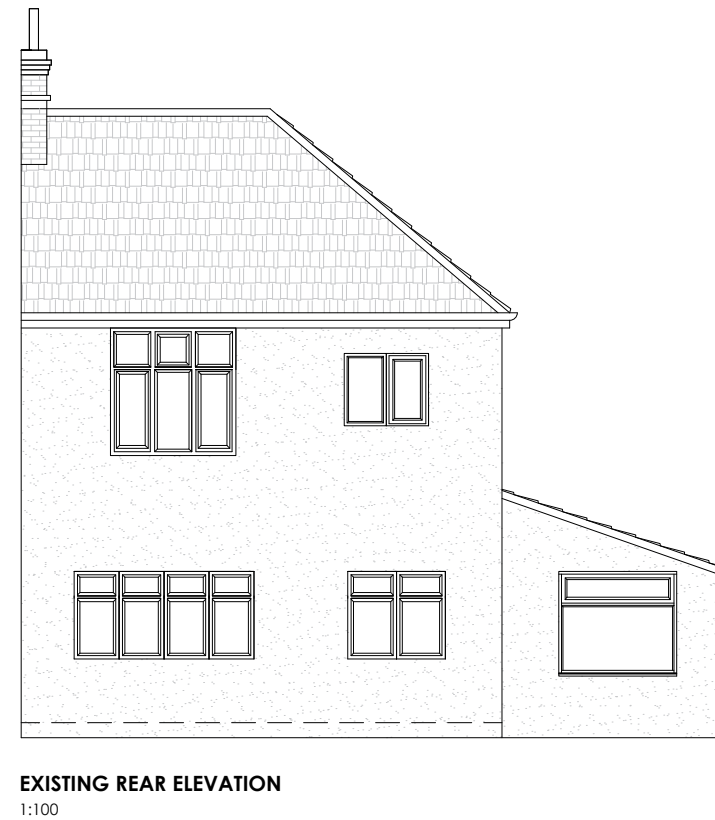
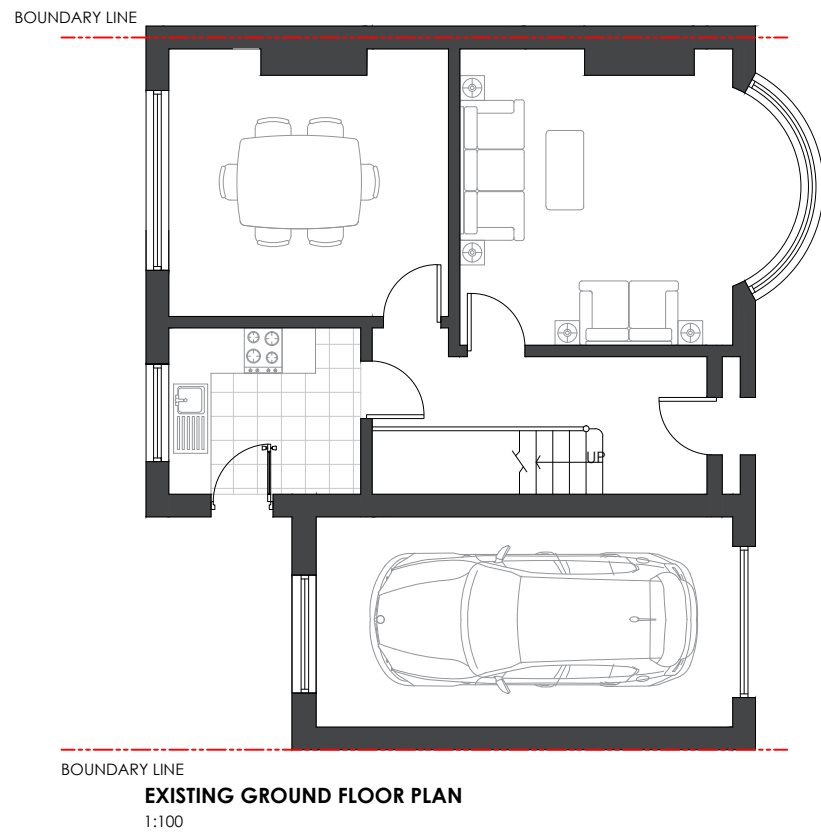
21/00543/PRIEXT

Application Description:

Prior notification application for the construction of a single storey rear extension. The proposed extension will extend beyond the rear wall by 6.00 metres. The maximum height of the proposed extension from the natural ground level is 3.00 metres. The height at eaves level of the proposed extension measured from the natural ground level is 3.00 metres.

Decision:

Approved – Prior Approval Not Required



LIABILITY

NO LIABILITY IS ACCEPTED TO ANY THIRD PARTY RELYING ON INFORMATION CONTAINED IN THIS DRAWING.

CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORK ON SITE OR PREPARING CONSTRUCTION DRAWINGS.

PARTY WALL

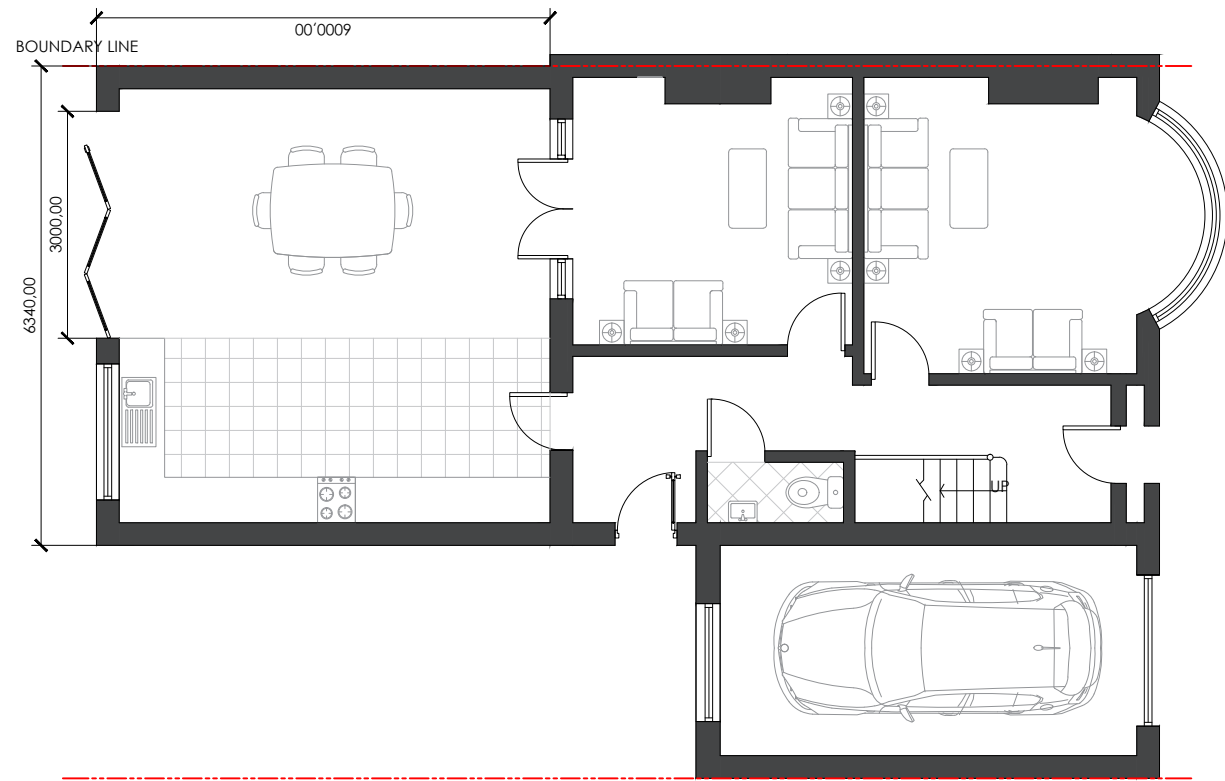
WORKS TO A PARTY WALL STRUCTURE OR WITHIN 3 METRES OF THE LINE OF JUNCTION WILL REQUIRE NOTICES SERVED UPON YOUR NEIGHBOUR(S).

WHERE DISPUTES ARISE, A PARTY WALL AWARD MAY NEED TO BE PREPARED PRIOR TO ANY WORKS COMMENCING ON SITE.

