



Appeal Decision

Site visit made on 8 September 2022

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th September 2022

Appeal Ref: APP/Z5060/D/22/3294025

68 Julia Gardens, Barking, IG11 0UL

- 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 D Lekaj against the decision of the Council to the London Borough of Barking and Dagenham.
 - The application Ref 21/02190/HSE, dated 3 December 2021, was refused by notice dated 27 January 2022.
 - The development proposed is described as the erection of a two storey side extension.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. In their officer and report and decision letter the council refers to policies SP4, DM11, DM14 and DM16 of the London Borough of Barking & Dagenham's Draft Local Plan (Regulation 19 Submission Version, November 2019). However, these policies have been superseded by policies SP2, DMD1 and DMD6 of the London Borough of Barking & Dagenham's Draft Local Plan (Regulation 19 Submission Version, Autumn 2021) (Draft LP). In relation to the determination of this appeal the content of these updated draft policies has not materially changed and are consistent with the adopted development plan policies.
3. On the submitted drawings the size of the rear dormer extension; the detailing of the front gable; the inclusion of a front porch; and some of the fenestration does not reflect that of the existing dwelling. Also, whilst the submitted drawings show two large windows in the flank elevation of the existing dwelling, there is just one smaller ground floor window. For the avoidance of any doubt, I confirm that this decision is based upon the existing dwelling and the details provided relating to the proposed extension.

Main Issues

4. The first main issue is the effect of the proposal on the character of the existing dwelling and the area. The second main issue is the effect of the proposal on the living conditions of the occupiers of the neighbouring properties, with particular regard to visual impact.

Reasons

Character and appearance

5. Julia Gardens is characterised by uniformly designed short terraces and semi-detached houses from a limited range of designs and palette of materials. Typically, the outer terraced dwellings have matching projecting two storey front gables and the inner terraced houses have single or two story bay window projections. The symmetrically designed semi-detached houses have central two storey projecting bays with hipped roofs.
6. The dwellings are set back from the road behind modest sized front gardens, many of which are used for on-site parking. There are good sized gaps between the buildings and the corner properties occupy generous width plots. This contributes to the spacious suburban character and appearance of Julia Gardens and the area in general.
7. The appeal site occupies a prominent position on the inside of a sharp bend in the road. The dwelling is separated from the road by gardens to the front and side and the front corner of the dwelling aligns with the front elevations of the dwellings to the rear. The appeal dwelling comprises an end of terrace dwelling, with a two storey front projection with a gable roof. This is mirrored by the dwelling at the opposite end of the terrace, which also has a single storey side extension with a pent roof.
8. A number of end of terrace dwellings in the locality have single and two storey side extensions, although none are directly comparable to the appeal proposal. They have respected the host dwellings and the street scene with varying degrees of success, depending on their siting, orientation, proximity to the road, scale, form, detailed design and materials. Rather than set a precedent they highlight the need to assess each application on its individual merits and in light of the prevailing planning policies.
9. Collectively and amongst other things paragraph 130 of the National Planning Policy Framework (the Framework), Policy D4 of the London Plan, Policies CP2 & CP3 of the Barking & Dagenham Local Development Framework (LDF) Core strategy 2010 (CS) and Policies BP2, BP8 & BP11 of the LDF Borough Wide Development Plan Document (DPD), require new development to be designed to a high quality and to reinforce local distinctiveness. New development should respect and strengthen local character and provide a strong sense of place. It should be suitably designed within the context it is set and should relate appropriately to the surrounding area.
10. The aim of the Council's Residential Extensions and Alterations Supplementary Planning Document 2012 (SPD), advises that extensions should be sympathetic and should not unbalance the original dwelling. They should respect the existing roof, fenestration and external materials of the host dwelling. Side extensions should reflect the existing house type and the type of plot.
11. Policies SP2, DMD1 and DMD6 of the London Borough of Barking & Dagenham's Draft Local Plan (Regulation 19 Submission Version, Autumn 2021) (Draft LP), are consistent with this. Draft LP Policy DMD6 states that residential extensions should be sympathetic and subordinate to the host dwelling in relation to scale, form, materials and detailing.

12. Due to its location on the inside of a bend in the road, the side and rear elevations of the appeal dwelling are prominent in views within the street scene. The flank wall of the dwelling is visually stark and this is exacerbated by the cheek and rear elevation of the large rear dormer extension. These features have a negative impact on the street scene. However, the level of harm caused is limited due to the fact that the existing flank wall is set back from the pavement behind a side garden and it does not project forward of the front building lines of the dwellings to the rear of the appeal property.
13. With the proposal the proposed flank wall of the host dwelling would project close to the pavement and would project forward of the front building lines of the dwellings to the rear. It would be highly prominent within the street scene and would appear both dominant and stark. It would have an enclosing impact on the street scene and would fail to respect the uniformity in the layout of the street scene.
14. The front elevation of the proposed extension would be unduly wide and would fail to reflect or be subservient to the existing two elements of the front elevation. The resultant width of the part of the house to which it would be attached would also be out of proportion with the host terrace and other terraces within Julia Gardens. This harm would be exacerbated by the failure of the proposed windows to respect the proportions and detailing of the existing front windows.
15. For these reasons the proposal would materially harm the character and appearance of the host dwelling, the terrace and the area. This harm would outweigh the benefits for the appellant and their family that would result from the additional living accommodation. It is also not something that could be satisfactorily addressed through the imposition of conditions.
16. I conclude on the first main issue that the proposal would unacceptably harm the character of the host dwelling and the area. Accordingly, the proposal would conflict with London Plan Policy D4, CS Policies CP2, CP3, DPD Policies BP2, BP8 & BP11, the SPD, Draft LP Policies SP2, DMD1 & DMD6, and paragraph 130 of the Framework.

Living conditions

17. With the proposal the flank wall of the resultant dwelling would project less than 17 metres from the front windows of the dwelling at 57 Julia Gardens. Whilst it would detract from the outlook from that dwelling, the appeal dwelling is not particularly deep and there would be open views on either side of the appeal dwelling, along Julia Gardens and into the rear garden environment. Accordingly, whilst it adds to the concerns regarding the proposal, in itself it would not amount to a reason for dismissing this appeal.
18. Due to its distance from and/or juxtaposition to other nearby dwellings, the proposed extension would not have a materially harmful impact on the outlook from those dwellings.
19. I conclude on the second main issue that the proposal would not have a materially adverse impact on the living conditions of the occupiers of neighbouring properties. In this respect the proposal would comply with the London Plan Policy D4, CS Policy CP3, DPD Policies BP8 & BP11, the SPD, Draft LP Policies SP2, DMD1 & DMD6, and paragraph 130(f) of the Framework.

Amongst other things the above policies and advice seek to provide and protect good quality living conditions for local residents.

Conclusion

20. Notwithstanding the conclusion on the first main issue, the conclusion on the second main issue amounts to a compelling reason for dismissing this appeal.

Elizabeth Lawrence

INSPECTOR