

Appeal Decision

Site visit made on 25 April 2017

by J D Westbrook BSc(Hons) MSc MRTPI

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

Decision date: 16 May 2017

Appeal Ref: APP/Z5060/D/17/3171057

45 Clare Gardens, Barking, IG11 9JH

- 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 Sayeed Zamil against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 16/01717/FUL, dated 1 November 2016, was refused by notice dated 23 January 2017.
 - The development proposed is the construction of a first floor side and part rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a first floor side and part rear extension at 45 Clare Gardens, Barking, IG11 9JH in accordance with the terms of the application, Ref 16/01717/FUL, dated 1 November 2016, and the plans submitted with it, 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: Block Plan, Drawing No KL/1016-1.
 3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in this case is the effect of the proposed extension on the character and appearance of the area around Clare Gardens.

Reasons

3. No 45 is an end-terraced house situated on the eastern side of Clare Gardens. It currently has a single-storey, attached garage to the side which apparently has approval for conversion to living accommodation, in conjunction with a single-storey rear extension. There is a large rear dormer extension in place, which has involved a hip to gable roof conversion. The proposal would involve the construction of a first floor above the side extension and part of the rear extension. It would have a hipped roof to both the front and rear which would reflect the front slope of the existing roof.
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4. The Council contends that the extension would partly close an important gap within the street scene which provides relief from the built up nature of the street. Policy BP8 of the Council's Borough Wide Development Policies Development Plan Document (DPD) indicates that development should have regard to the local character of the area, while Policy BP11 of the DPD indicates that development should protect or enhance such character. The Council's Supplementary Planning Document on Residential Extensions and Alterations, (SPD) notes that, in the case of end-terraced houses, where it is considered that the gaps between buildings contribute positively to the character of the area it will be expected that the first floor of proposed side extensions is set off the side boundary of the site.
5. In this case, Clare Gardens is characterised by long rows of terraces and there is only a small number of gaps between them. Whilst Nos 42 and 44, almost opposite the appeal property, have only single-storey side extensions, it would appear that almost all of the other gaps along the road are partly or completely filled with two-storey side extensions to one or both of the end houses. I do not consider, therefore, that the generally narrow gaps that still exist between certain buildings contribute positively to the character of this particular road. The most important gaps occur at the ends of the road and around the junction with The Drive, where houses are sited at 45 degrees around the bends in the road and a generally more open feel is thereby created.
6. The SPD also requires that a side extension should be designed so that the front elevation is parallel with the front elevation of the existing house, thus helping to maintain the built form of the terrace of which the house is a part. In this case the first-floor extension would be set in from the side boundary by around 0.4 metres, and it would continue the line of the front elevation of the house. On this basis, I consider that the proposed extension complies with the requirements of the SPD.
7. The Council also contends that the proposed roof of the extension would appear incongruous and out of keeping with the design of other terraces in Clare Gardens resulting in harm to the character and appearance of the street scene. However, the existing gable end with a large, highly visible dormer cheek, appears somewhat strident in the street scene, and the hipped nature of the proposed extension would help to moderate this effect somewhat, to the benefit of the appearance of the house in the context of its surroundings. It would also respect the generally hipped roof character of the houses along the road.
8. Finally, the Council makes note of a number of planning appeal decisions where the protection of gaps along a road has been a determining feature in dismissing appeals. In these examples, however, it would appear that wide gaps were a significant feature in the street scene and were, moreover, more numerous than is the case along Clare Gardens.

Conclusion

9. In conclusion, I find that the proposed extension would not be harmful to the character and appearance of the area around Clare Gardens. The gaps between rows of terraces do not, in this case, contribute positively in establishing the character of the area. It would not, therefore, conflict with Policies BP8 or BP11 of the DPD, or with guidance in the SPD.

Conditions

10. I have attached a condition relating to plans because it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. I have attached a further condition relating to materials in the interests of the visual amenities of the area.

J D Westbrook

INSPECTOR