The Planning Inspectorate

# Appeal Decision

Site visit made on 9 September 2019

**by Adrian Caines BSc(Hons) MSc TP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 12 September 2019**

**Appeal Ref: APP/Z5060/D/19/3230007**
**23 The Drive, Barking IG11 9JE**

- 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 & Mrs Harsh & Neera Shukla against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 18/02128/FUL, dated 9 December 2018, was refused by notice dated 4 April 2019.
- The development proposed is loft conversion, rear extension and internal alterations.

## Decision

1. The appeal is dismissed.

## Procedural Matter

2. At the time of my site visit it was evident that building works had been undertaken and a single storey rear extension was in situ, but it did not appear to be in accordance with the appeal drawings. However, for the avoidance of any doubt, my assessment of the appeal proposal is based on the submitted drawings before me.

## Main Issue

3. The proposed single storey rear extension and conversion of the garage into living accommodation did not feature in the Council's refusal reason. I also see nothing in the Officer's report indicating that it is opposed to these elements of the appeal scheme. From the information before me I have no reason to disagree with the Council on those matters. As such, my considerations shall be confined to the proposed hip to gable and rear dormer extensions, which are required to facilitate a loft conversion.

4. Therefore, the main issue is the effect of the hip to gable and rear dormer extensions on the character and appearance of the building and area.

## Reasons

5. The appeal property is a two storey, end-of-terrace house located on the corner of The Drive and Cornwall Close. The surrounding area is characterised by a compact arrangement of two storey terraced and semi-detached houses that predominantly have hipped roofs, like the appeal property. The uniformity of house types and roof forms is an important component of the cohesive character of the area.

6. Policy B11 of the Borough Wide Development Policies Development Plan Document 2011 (DPD) requires, among other things, that development protects or enhances the character of the area. Furthermore, the detailed guidance within the Residential Extensions and Alterations Supplementary Planning Document 2012 (SPD) recognises the importance of the roofscape to the character of an area, and states that the roof of any extension should normally be of the same style as the original property. It requires particular attention to be given to minimising the bulk of any extensions where the house is located at the corner of a cul de sac. Specifically, in regard to roof alterations and dormers, whilst it does not specifically prohibit such forms of extensions, it states that in most circumstances, a hip-to-gable extension will not be acceptable and that dormers should not unduly dominate the house.

7. Because the property is on a prominent corner position and has a flank wall which abuts the highway, both the gable and dormer roof extensions would be highly conspicuous in views from the street, notwithstanding the use of matching roof materials. Not only would such development significantly alter the form and appearance of the host building and terrace block in an uncharacteristic manner, it would also disrupt the distinctive symmetry that exists with the hipped roof of No 21 on the opposite corner to Cornwall Close. Moreover, the dormer itself would overlap with the gable roof extension and be set in only marginally from the flank, eaves and ridge. Consequently, it would be a box-like structure of considerable length and bulk, which would occupy the majority of the rear roof slope. As such, the scale, bulk and position of the dormer would unacceptably dominate the host property, and in combination with the gable extension, would unbalance its appearance and appear incongruous.

8. I acknowledge that there are other box-like dormers to the rear of The Drive in close proximity to No 23, but they are not as wide or close to the road, and in any event, they do not contribute positively to the area. Their presence is therefore not a reason, on its own, to allow further unacceptable development.

9. My attention has also been drawn to planning permissions for gable roof extensions at 32 Clare Gardens and 89 Melford Avenue. I do not have any details of the circumstances that led to those permissions being granted, but I note that the drawings for 32 Clare Gardens indicate that at the time of that application the house already had a gable end roof rather than a hipped end roof. Furthermore, it is not located on the corner of a cul de sac. As such, it is not directly comparable to the appeal scheme. Whilst 89 Melford Avenue is on a corner plot and included a large dormer, it is set much further back from the road than the appeal property. I also note that the permission would have pre-dated the current development plan, SPD and the National Planning Policy Framework (the Framework), against which I must consider this appeal. In any event, I have considered this appeal proposal on its own merits.

10. I have had regard to the provision of two additional bedrooms and that there were no objections to the proposals, but these considerations do not justify the harm that would be caused by the proposed development.

11. For all these reasons, I conclude that the hip to gable and dormer roof extensions would unacceptably harm the character and appearance of the host building and surrounding area. This would be contrary to the aims of DPD Policy B11 and the SPD, which I have set out above. It would also be contrary

to paragraph 127 of the Framework, which seeks to ensure new development is visually attractive, maintains a strong sense of place and adds to the overall quality of the area.

12. The Council has referenced conflict with DPD Policy BP8 in the refusal reason, however this policy concerns the effect on living conditions of neighbours, which did not feature in the refusal reason or Officer's report. Therefore, it is not directly relevant to the main issue in this appeal, and in any event, I do not find any conflict with it.

**Other Matters**

13. I have given consideration to whether I could issue a split decision for the acceptable elements of the scheme, but I have opted not to because the development that has already been constructed at the site would not be in accordance with the approved plans.

**Conclusion**

14. For the reasons given, I conclude that the appeal should be dismissed.

*Adrian Caines*

INSPECTOR