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EXISTING PLANS AND ELEVATIONS

SITE LOCATION: 50 HALSHAM CRESCENT
 DRAWING NO: 18/679/002 REVISION: -
 SCALE: 1:100@A3 DATE: 22 MARCH 2021
 DRAWN BY: HK CHECKED BY: MA



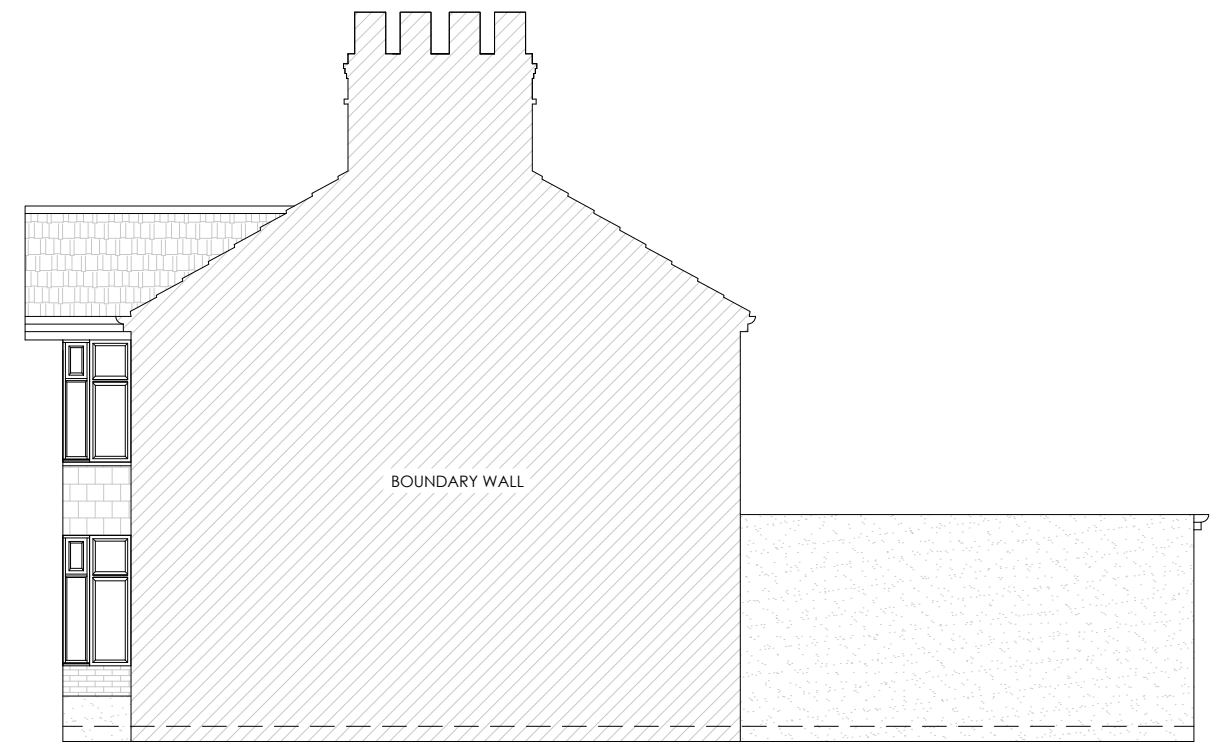
BOUNDARY LINE
PROPOSED GROUND FLOOR PLAN
 1:100



PROPOSED REAR ELEVATION
 1:100



PROPOSED SIDE ELEVATION
 1:100



PROPOSED SIDE ELEVATION
 1:100



LIABILITY
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PARTY WALL
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 WHERE DISPUTES ARISE, A PARTY WALL AWARD MAY NEED TO BE PREPARED PRIOR TO ANY WORKS COMMENCING ON SITE.

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PROPOSED PLANS AND ELEVATIONS

SITE LOCATION: 50 HALSHAM CRESCENT
 DRAWING NO: 18/679/003
 SCALE: 1:100@A3
 DRAWN BY: HK

REVISION: -
 DATE: 22 MARCH 2021
 CHECKED BY: MA





Reliance Mortgages

Cavendish Gardens

Halsham Cres

Oulton Cres

Cavendish Gardens

Cavendish Gardens

Halsham Cres

Oulton Cres

78

Delegated Report

Notification for Prior Approval for a Proposed Larger Home Extension

Case Officer:	Kathryn McAllister	Valid Date:	24 March 2021
Officer Recommendation:	Prior Approval Not Required	Expiry Date:	05 May 2021
Application Number:	21/00543/PRIEXT	Recommended Date:	19 April 2021
Address:	50 Halsham Crescent, Barking, IG11 9HG		
Proposal:	Prior notification application for the construction of a single storey rear extension. The proposed extension will extend beyond the rear wall by 6.00 metres. The maximum height of the proposed extension from the natural ground level is 3.00 metres. The height at eaves level of the proposed extension measured from the natural ground level is 3.00 metres.		

Neighbour Notification	
Address:	Summary of response:
Anonymous	We support this application
58 Cavendish Gardens	No Response Received
56 Cavendish Gardens	No Response Received
62 Cavendish Gardens	No Response Received
60 Cavendish Gardens	No Response Received
48 Halsham Crescent	No Response Received
71 Oulston Crescent	No Response Received
69 Oulston Crescent	No Response Received
75 Oulston Crescent	No Response Received
73 Oulston Crescent	No Response Received
75a Oulston Crescent	No Response Received

Relevant Legislation
<ul style="list-style-type: none"> The Town and Country Planning Act 1990 (as amended) The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 1, Class A

ASSESSMENT

A. Dwellinghouse	
Is the application site a Dwellinghouse?	YES
Officer comment: (if NO)	

B. Pre-Commencement and Planning Enforcement	
Had works commenced on the proposed development on the date the application was submitted?	NO
Is the development proposed the subject of a related enforcement case?	NO
Officer comment: (if YES)	

C. Conservation Area (Article 2(3) land)	
Is the application site located within a Conservation Area (Article 2(3) land)?	NO
Officer comment: (if YES)	

D. Permitted Development Rights	
Have the relevant provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted	

Development) (England) Order 2015 (as amended) been removed from the application site?	NO
Officer comment: (if YES)	

E. Application Clarity	
Has the developer provided sufficient information to enable the authority to establish whether the proposed development complies with the relevant conditions, limitations or restrictions as detailed within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)?	YES
Officer comment: (if NO)	

F. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 1, Class A Criteria	
Does the proposed development comply with the relevant conditions, limitations or restrictions of Part 1, Class A of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)?	YES

CONCLUSION	
Prior Approval Not Required	
Having regard to the proposed development and further to the assessment above, Prior Approval for a 'Proposed Larger Home Extension' is not required.	

LBBB Reference: 21/00543/PRIEXT

CITYSCAPE PA
6 ,spencer Way,london,e1 2pn,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS
AMENDED)**

Dear Sir / Madam,

Application Number: 21/00543/PRIEXT
Address: 50 Halsham Crescent, Barking, IG11 9HG
Development Description: Prior notification application for the construction of a single storey rear extension. The proposed extension will extend beyond the rear wall by 6.00 metres. The maximum height of the proposed extension from the natural ground level is 3.00 metres. The height at eaves level of the proposed extension measured from the natural ground level is 3.00 metres.

Thank you for your recent application at the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council.

Yours sincerely,

[Graeme Cooke](#)

Graeme Cooke
Director of Inclusive Growth
London Borough of Barking and Dagenham

PLANNING DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)

Agent: CITYSCAPE PA
6 ,spencer Way,london,e1 2pn,
Applicant: Sumer Younas

PART 1 - PARTICULARS OF THE APPLICATION

Application Number: 21/00543/PRIEXT
Application Type: Prior Approval: Larger Home Extension
Development Description: Prior notification application for the construction of a single storey rear extension. The proposed extension will extend beyond the rear wall by 6.00 metres. The maximum height of the proposed extension from the natural ground level is 3.00 metres. The height at eaves level of the proposed extension measured from the natural ground level is 3.00 metres.
Site Address: 50 Halsham Crescent, Barking, IG11 9HG
Date Received: 24 March 2021
Date Validated: 24 March 2021

PART 2 - PARTICULARS OF THE DECISION

The London Borough of Barking and Dagenham, as Local Planning Authority, in pursuance of its powers under the above mentioned Act, Rules, Orders and Regulations made thereunder, hereby gives notice that **PRIOR APPROVAL** is **NOT REQUIRED** for the carrying out of the proposal referred to in PART 1 hereof and as described and shown on the plan(s) and document(s) submitted with the application, subject to the conditions and reasons listed below.

Conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby approved shall only be carried out in accordance with the following approved plans and documents: -

- 18/679/001 Site Location and Block Plan Dated 23.03.2021
- 18/679/003 Proposed Plans and Elevations Dated 22.03.2021

No other drawings or documents apply.

Reason: To ensure that the development is undertaken in accordance with the approved drawing(s) and document(s), to ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to satisfactorily protect the residential amenities of nearby occupiers.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwellinghouse.

Reason: To ensure that the finished appearance of the development will respect the character and visual amenities of the local area.

