Appeal Decision

Site visit made on 15 January 2016

by F Rafiq BSc (Hons), MCD, MRTPI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 02/02/2016

Appeal Ref: APP/Z5060/D/15/3136180
113 Hunters Hall Road, Dagenham, Barking & Dagenham, RM10 8LH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Nicolae Vasile against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 15/00893/FUL dated 10 July 2015 was refused by notice dated 21 September 2015.
- The development proposed is the erection of a two storey side extension and part single/part first floor rear extension.

Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension and part single/part first floor rear extension at 113 Hunters Hall Road, Dagenham, Barking & Dagenham, RM10 8LH in accordance with the terms of the application Ref 15/00893/FUL dated 10 July 2015 subject to the following conditions:

1) The development hereby permitted shall begin not later than three years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg No’s ZAAVIA/113HH/101 Issues A, ZAAVIA/113HH/102 Issues A, ZAAVIA/113HH/103 Issues A, ZAAVIA/113HH/104 Issues A, ZAAVIA/113HH/105 Issues A and ZAAVIA/113HH/106 Issues A.

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 building.

4) The development hereby permitted shall not be occupied until the windows at first floor level of the side extension facing No. 111 Hunters Hall Road have been fitted with obscured glazing, and no part of those windows that are less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.
Procedural Matter

2. I have utilised the description of the development from the refusal notice as I consider this more succinctly reflects the proposal. Although some construction works were ongoing at the time of my visit at roof level, it was not clear whether this was in connection with the appeal proposal. For clarity, I am considering the appeal based on the submitted plans.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property is an end of terrace dwelling located within an area comprising of a mix of terrace and semi-detached houses. There are variations in the building lines between groups of properties and although some of the dwellings have been subject to alterations in terms of different facing materials, many retain their distinctive hipped roof form, as well as the regular rhythm of the fenestration detailing, which contribute to the character of the area.

5. I acknowledge the proposal would result in the closing of a gap between two terraced blocks. The two storey side extension would however only have a width of around 1.6m and would retain a passageway to the side of the house. The neighbouring property, No. 111 Hunters Drive also has a gap to its side. These factors, alongside the slight setback of the appeal block from the neighbouring terrace, would ensure that there would be no unacceptable effect on the area.

6. I therefore conclude that the proposal would not adversely harm the character and appearance of the area and there would be no conflict with Policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document, which require, amongst other matters, for development to have regard to the local character of the area. There would also be no conflict with the Residential Extensions and Alterations Supplementary Planning Document, which seeks, amongst other matters, for extensions to be designed to reflect the positive elements of the character of an area.

Other Matters

7. A neighbour has raised concerns relating to the loss of light and overlooking from the proposal. As the proposed extensions would be offset from the boundary with the neighbouring property at No. 111, I do not consider it would result in an unacceptable effect on the living conditions of these neighbouring occupiers. The proposed side-facing first floor windows would however give potential rise to the loss of privacy and I shall impose a condition requiring obscure glazing and controls on the opening of the windows. Further concerns relating to noise and construction waste have been raised. Whilst I appreciate the neighbour’s reference to noise during a previous construction, this and other matters raised would be limited in duration given the proposal is for domestic extensions.
Conclusion

8. For the reasons given above and having taken into account all other matters raised, I conclude the appeal should be allowed.

Conditions

9. The Council have suggested a number of conditions. In addition to the standard time condition, the condition requiring matching materials is necessary in the interests of the appearance of the area. I also consider it necessary to impose a condition to secure compliance with the approved plans, for the avoidance of doubt and in the interests of proper planning and a condition relating to the first floor windows on the side elevation of the extension facing No. 111 to prevent adverse overlooking.

F Rafiq

INSPECTOR