The Planning Inspectorate

Appeal Decision

Site visit made on 17 December 2019

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 January 2020

Appeal Ref: APP/Z5060/W/19/3237739
99 Melford Avenue, Barking IG11 9HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr Ahmed against the Council of the London Borough of Barking & Dagenham.
- The application Ref 19/01235/FUL, is dated 22 July 2019.
- The development proposed is erection of two storey side part single part two storey rear extension and installation of dormer window to rear.

Decision

1. The appeal is dismissed, and planning permission is refused.

Procedural Matter

2. I have used the Council's description of the development and included reference to the dormer window as this is a better description of the proposed development.

Preliminary Matters

3. The Council have commented that had they determined the application they would have refused planning permission for the proposed development as they consider that due to its scale, siting and design, it would enable the loss of a significant gap separating 97 and 99 Melford Avenue at first-floor level and result in an incongruous addition to the street scene, harmful to the character and appearance of the host dwelling, built form of the terrace, and character of the surrounding area.

4. The Council would also have refused planning permission due to the submitted drawings containing discrepancies and are not consistent with one another, in particular with regard to the height and roof treatment of the proposed extensions, therefore preventing them from making a full assessment until accurate information can be provided.

5. I note the submitted plans that are marked 'existing' include, amongst other things, a dormer window to the rear, a gable roof and a single storey rear extension. On my visit to the property I observed that work was being undertaken to the roof of the property. This is possibly the roof alteration stated as permitted development in the planning history, however I have not been supplied with any details confirming this to be the case. Additionally, there was no single storey rear extension at the property, although I observed the deconstruction of a conservatory appeared to have taken place.

6. It is clear that the plans marked 'existing' are not an accurate reflection of the property at the time of my visit, and whilst certain elements may constitute permitted development this is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. I am required to consider the scheme as a whole and I have determined the appeal on the basis of the development as per the proposed plans.

Main Issue

7. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

8. The appeal property is a two-storey end of terrace dwelling. It is situated in a predominantly residential area. A number of surrounding properties have been altered and extended.

9. The proposed development has three main elements, namely; a two-storey side extension, a part two-storey and part single storey rear extension, and a rear dormer window.

10. The side extension would be sited in the place of an existing single storey garage at the side of the property. The first floor would be set-back from the main body of the dwelling. It would incorporate a pitched roof that is set down from the ridge of the roof of the main dwelling.

11. The side extension would partially remove an existing gap between the appeal property and the adjacent property above their respective garages. The Council consider that the removal of this gap would be harmful to the character and appearance of the area. I observed on my site visit that a number of dwellings in the surrounding area have been extended over two floors to the side. This has resulted in either the partial removal of a gap between properties, or in the instance where both properties have been extended, the complete removal of the gap. I therefore find that the gap between properties is not a dominant or special characteristic of the area. The proposal should therefore not be resisted due to the partial loss of this gap.

12. The proposed side extension incorporates a gable roof. The roofs of surrounding properties are mainly hipped, including the majority of those that have been extended at the side over two storeys. In considering two storey side extensions, hipped roofs can ensure that the extension does not result in a terracing effect as a clear break in the roof would be present in the event of the neighbouring property extending in a similar manner. The proposed roof also does not follow the angles of the roof slope in the main dwelling. I therefore find that the roof of the two-storey side extension would cause harm to the character and appearance of the host property and the surrounding area.

13. Additionally, the fenestration of the front elevation of the side extension does not relate well to that of the host property. It does not align with the windows of the main dwelling and this contributes to the harm that is caused.

14. In terms of the alterations to the rear of the property, these consist of; a single storey rear extension with flat roof, a rearward projecting first floor extension with a flat-topped mansard roof, the rear section of the two-storey side extension, and a dormer window that includes a Juliet balcony.

15. There is a harmful lack of cohesion and connectivity in the design of these elements of the alterations to the rear of the property, they do not relate well to each other. The combination of the various roof styles that are proposed to be used significantly deviates from that of the original dwelling and is out of keeping with the surrounding properties. The fenestration also appears irregular with the full height glazing and Juliet balcony of the dormer window dominating the rear elevation.

16. It is acknowledged that the proposed rear alterations are not visible from the street-scene, however this does not construe that harm is not caused to the overall appearance of the property, simply due to the lack of visibility.

17. The appellant refers to the use of matching materials in support of the proposal. I find that this would generally be fundamental in a development of this nature. It would not override the harm I have identified with the proposal.

18. I therefore find that the proposal would have a harmful impact on the character and appearance of the host property and the surrounding area. It would be contrary to Policies BP8 and BP11 of the Barking and Dagenham Development Plan Document (DPD) (2011) which require, amongst other things, that development has regard to, and protects and enhances, the local character, and provides attractive, high quality architecture.

19. The proposal would also be contrary to the Barking and Dagenham Residential Extensions and Alterations Supplementary Planning Document (SPD) (2012). which outlines that for double storey rear extensions the design should be sympathetic towards the original house with particular attention being paid to ensure the roof treatment reflects the character of the original dwelling. The SPD outlines that for side extensions, these should be particularly sympathetic in terms of their form, roof treatment, detailing and materials. The SPD also outlines that in most circumstances, a hip-to-gable extension will not be considered acceptable as this would materially alter the character of the roof and be out of keeping with the surrounding area, and that dormer windows should be designed so that they do not unduly dominate the house.

Other Matters

20. The appellant comments that the proposal would not lead to any loss of light or create overlooking, overshadowing or any forms of pollution, noise or disturbance. I have considered these matters; however, they are not pertinent to the main issue and do not override the harm I have identified with the proposal. They therefore have little weight in support of the appeal.

21. I also note the reasons the appellant has given in relation to their desire for a larger house, but little weight can be attached to such personal circumstances.

Conclusion

22. For the reasons given above, and having had regard to all other matters raised, I therefore conclude that the appeal should be dismissed, and planning permission refused.

A M Nilsson

INSPECTOR