Working with the applicant:

In dealing with this application, Be First, working in partnership with the London Borough of Barking and Dagenham, has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning

(Development Management Procedure) (England) Order 2015 (as amended) to work with the Applicant in a positive and proactive manner. As with all applicants, Be First has made available detailed advice in the form of statutory policies and all other relevant guidance, as well as offering a full pre-application advice service, so as to ensure the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

DATE OF DECISION: 26.04.2021

Yours sincerely,

[Graeme Cooke](#)

Graeme Cooke

Director of Inclusive Growth

London Borough of Barking and Dagenham

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
Applicant's Rights following the Grant or Refusal of permission

1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

- **Six (6) months:** Full application (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time and prior approval applications.
- **Twelve (12) weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **Eight (8) weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
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This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

4. Compensation

In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Working in partnership



**Barking &
Dagenham**

Performance Review Sub-Committee

Application Reference:

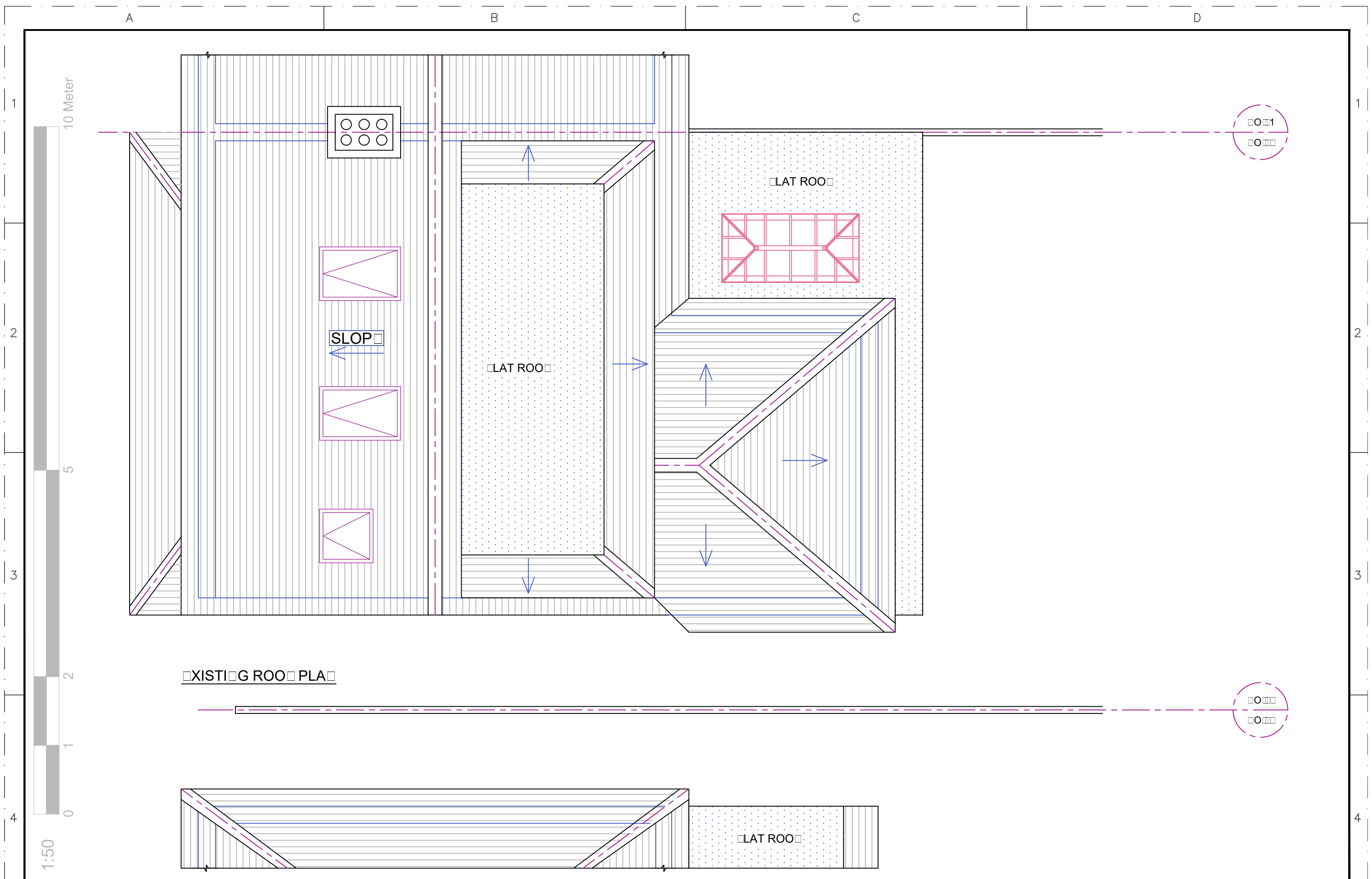
21/00434/HSE

Application Description:

Roof alteration to the existing first floor rear extension

Decision:

Refused



REFERENCE DRAWINGS

GENERAL NOTES
 This drawing is for planning use only do not use this drawing for any purpose other than that for which it was issued.
 Structural Design and Building Control Approval is required before construction commences.
 This drawing is subject to copyright do not reproduce this drawing without prior permission.

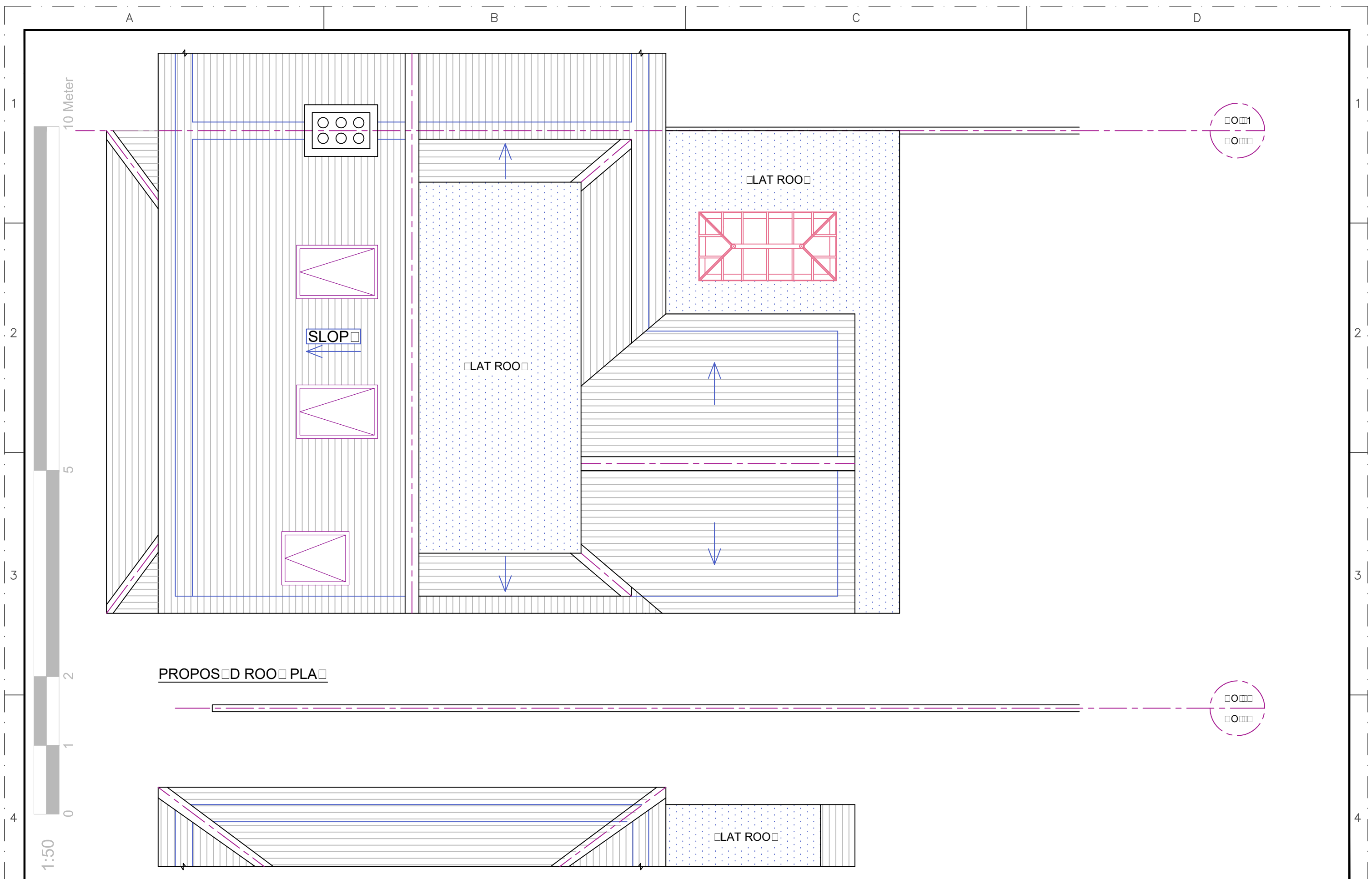
No	DATE	REVISION	BY	CHK

CONTACT
 CIVIL ENGINEERS
 STRUCTURAL ENGINEERS
 ARCHITECTURAL DESIGNERS
 CONSULTING LTD.

