
Appeal Decision

Site visit made on 10 October 2017

by A J Mageean BA (Hons) BPI PhD MRTPI

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

Decision date: 26 October 2017

Appeal Ref: APP/Z5060/D/17/3179102
58 Melford Avenue, Barking IG11 9HT

- 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 Ahbab Hussain against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 17/00458/FUL, dated 17 March 2017, was refused by notice dated 15 May 2017.
 - The development proposed is erection of two storey side and part single/part two storey rear extension.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the more succinct description of the development provided on the appeal form in the interests of clarity.

Main Issue

3. The main issue in the effect of the proposal on the character and appearance of the street scene within Melford Avenue.

Reasons

4. Melford Avenue is a pleasant suburban road characterised by terraces of four dwellings set behind modestly sized front garden areas. The end terrace properties, such as the appeal dwelling, have single storey side garages which typically adjoin the equivalent garages of neighbouring properties. The resulting frontage gaps at first floor level, which are further enhanced where the end properties retain their original hipped roof profile, present noticeable and welcomed visual relief, reducing the intensity of built form in this area. These gaps, which often provide glimpses of trees in rear gardens, make a positive contribution to the local street scene.
5. The appellant's view is that as a result of previous extensions the street has a largely terraced character. On this point I accept that existing extensions have eroded the presence of some of these characteristic gaps. Where terracing between groups of properties has taken place, the loss of glimpsed views of space and gardens beyond creates a cramped and oppressive appearance. However, as the Council's survey indicates, around half of these gaps have been retained in full, with others partially lost and some lost

altogether. Whilst I accept that the frontage treatment of these dwellings varies, as the majority of the side gaps have been retained at least in part, they remain a characteristic feature of Melford Avenue which is beneficial to the appearance local street scene.

6. The current proposal would include the demolition of the existing garage and the addition of a two storey side extension and replacement of the hipped roof form with a gable. The extension would be set down from the roof ridge, set in from the front building line by around 800mm, and set in from the side boundary by a little more than half a metre at first floor level.
7. The specific guidance on such matters set out in the Council's SPD¹ does not preclude side additions to end of terrace or semi-detached properties. This guidance notes that where the "*gaps between buildings contribute positively to the character of the area it will be expected that the first floor of the proposed side extensions are set off the side boundary of the site*". I accept that in this case a small side gap at first floor level would be retained. However this gap, in combination with the additional bulk created by the hip to gable addition, would not be sufficient to provide the visual relief required. This concern is compounded by the fact that, should this scheme be allowed, it would be hard to resist a similar scheme from the neighbouring property to the south, No 60, in which case this gap, including the views of space and mature vegetation beyond, would to a large degree be lost.
8. I accept that the current scheme would present more of a gap in the street scene than the case relating to No 51 Melford Avenue which was dismissed at appeal². However this fact does not in itself indicate that small gap which would be present in the current case would be acceptable. It is also suggested that the appeal site occupies a less prominent position in the street than this previous case. However, given the minor nature of the bend in the road, the difference between the two sites in this respect is not in itself significant.
9. The appellant refers to the fact that the Council permitted the side extension to No 66, and other extensions in similar circumstances, subsequent to the adoption of the SPD. However I do not have the full details of these cases before me. As such I have considered the present proposal on its own merits, assessed against local policy and guidance, and found it to be unacceptable.
10. The appellant also points out that this property is not listed, nor does it form part of a conservation area, and that there were no objections to this scheme from neighbours or third parties. Nevertheless it remains that, in accordance with national and local policy, including paragraph 58 of the National Planning Policy Framework, development is expected to respond to local character. I also accept that, subject to certain limitations, permitted development rights allow the construction of hip to gable extensions. However in this case it is the combined impact of the side extension with its gable roof form which renders this scheme unacceptable.

¹ Residential Extensions and Alterations Supplementary Planning Document 2012

² APP/Z5060/D/16/3159451

11. I note that this is a resubmission of a previous application with the same reason for refusal, though no details of the previous scheme are before me. The appellant makes the point that the Council does not object to the extension of this dwelling in principle. In this respect I note that the Council raises no objection to the proposed rear ground and first floor additions and I have no reason to take a different view. Nevertheless, the harm to the local street scene renders the proposed side additions to this property unacceptable.
12. The appellant refers to the fact that the implementation of this scheme would improve the family living conditions at this property, making the point that this would accord with the housing policies in the Framework. Whilst I accept that this may be the case, such considerations do not override the policies in the Framework seeking a high standard of design which responds to local character.
13. I therefore conclude that the proposal would have a detrimental effect on the character and appearance of the street scene within Melford Avenue. In this respect it would not accord with the Barking and Dagenham Borough Wide Policies DPD 2011 Policies BP8 and BP11 or the SPD which, taken together, require development to have regard to the local character of an area, protecting local views and vistas and reinforcing a sense of local identity.

Conclusion

14. For the reasons set out above the appeal is dismissed.

AJ Mageean

INSPECTOR