
Appeal Decision

Site visit made on 18 February 2021

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 April 2021.

Appeal Ref: APP/Z5060/D/20/3263000

104 Lyndhurst Gardens, Barking IG11 9XZ

- 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 Iftikar Zikria against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 20/01718/HSE, dated 26 August 2020, was refused by notice dated 3 November 2020.
 - The development proposed is the demolition of front garden wall and erection of front porches and rear extension. Loft conversion involving a construction of a rear dormer window and hip to gable roof alteration.
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Decisions

1. The appeal is allowed and planning permission is granted for the erection of a front porch at 104 Lyndhurst Gardens, Barking IG11 9XZ in accordance with the terms of the application, Ref: 20/01718/HSE, dated 26 August 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, 44776-02-105, 44776-01-205, 44776-02-206
 - 3) The external finishes of the development hereby permitted shall match in material and colour those of the existing dwelling.

Preliminary Matters

2. The main parties have confirmed that the rear extension, loft conversion, rear dormer and hip to gable alteration have been granted planning permission under a separate application. It remains for me to consider the additional front porch. The Council has explained the extent of its objections in this respect. I have amended the description of the appeal development accordingly.
3. The Local Authority's decision notice refers to several policies within the Draft Local Plan (Regulation 19 Consultation Version, October 2020). However, as the Draft Local Plan may be subject to further change, I only attach limited weight to these policies. Policies D1, D4 and D8 of the London Plan 2021 (LP) are unchanged from the Intend to Publish version, and have replaced the policies in the 2016 London Plan, both of which are referred to in the Council's decision.

Main Issue

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

Reasons

5. At my site visit I noted that the property immediately adjacent at 106 Lyndhurst Road has two front doors, with a monopitch-roof, front canopy element over the additional opening closest to the appeal site. To my mind, this arrangement does not appear out of character within the context of the high-density, urban setting.
6. I note the advice concerning porches within the London Borough of Barking and Dagenham Residential Extensions and Alterations Supplementary Planning Document February 2012 (SPD). It states that care should be taken to ensure that porches do not dominate the front of the house.
7. I am of the view that the appeal proposal would meet the requirements of the SPD in this respect. It would visually connect with the overall appearance of the host dwelling, without resulting in a dominant effect, and respond to the original design characteristics. It would not cause the loss of or disguise features which are important to the character of the house.
8. I am aware of the Council's concerns regarding the use of the property as an HMO. However, the appellant has confirmed that this is a single family residence for himself, his wife and his children. As such I have no compelling evidence that the building would be used for HMO purposes.
9. I conclude that the proposal would respect the character and appearance of the area. There would be no conflict with policy BP11 of the London Borough of Barking and Dagenham (LBBD) Development Policies Development Plan Document March 2011, policy CP3 of the LBBD Core Strategy July 2010, the SPD and policies D1, D4 and D8 of the LP, which seek to ensure proposals relate to local development and meet high standards of design. It would also be consistent with the National Planning Policy Framework (the Framework) which states that good design is a key aspect of sustainable development.

Conditions

10. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. In addition to the standard implementation condition, the approved plans are listed for certainty. To ensure a satisfactory appearance I impose a condition requiring the use of matching materials.

Conclusion

11. Having regard to all matters raised, the appeal should be allowed.

C Hall

INSPECTOR