DRAWN	MK
CHECKED	A.R
PROJECT NO.	

CLIENT/PROJECT
 SOTHWOLD DRIVE
 TITLE
 EXISTING ROOF PLAN

DRAWING No.	D05
SCALE:	1:50 @A3
DATE:	10-03-2021



PROPOSED ROOF PLAN

REFERENCE DRAWINGS

GENERAL NOTES
 This drawing is for planning use only do not use this drawing for any purpose other than that for which it was issued.
 Structural Design and Building Control Approval is required before construction commences.
 This drawing is subject to copyright do not reproduce this drawing without prior permission.

No	DATE	REVISION	BY	CHK

CONTACT
 CIVIL CONSULTING LTD.
 CIVIL ENGINEERS
 STRUCTURAL ENGINEERS
 ARCHITECTURAL DESIGNERS
 CONTACT: 0115 951 1111

DRAWN	MK
CHECKED	A.R
PROJECT NO.	

CLIENT/PROJECT
 SOUTHWOLD DRIVE
 TITLE
 PROPOSED ROOF PLAN

DRAWING No.	D06
SCALE:	1:50 @A3
DATE:	10-03-2021



Southwold Dr

Southwold Dr

Southwold Dr

Southwold Dr

Westrow Dr

Westrow Dr

Westrow Dr

88

Google

205

203

199

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Delegated Report

Householder Application for Planning Permission for Works or Extension to a Dwelling

Case Officer:	Orla Bermingham	Valid Date:	11 March 2021
Officer Recommendation:	Refuse	Expiry Date:	06 May 2021
Application Number:	21/00434/HSE	Recommended Date:	30 March 2021
Address:	23 Southwold Drive, Barking, IG11 9AT		
Proposal:	Roof alteration to the existing first floor rear extension		

Neighbour Notification

Date Consultation Letter Sent:	11/03/2021
Number of Neighbours Consulted:	2
<i>No response received.</i>	

Relevant Planning History

Application Number:	21/00255/CLUP	Status:	Lawful
Description:	<i>Application for a lawful development certificate (proposed) for the construction of a hip-to-gable roof extension to accommodate a rear dormer extension including three roof lights to the front to facilitate conversion of roof space into habitable accommodation.</i>		
Application Number:	20/02413/HSE	Status:	Refused
Description:	<i>Construction of a Hip to gable roof extension to accommodate a rear dormer extension including two rooflights to the front, one rooflight to both sides and a balcony to the rear to facilitate conversion of roof space into habitable accommodation</i>		
Application Number:	20/02402/CLUP	Status:	Not Lawful
Description:	<i>Application for a lawful development certificate (proposed) for the construction of a rear a side dormer window including two rooflight to the front and a rooflight to the side and a Juliette balcony to facilitate conversion of roof space into habitable accommodation.</i>		
Application Number:	18/00393/PRIOR6	Status:	Prior Approval Refused
Description:	<i>Application for prior approval of proposed single storey rear extension (depth: 5.0 metres; height to eaves: 3.0 metres and maximum height: 3.2 metres).</i>		
Enforcement Case:	18/00847/FUL	Status:	Approved
Alleged breach:	<i>Erection of part single/part two storey rear extension, front porch and canopy to front elevation</i>		

Development Plan Context

The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:

National Planning Policy Framework (NPPF) (MHCLG, February 2019)

London Plan (March 2021)	Policy D1 - London's Form, Character and Capacity for Growth Policy D4 - Delivering Good Design Policy D8 - Public Realm
Local Development Framework (LDF) Core Strategy (July 2010)	Policy CR2 - Preserving and Enhancing the Natural Environment Policy CP3 - High Quality Built Environment
Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)	Policy BP8 - Protecting Residential Amenity Policy BP11 - Urban Design

The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at an "advanced" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.

	Policy SP2 - Delivering a well-designed, high quality and resilient built environment
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The London Borough of Barking and Dagenham's Draft Local Plan (Regulation 19 Consultation Version, October 2020)	Policy SP4 - Delivering quality design in the borough. Policy DMD1 - Securing high quality design Policy DMD6 - Householder extensions and alterations Policy DMNE3 - Nature conservation and biodiversity
Supplementary Planning Documents	Residential Extensions and Alterations (SPD) (February 2012)

ASSESSMENT

Principle of the Development	
<i>Is the proposed development acceptable 'in principle'?</i>	YES
<i>Officer Comment:</i>	The overriding objective of the local policies is to deliver high quality development which improves the quality and distinctive identity of places and meets the housing needs of existing and future residents. As such, it is acknowledged that extensions to existing family dwelling houses can facilitate additional and enhanced living space for improved living conditions for occupants. They are therefore considered acceptable in principle subject to ensuring a high-quality, neighbourly design. Such matters are addressed below.

Achieving High Quality of Urban Design	
<i>Does the proposed development respect the character and appearance of the existing dwelling?</i>	YES
<i>Does the proposed development respect and accord to the established local character?</i>	YES
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points</i>	YES
<i>Is the proposed development acceptable and policy compliant?</i>	YES
<i>Officer Comment:</i>	<p>The application site is an end of terrace on the western side of Southwold Drive. The application seeks permission for a roof alteration to the existing first floor rear extension.</p> <p>Policy SP 2 of the Draft Local Plan (Regulation 19) reiterates that the Council will promote high-quality design, providing a safe, convenient, accessible and inclusive built environment and interesting public spaces and social infrastructure for all through recognising and celebrating local character and the borough's heritage, adopting a design-led approach to optimising density and site potential by responding positively to local distinctiveness and site context. Policy DMD 1 of the Draft Local Plan states that all development proposals should be creative and innovative, recognising that existing local character and accommodating change is not mutually exclusive, architecture should be responsive, authentic, engaging, and have an enduring appeal. Policy DMD 6 of the Draft Local Plan notes that householder extensions and alterations will need to be designed in a sensitive and appropriate manner, being sympathetic to the design of the original dwelling with regards to scale, form, materials and detailing.</p> <p>The Supplementary Planning Document states that dormer windows should, in the vast majority of circumstances, be located to the rear of your property. Dormers at the front and side of a property will, in most circumstances, be out of character with the surrounding area and will be considered unacceptable. The proposed dormer window is situated on the rear elevations of the roof, so does not threaten the street scene.</p> <p>The Supplementary Planning Document also notes that dormer windows should be designed so that it sits entirely within the roof slope and does not unduly dominate the house. No part of the dormer should extend above the ridge and beyond eaves or flanks of the roof. The front edge of the dormer should be set back from the eaves of the roof to avoid the roof being squared off.</p> <p>The proposed plans present a dormer extension which sits within the proposed hip to gable extension, which therefore alters the existing roof slope. This raises concern over the proposed development unduly dominating the house, failing to compliment the appearance of the existing dwellinghouse. However, officers acknowledge the proposed hip to gable extension is relatively small scale, therefore resulting in minimal disruption to the appearance of the existing dwellinghouse.</p> <p>Officers acknowledge the similar 21/02413/HSE application, however the current application differs through the addition of a dormer window on the original roofscape. This heavily develops the property at roof level. Furthermore, officers acknowledge the efforts to address concerns previously raised in the 21/02413/HSE application through the removal of the proposed balcony. However, the proposed balcony has been replaced with a juliet balcony. This still relies upon the massing at roof level, and presents a discordant feature within the surrounding area. However, officers do not consider this to warrant a reason for refusal.</p>

For the reasons above, officers consider the proposed development appropriate in design and in accordance with the objectives of the NPPF, Policy D4 of the London Plan, Policy SP 2, DMD 1 and DMD 6 of the Draft Local Plan (Regulation 19), and the Supplementary Planning Document.

