



Appeal Decision

Site visit made on 18 June 2021

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 July 2021

Appeal Ref: APP/Z5060/D/21/3269269

3 Melford Avenue, Barking, IG11 9HS

- 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 Akram against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 20/02520/HSE dated 21 December 2020, was refused by notice dated 29 January 2021.
 - The development proposed is a ground floor extension of 3.65m.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed development on the living conditions of the neighbouring occupiers of No 1 Melford Avenue, with regards to outlook and daylight.

Reasons

3. The appeal property is a two storey end-of-terrace dwelling that has been extended to the side. It is located in a residential area close to Melford Avenue's junction with Beccles Drive.
 4. Housing in the immediate area is largely characterised by the presence of two storey terraced and semi-detached dwellings set back from the road behind short gardens and/or parking areas and with longer gardens to the rear.
 5. During my site visit, I observed that many dwellings in the area have been altered and/or extended. Such changes include large additions and generally appear to be in keeping with local character and to safeguard residential amenity.
 6. Both the appeal property and its neighbour, Number 1 Melford Avenue, have been extended to the side. No 1 is situated such that it faces directly towards the junction of Melford Avenue and Beccles Drive, whereas the appeal property faces directly out towards Melford Avenue.
 7. This creates a somewhat awkward relationship between the two properties to the rear, as it results in the rear elevation of No 1 being in close proximity to and facing towards and partly across the rear garden of the appeal property.
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8. The proposed development would extend the appeal property to the rear along the boundary with the rear of No 1. This would result in a tall structure projecting for some distance within the immediate proximity of the rear of No 1. Further, the ground floor windows to the rear of No 1 would look out directly onto the side of the proposal, which would itself extend to a height considerably above that of the shared boundary.
9. I find that this would exacerbate the awkward relationship to the rear of the two properties, such that the proposal would appear unduly dominant and overbearing when seen from the ground floor and from the rear of No 1.
10. Further to the above, the proposal's location to the south of No 1 would, when combined with its overall scale and close proximity, result in a reduction in the amount of daylight reaching the rear of No 1. Whilst the harm arising from this would not be so great as to warrant dismissal of the appeal on its own, it is a factor that adds weight to the decision below.
11. During my site visit, I noted that the presence of a built structure to the rear of No 1 detracts from the attributes of the appeal property's rear garden, but this is not a matter that reduces the harm arising from the proposal before me.
12. Taking all of the above into account, I find that the proposed development would harm the living conditions of the neighbouring occupiers of No 1 Melford Avenue, with regards to outlook and daylight, contrary to the National Planning Policy Framework; to London Plan Policies 7.1, 7.4 and 7.6; to DPD¹ policies BP8 and BP11; to Core Strategy² Policy CP3; and to the Council's Residential Extensions and Alterations Supplementary Planning Document (2012), which together amongst other things, protect residential amenity.

Conclusion

13. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

¹ Reference: Barking and Dagenham Borough Wide Development Policies Development Plan Document (2011).

² Reference: Barking and Dagenham Core Strategy (2010).