Delivering Neighbourly Development								
	25 Southwold Drive	21 Southwold Drive	N/A			25 Southwold Drive	21 Southwold Drive	N/A
Outlook:				Overshadowing:				
Loss from habitable rooms?	NO	NO		Shadow cast into rooms?	YES	NO		
Is it unacceptable?				Is it unacceptable?	NO			
				Shadow into garden?	NO	NO		
Loss of Privacy:				Is it unacceptable?				
Overlooking the garden?	YES	YES						
Is it unacceptable?	YES	YES		Overbearing:				
Overlooking into rooms?	NO	NO		Impact on habitable rooms?	NO	NO		
Is it unacceptable?				Is it unacceptable?				
				Impact on gardens?	YES	YES		
Loss of Daylight:				Is it unacceptable?	YES	YES		
Loss into habitable rooms?	NO	NO						
Is it unacceptable?								
Officer Comment:	<p>The application site is an end of terrace on the western side of Southwold Drive. The application seeks permission for a roof alteration to the existing first floor rear extension.</p> <p>The NPPF and the London Plan Policies both have relevance to the importance of quality development in addressing neighbouring amenity and avoiding unacceptable impacts. Policy DMD 1 of the Draft Local Plan (Regulation 19) states that all development proposals should consider the impact on the amenity of neighbouring properties with regard to significant over looking (loss of privacy and immediate outlook) and overshadowing (unacceptable loss of daylight and sunlight), wind and microclimate. Policy DMD 6 of the Draft Local Plan (Regulation 19) notes that householder extensions and alterations will need to be designed in a sensitive and appropriate manner, considering the impact on the amenity of neighbouring proper ties, avoiding significant over looking (loss of privacy and immediate outlook) and over shadowing (loss of daylight and sunlight).Policy BP8 and BP11 of the Local Development Framework Borough Wide Development Plan has specific regard to protecting residential amenity.</p> <p>The proposed plans present a dormer extension which sits within the proposed hip to gable extension, which therefore alters the existing roof slope. Although officers acknowledge the proposed hip to gable extension is relatively small scale, however has the potential to have significant impact on neighbouring amenity.</p> <p>Due to the west facing gardens, the proposed development may result in some loss of daylight to no 25 Southwold Drive, however, this is considered minimal. The proposed development raises more concerns over its overlooking and overbearing impact.</p> <p>The proposed rear dormer will result in windows overlooking neighbouring gardens at roof level. This is considered highly overbearing to neighbouring properties. This loss of privacy and overbearing nature is considered unacceptable.</p> <p>Officers acknowledge the efforts to address concerns previously raised in the 21/02413/HSE application through the removal of the proposed balcony. However, the proposed balcony has replaced with a juliet balcony. Although this addresses concerns, over noise and disturbance to neighbouring properties, the</p>							

significant loss of privacy to their gardens still remains through overlooking.

Therefore, officers consider the proposed development fails to protect neighbouring amenity and is in accordance with the objectives of the NPPF, Policy DMD 1 and DMD 6 of the Draft Local Plan, Policy BP8 and BP11 of the Local Development Framework Borough Wide Development Plan, and the Supplementary Planning Document.

Delivering Sustainability

<i>Does the proposed development promote or enhance biodiversity?</i>	NO
<i>Has established vegetation been preserved or appropriately relocated/mitigated against?</i>	NO
<i>Officer Comment:</i>	Although the application has not incorporated any biodiversity enhancement measures, the proposed development would not impinge on the garden space of the property and would therefore have no overall impact on the biodiversity value of the site.

Meeting the Needs of Homeowners

<i>Are all proposed rooms well-lit by daylight and naturally vented through opening windows?</i>	YES
<i>Are the sizes of all proposed rooms appropriate in size for the purpose they are designed for?</i>	YES
<i>Officer Comment:</i>	The proposed extension is intended to rationalise and expand the layout of the existing dwelling through the provision of appropriately sized and lit home extensions.

CONCLUSION

The siting and design of the proposed development would result in an increased sense of overbearingness and a harmful loss of privacy to neighbouring occupiers, therefore constituting unneighbourly development. The proposal is therefore considered contrary to the Development Plan policies and guidance specified above, and it is recommended that planning permission be refused.

LBBB Reference: 21/00434/HSE

Syed Waseem
35c Northbrook Road
London
IG1 3BP

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS
AMENDED)**

Dear Sir / Madam,

Application Number: 21/00434/HSE
Address: 23 Southwold Drive, Barking, IG11 9AT
Development Description: Roof alteration to the existing first floor rear extension

Thank you for your recent application at the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council.

Yours sincerely,

[Graeme Cooke](#)

Graeme Cooke
Director of Inclusive Growth
London Borough of Barking and Dagenham

PLANNING DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)

Agent: Syed Waseem
35c Northbrook Road
London IG1 3BP

Applicant: Dipankar Sarker
23 Southwold Drive, Barking, IG11 9AT

PART 1 - PARTICULARS OF THE APPLICATION

Application Number: 21/00434/HSE
Application Type: Householder Planning Permission
Development Description: Roof alteration to the existing first floor rear extension
Site Address: 23 Southwold Drive, Barking, IG11 9AT
Date Received: 10 March 2021
Date Validated: 11 March 2021

PART 2 - PARTICULARS OF THE DECISION

The London Borough of Barking and Dagenham, as Local Planning Authority, in pursuance of its powers under the above mentioned Act, Rules, Orders and Regulations made thereunder, hereby gives notice that PLANNING PERMISSION has been **REFUSED** for the carrying out of the development referred to in PART 1 hereof and as described and shown on the plan(s) and document(s) submitted with the application for the reason(s) listed below.

Reason(s):

1. The siting and design of the proposed development would result in an increased sense of overbearingness and a harmful loss of privacy to neighbouring occupiers, therefore constituting unneighbourly development and contrary to:

- National Planning Policy Framework (MHCLG, February 2019);
- Policy D4 of the London Plan Intended to Publish (December 2019);
- Policy DMD 1 and DMD 6 of the Draft Local Plan (Regulation 19 Consultation Version, October 2020);
- Policy CP3 of the LDF Core Strategy (July 2010);
- Policies BP8 and BP11 of the LDF Borough Wide Development Plan Policies DPD (March 2011);
- The Residential Extensions and Alterations Supplementary Planning Document (February 2012).

The above policies can be viewed on the Council's website: www.lbbd.gov.uk/planning.

Informative(s):

1. The application hereby refused has been considered against the following plan(s) and/or document(s) submitted with the application:

- D04 - Proposed Loft Plan - 10/03/2021
- D06 - Proposed Roof Plan - 10/03/2021
- D08 - Proposed Elevations - 10/03/2021
- D09 - Proposed Section AA - 05/11/2020

Working with the applicant:

In dealing with this application, Be First, working in partnership with the London Borough of Barking and Dagenham, has implemented the requirements of the National Planning Policy Framework and the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. As with all applicants, Be First has made available detailed advice in the form of statutory policies and all other relevant guidance, as well as offering a full pre-application advice service, so as to ensure the applicant has been given every opportunity to submit an application which is likely to be considered favourably. The necessary amendments to make the application acceptable are substantial and would

materially change the proposal. They would require further consultations to be undertaken prior to determination, which could not take place within the statutory determination period specified by the Department of Communities and Local Government. You are therefore encouraged to consider submission of a fresh application incorporating material amendments such as to satisfactorily address the reasons for refusal attached.

DATE OF DECISION: 26/04/2021

Yours sincerely,

[Graeme Cooke](#)

Graeme Cooke

Director of Inclusive Growth

London Borough of Barking and Dagenham

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
Applicant's Rights following the Grant or Refusal of permission

1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

- **Six (6) months:** Full application (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time and prior approval applications.
- **Twelve (12) weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **Eight (8) weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
- An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice.

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from www.planning-inspectorate.gov.uk or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the council (attn: Planning Appeals Officer).

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are exceptional/special circumstances.

The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

2. Subsequent Application Fees

No planning fee would be payable should a revised planning application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

- the applicant is the same as the applicant of the original application
- site boundary is the same as the site boundary of the original application
- the nature of development remains the same.

3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council.

This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

4. Compensation

In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Working in partnership



**Barking &
Dagenham**

Performance Review Sub-Committee

Application Reference:

21/00493/HSE

Application Description:

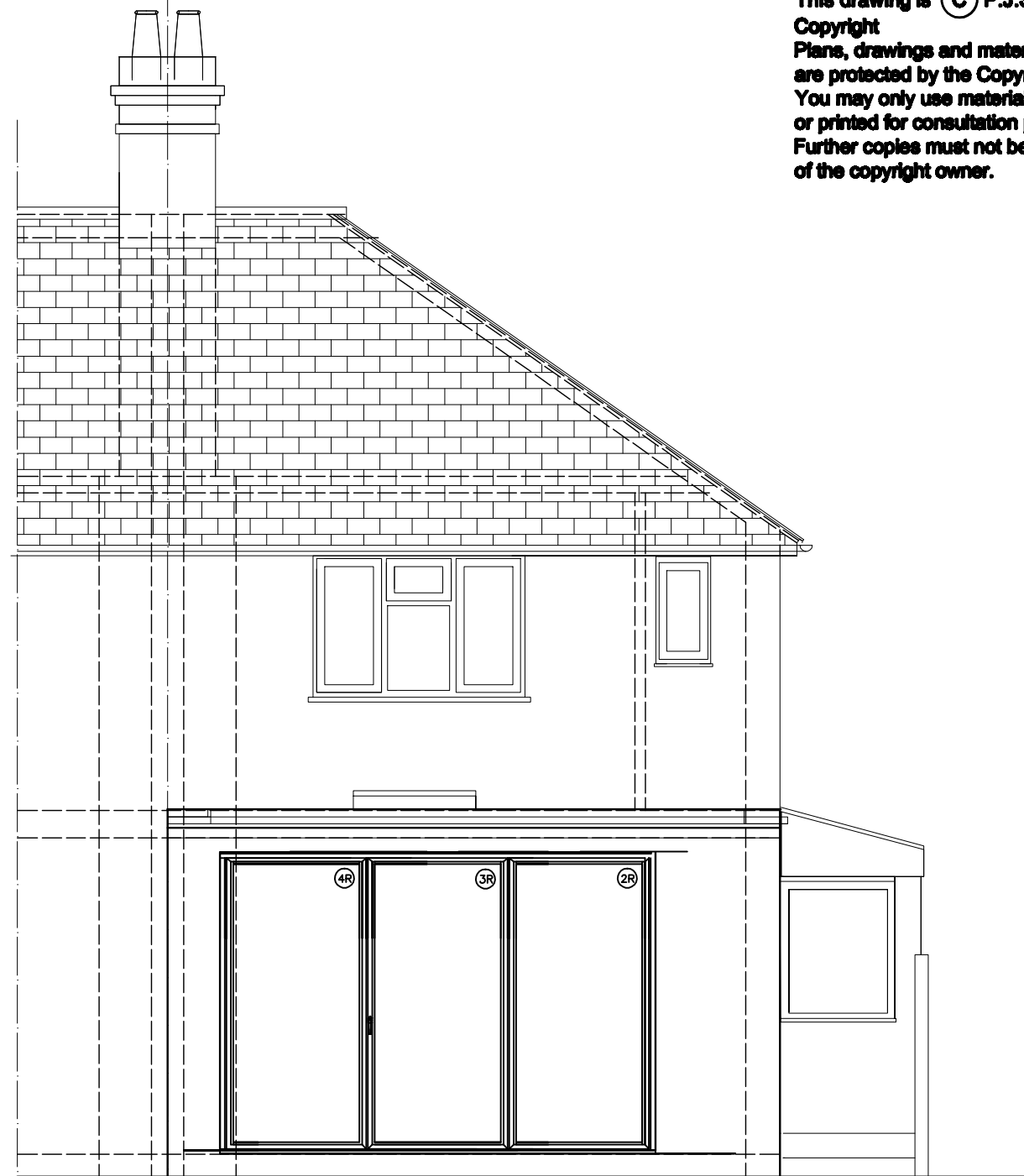
Construction of a Hip-to-gable roof extension to accommodate a rear dormer extension including three roof lights to the front and a Juliette balcony to facilitate conversion of roof space into habitable accommodation.

Decision:

Refused

Householder Application for Planning Permission
 for works or extension to a dwelling.
 Town and Country Planning Act 1990
 This drawing for planing application only
 This drawing is © P.J.Stasch Architect 2021
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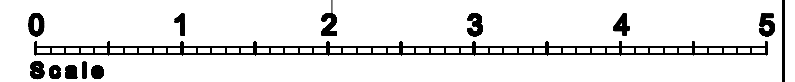
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Garden



310 Hedgemans Road



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3DArch Studio
 2, Panmuir Road
 London SW20 0PZ
 Pawel J. Stasch Architect RIBA

Drawing title:
**House extension
 Front and rear elevations
 Survey - existing**

Job title:
**310 Hedgemans Road
 DAGENHAM
 RM9 6BX**

Job no:

CI/SfB

Scale:

1:50@A308.03.21

Date:

308.03.21

Drawing no:

4

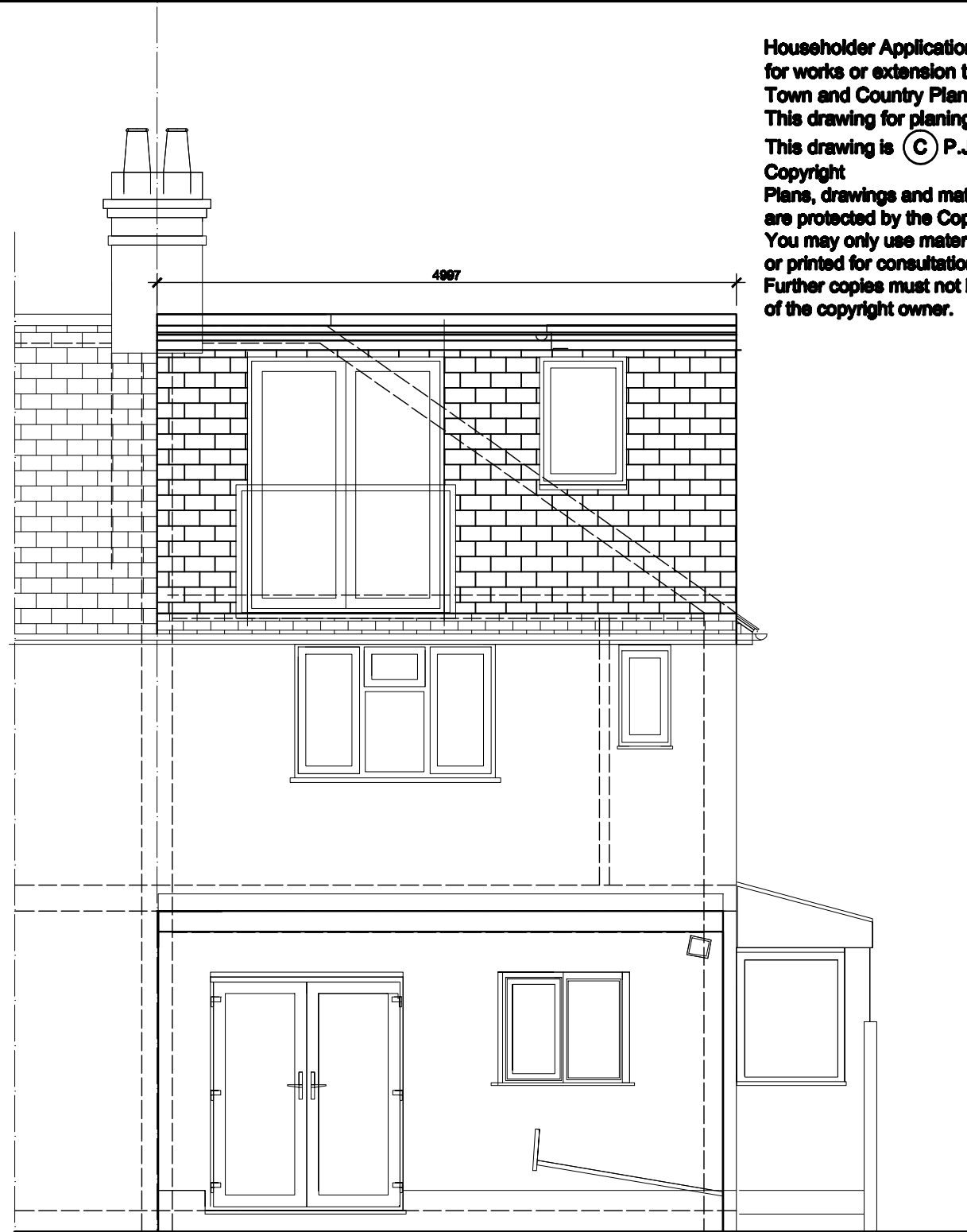
Revision suffix:

Drawn by:

P.J.S.

Checked by:

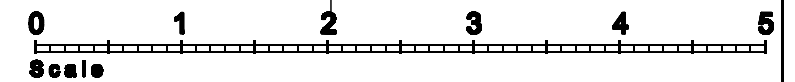
Householder Application for Planning Permission
 for works or extension to a dwelling.
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310 Hedgemans Road



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3DArch Studio
 2, Panmuir Road
 London SW20 0PZ
 Pawel J. Stasch Architect RIBA

Drawing title:
**House extension
 Front and rear elevations
 New proposal**

Job title:
**310 Hedgemans Road
 DAGENHAM
 RM9 6BX**

Job no:
 C/S/SB
 Scale: 1:50@A3
 Date: 02.03.26

Drawing no: **12**
 Revision suffix:
 Drawn by: **P.J.S.**
 Checked by:



100

Hedgemans Rd

Hedgemans Rd

Hedgemans Rd

Hedgemans Rd

Delegated Report

Householder Application for Planning Permission for Works or Extension to a Dwelling

Case Officer:	Kathryn McAllister	Valid Date:	17 March 2021
Officer Recommendation:	REFUSE	Expiry Date:	12 May 2021
Application Number:	21/00493/HSE	Recommended Date:	22 April 2021
Address:	310 Hedgemans Road, Dagenham, RM9 6BX		
Proposal:	Construction of a Hip-to-gable roof extension to accommodate a rear dormer extension including three roof lights to the front and a Juliette balcony to facilitate conversion of roof space into habitable accommodation.		

Planning Constraints

The application site is located within the Becontree Estate.

Understanding the Application

The application site is a two storey end of terrace property. A previous application was submitted for the construction of Part single part two storey side extension and construction of a Hip-to-gable roof extension to accommodate a rear dormer extension including three roof lights to the front and a Juliette balcony (20/01749/HSE). This was refused for the following reasons:

1. The proposed development fails to respect the character and appearance of the area, with the proposed additions being unsympathetic and uncharacteristic of the original dwelling house, the terrace and the wider Becontree Estate, significantly altering the symmetry, balance and built form of the original dwelling and terrace within the street scene. The development will significantly reduce the gap between the host property and the neighbouring dwelling, No.312 Hedgemans Road, reducing an important architectural break, prominent when viewed from Lullington Road. The development is worsened by the introduction of a gable end roof form, harmful to the Becontree Estate. The proposed ground floor bedroom does not meet the needs of the homeowners and relies on two small obscure glazed windows for daylight which is insufficient. Therefore the development is contrary to:

- National Planning Policy Framework (MHCLG, February 2019)
- Policies 7.1, 7.4, 7.6 and 7.8 of The London Plan (March 2016)
- Policies HC1, D1 and D4 of the Draft London Plan (December 2019)
- Policies CP2 and CP3 of the Core Strategy DPD (July 2010),
- Policies BP2, BP5 and BP11 of the Borough Wide DPD (March 2011)
- Policies SPP6, SP2, DMD1, DMD6 and DMD4 of the Draft Local Plan (Regulation 19 Consultation version, June 2020).
- Residential Extensions and Alterations SPD (February 2012)

2. The proposed development will result in an unacceptable impact on the living conditions of the neighbouring property No. 312 Hedgemans Road with regard to an unacceptable sense of overbearing and enclosure within the rear garden. Therefore the development is contrary to:

- Policies BP8 and BP11 of the Local Development Framework Borough Wide Development Plan (March 2011)
- Policies DMD1 and DMD6 of the Draft Local Plan (Regulation 19 Consultation version, June 2020)
- The Residential Extensions and Alterations SPD (February 2012).

This application seeks permission for the construction of a Hip-to-gable roof extension to accommodate a rear dormer extension including three roof lights to the front and a Juliette balcony to facilitate conversion of roof space into habitable accommodation. It is different to application 20/01749/HSE as only the loft conversion has been proposed.

Consultations

<i>Consultee:</i>	<i>Date Consulted:</i>	<i>Summary of response:</i>
N/A	N/A	N/A

Neighbour Notification

Date Consultation Letter Sent:	17.03.2021
Number of Neighbours Consulted:	3
<i>No response received.</i>	

Relevant Planning History			
Application Number:	20/01749/HSE	Status:	Application Refused
Description:	<i>Construction of Part single part two storey side extension and construction of a Hip-to-gable roof extension to accommodate a rear dormer extension including three roof lights to the front and a Juliette balcony.</i>		
Application Number:	17/00086/CLU_P	Status:	Lawful (certificate)
Description:	<i>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of gable end roof, rear dormer window and installation of front rooflights.</i>		

Development Plan Context	
The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:	
National Planning Policy Framework (NPPF) (MHCLG, February 2019)	
London Plan (March 2021)	Policy D1 - London's Form, Character and Capacity for Growth Policy D4 - Delivering Good Design Policy D8 - Public Realm Policy HC1 - Heritage Conservation and Growth
Local Development Framework (LDF) Core Strategy (July 2010)	Policy CR2 - Preserving and Enhancing the Natural Environment Policy CP2 - Protecting and Promoting our Historic Environment Policy CP3 - High Quality Built Environment
Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)	Policy BP2 - Conservation Areas and Listed Buildings Policy BP8 - Protecting Residential Amenity Policy BP11 - Urban Design
<i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at an "advanced" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</i>	
The London Borough of Barking and Dagenham's Draft Local Plan (Regulation 19 Consultation Version, October 2020)	Policy SP2 - Delivering a well-designed, high quality and resilient built environment Policy SP4 - Delivering quality design in the borough. Policy DMD1 - Securing high quality design Policy DMD4 - Heritage assets and archaeology remains Policy DMD6 - Householder extensions and alterations Policy DMNE3 - Nature conservation and biodiversity
Supplementary Planning Documents	Residential Extensions and Alterations (SPD) (February 2012)

ASSESSMENT

Principle of the Development	
<i>Is the proposed development acceptable "in principle"?</i>	YES
<i>Officer Comment:</i>	The overriding objective of the local policies is to deliver high quality development which improves the quality and distinctive identity of places and meets the housing needs of existing and future residents. As such, it is acknowledged that extensions to existing family dwelling houses can facilitate additional and enhanced living space for improved living conditions for occupants. They are therefore considered acceptable in principle subject to ensuring a high-quality, neighbourly design. Such matters are addressed below.

Achieving High Quality of Urban Design	
<i>Does the proposed development respect the character and appearance of the existing dwelling?</i>	NO
<i>Does the proposed development respect and accord to the established local character?</i>	NO
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points</i>	NO
<i>Is the proposed development acceptable and policy compliant?</i>	NO
	Paragraphs 127 and 128 of the NPPF (2019) outline that planning policies and decisions should aim to ensure that developments function well and add to the overall quality of an area not just for the short-term, but over the lifetime of the development. Paragraph 130 advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Officer Comment:

Policies D1, D4 and D8 of the London Plan (2021) state that the design of new developments and the spaces they create should help reinforce the character of the neighbourhood. Development to have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings and other forms of development. It is required that in areas of poor, or ill-defined, character, new development should build on the positive existing elements that can contribute to establishing an enhanced character for the future function of the area. Further, policies seek to ensure the highest quality materials and design appropriate to its context. It is advised that the buildings and structures should be of the highest architectural quality and comprise details and materials that complement the local architectural character. Likewise, policies outline the need for good design to be thoroughly scrutinised at application stage, including elements relating to layout, scale, density, land-uses, materials, detailing and landscaping.

This is further supported by policies SP2, SP4, DMD6 and DMD1 which seek to ensure developments contribute to providing a high quality built environment which contributes positively to the character of the surrounding area. This is further supported by policy BP11 of the Borough Wide DPD and policy CP3 of the Core Strategy DPD.

The Becontree Estate, of which this property forms part, was built as Homes for Heroes in the period 1921 to 1934 and at the time was the largest municipal estate in the world. As such, it forms part of the rich local history of the area and is referenced in policy HC1 of the London Plan, policy CP2 of the Core Strategy DPD, policy BP2 of the Borough Wide DPD and policy DMD4 of the draft local plan reg 19 as forming an important symbol of the past. Further this policy references the heritage value of the Estate and although this dwellinghouse is not situated in a conservation area, this policy recognises the distinctive local character and historical importance of the Becontree Estate. The policy is concerned with preserving heritage areas of their instinctive and historically important features and ensuring developments do not detract from the heritage area's significance.

The SPD states dormer windows should, in the vast majority of circumstances, be located to the rear of your property and designed so it sits entirely within the roof slope and does not unduly dominate the house. No part of the dormer should extend above the ridge and beyond eaves or flanks of the roof. The front edge of the dormer should be set back from the eaves of the roof to avoid the roof being squared off. The materials used in the construction of the dormer should match those used in the existing house. With regard to hip to gable extension the SPD states in most circumstances, a hip-to-gable extension or half-hipping of a roof will not be considered acceptable as this would materially alter the character of the roof and be out of keeping with the surrounding area.

Hedgeman Road is characterised by terraced rows whereby each property is uniform in size, scale and design. Each terrace row shares a single building frontage and roof scape. As shown on google maps the dominant roof type in the area is hipped, as such, it would be expected that the proposed development respect and reflect the built form and character of the host dwelling.

The proposal seeks permission for a hip-to-gable loft conversion with a rear dormer window and 3 front roof lights. The proposed dormer window will be 4.99 metres wide, 3.5 metres deep and 2.64 metres high. The proposal seeks to increase the ridge of the roof by 0.3 metres which the applicant states has been proposed "to make it "green" and protect internal headroom of 2.2 m". The dormer will offset the eaves of the existing roof by 0.23 metres. The resultant volume of the enlarged part is 33.5 cubic metres.

Whilst officers consider the proposed front roof light to be acceptable they have concerns with regard to the hip to gable loft conversion and rear dormer window. As stated previously the application site forms part of a terrace - each property is uniform in design and shares a single building frontage and roof scape. The properties on the end of each terrace are symmetrical and both have hipped roofs, as such, there is a definitive start and end to each terrace row. The proposal seeks permission for the construction of a hip to gable loft conversion with a rear dormer window. The proposal will introduce a new roof design at this location which will appear at odds with the character and appearance of the property and unbalance the symmetry of the terrace row. Further, the proposal seeks to increase the height of the ridge by 0.3 metres. However, as mentioned previously given the property forms part of a terrace which shares a single roof scape an increase in height at this location would alter the appearance of the terrace row detrimental to the uniformity of the roof scene and street scape. The proposal therefore fails to respect and reflect the built form of the dwelling. Officers therefore consider the proposal to constitute an uncharacteristic and unsympathetic addition to the dwellinghouse harmful to the detrimental to the character and appearance of the street scene, property, terrace row and the surrounding local area. The impact on the character and appearance of the area is notable given the site location within the Becontree Estate. The proposal is considered unacceptable and contrary to the development policies.

Delivering Neighbourly Development								
	312 Hedgemans Road	308 Hedgemans Road	N/A			312 Hedgemans Road	308 Hedgemans Road	N/A
Outlook:				Overshadowing:				
Loss from habitable rooms?	NO	NO		Shadow cast into rooms?	NO	NO		
Is it unacceptable?	NO	NO		Is it unacceptable?	NO	NO		
				Shadow into garden?	NO	NO		
Loss of Privacy:				Is it unacceptable?	NO	NO		
Overlooking the garden?	NO	NO						
Is it unacceptable?	NO	NO		Overbearing:				
Overlooking into rooms?	NO	NO		Impact on habitable rooms?	NO	NO		
Is it unacceptable?	NO	NO		Is it unacceptable?	NO	NO		
				Impact on gardens?	NO	NO		
Loss of Daylight:				Is it unacceptable?	NO	NO		
Loss into habitable rooms?	NO	NO						
Is it unacceptable?	NO	NO						
<i>Officer Comment:</i>	96, 97 and 98 Tallow Close							
	The application site shares a rear boundary line with these properties and sits to the south. The proposal will offset the shared boundary line by 13.6 metres. Officers therefore consider the separation to mitigate any unacceptable impact on neighbouring amenity. The proposal is considered acceptable and in keeping with the development policies.							
	312 Hedgemans Road							
	The application site shares a boundary line with this property and sits to the east. The proposed development will sit entirely within the roof slope as such officers consider the proposal to have an acceptable impact on neighbouring amenity. The proposal is considered acceptable and in keeping with the development policies.							
	308 Hedgemans Road							
	The application site shares a boundary line with this property and sits to the east. The proposed development will sit entirely within the roof slope as such officers consider the proposal to have an acceptable impact on neighbouring amenity. The proposal is considered acceptable and in keeping with the development policies.							

Delivering Sustainability	
Does the proposed development promote or enhance biodiversity?	NO
Has established vegetation been preserved or appropriately relocated/mitigated against?	NO
<i>Officer Comment:</i>	Although the application has not incorporated any biodiversity enhancement measures, the proposed development would not impinge on the garden space of the property and would therefore have no overall impact on the biodiversity value of the site.

Meeting the Needs of Homeowners	
Are all proposed rooms well-lit by daylight and naturally vented through opening windows?	YES
Are the sizes of all proposed rooms appropriate in size for the purpose they are designed for?	YES
<i>Officer Comment:</i>	The proposed extension is intended to rationalise and expand the layout of the existing dwelling through

the provision of appropriately sized and lit home extensions.

Other Material Considerations

N/A

CONCLUSION

The proposed hip to gable loft conversion including a rear dormer window for reasons of design fails to respect and reflect the built form of the host dwelling as it introduces a new gabled roof design at this location. Likewise, the proposal seeks to increase the height of the properties ridge unbalancing the uniformity of the roof scape. The proposal therefore constitutes an uncharacteristic and unsympathetic addition to the dwellinghouse detrimental to the character and appearance of the street scene, property, terrace row and the surrounding local area. The impact on the character and appearance of the area is notable given the sites location within the Becontree Estate. The proposal is therefore considered contrary to the Development Plan policies and guidance specified above, and it is recommended that planning permission be refused.

LBBB Reference: 21/00493/HSE

Pawel Stasch
2 Panmuir Road
London
SW20 0PZ

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)**

Dear Sir / Madam,

Application Number: 21/00493/HSE
Address: 310 Hedgemans Road, Dagenham, RM9 6BX
Development Description: Construction of a Hip-to-gable roof extension to accommodate a rear dormer extension including three roof lights to the front and a Juliette balcony to facilitate conversion of roof space into habitable accommodation.

Thank you for your recent application at the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council.

Yours sincerely,

[Graeme Cooke](#)

Graeme Cooke
Director of Inclusive Growth
London Borough of Barking and Dagenham

PLANNING DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)

Agent: Pawel Stasch
2 Panmuir Road
London SW20 0PZ

Applicant: Wojciech Ignatowicz
310, Hedgemans Road
Dagenham SW20 0PZ

PART 1 - PARTICULARS OF THE APPLICATION

Application Number: 21/00493/HSE
Application Type: Householder Planning Permission
Development Description: Construction of a Hip-to-gable roof extension to accommodate a rear dormer extension including three roof lights to the front and a Juliette balcony to facilitate conversion of roof space into habitable accommodation.
Site Address: 310 Hedgemans Road, Dagenham, RM9 6BX
Date Received: 17 March 2021
Date Validated: 17 March 2021

PART 2 - PARTICULARS OF THE DECISION

The London Borough of Barking and Dagenham, as Local Planning Authority, in pursuance of its powers under the above mentioned Act, Rules, Orders and Regulations made thereunder, hereby gives notice that PLANNING PERMISSION has been **REFUSED** for the carrying out of the development referred to in PART 1 hereof and as described and shown on the plan(s) and document(s) submitted with the application for the reason(s) listed below.

Reason(s):

1. The proposed hip to gable loft conversion including a rear dormer window for reasons of design fails to respect and reflect the built form of the host dwelling as it introduces a new gabled roof design at this location detrimental to the symmetry of the terrace row. Likewise, the proposal seeks to increase the height of the properties ridge unbalancing the uniformity of the roof scape harmful to the visual appearance of the street scene. The proposal therefore constitutes an uncharacteristic and unsympathetic addition to the dwellinghouse detrimental to the character and appearance of the street scene, property, terrace row and the surrounding local area. The impact on the character and appearance of the area is notable given the sites location within the Becontree Estate. The proposal is therefore considered contrary to:-

- National Planning Policy Framework (MHCLG, February 2019)
- Policies D1, D4, D8 and HC1 of the London Plan (March 2021)
- Policies CP3 and CP2 of the Core Strategy DPD (July 2010)
- Policies BP11 and BP2 of the Borough Wide DPD (March 2011)
- Policies SP2, SP4, DMD1, DMD4 and DMD6 of the Draft Local Plan Regulation 19 consultation version (October 2020)

The above policies can be viewed on the Council's website: www.lbbd.gov.uk/planning.

Informative(s):

1. The application hereby refused has been considered against the following plan(s) and/or document(s) submitted with the application: -

- Site Location Plan
- 15 Section I-I New Proposal Dated 08.03.2021
- 14 Flank elevation (2) New Proposal Dated 08.03.2021
- 13 Flank elevation (1) New Proposal Dated 08.03.2021
- 12 Front and Rear Elevations New Proposal Dated 08.03.2021
- 11 Roof Plan New Proposal Dated 08.03.2021
- 10 Second Floor Plan New Proposal Dated 08.03.2021

- 09 First Floor Plan New Proposal Dated N/A
- 08 Ground Floor Plan New Proposal Dated 08.03.2021

Working with the applicant:

In dealing with this application, Be First, working in partnership with the London Borough of Barking and Dagenham, has implemented the requirements of the National Planning Policy Framework and the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. As with all applicants, Be First has made available detailed advice in the form of statutory policies and all other relevant guidance, as well as offering a full pre-application advice service, so as to ensure the applicant has been given every opportunity to submit an application which is likely to be considered favourably. The necessary amendments to make the application acceptable are substantial and would materially change the proposal. They would require further consultations to be undertaken prior to determination, which could not take place within the statutory determination period specified by the Department of Communities and Local Government. You are therefore encouraged to consider submission of a fresh application incorporating material amendments such as to satisfactorily address the reasons for refusal attached.

DATE OF DECISION: 29.04.2021

Yours sincerely,

[Graeme Cooke](#)

Graeme Cooke

Director of Inclusive Growth

London Borough of Barking and Dagenham

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
Applicant's Rights following the Grant or Refusal of permission

1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

- **Six (6) months:** Full application (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time and prior approval applications.
- **Twelve (12) weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **Eight (8) weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
- An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice.

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from www.planning-inspectorate.gov.uk or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the council (attn: Planning Appeals Officer).

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are exceptional/special circumstances.

The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

2. Subsequent Application Fees

No planning fee would be payable should a revised planning application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

- the applicant is the same as the applicant of the original application
- site boundary is the same as the site boundary of the original application
- the nature of development remains the same.

3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council.

This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

4. Compensation

In certain circumstances compensation may be claimed from the council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.