



Appeal Decision

Site visit made on 17 October 2022

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2022

Appeal Ref: APP/Z5060/D/22/3301719

17A Horace Avenue, Rush Green, Barking and Dagenham, Romford RM7 0XA

- 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 H Janjua against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 22/00168/HSE, dated 8 February 2022, was refused by notice dated 9 May 2022.
 - The development is a garage extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development on the application form is "*Retrospective planning for garage extension – Resubmission of 21/01054/FULL*". As the term retrospective does not relate to an act of development, I have omitted this from the description in the banner heading. For the same reason, I have also omitted the reference to a previous application.
3. At the time of my site visit, the garage extension had been completed in accordance with the submitted plans, except for the rendered finish.

Main Issues

4. The main issues are the effect of the development on i) the character and appearance of the area, and ii) the living conditions of occupiers of Nos.17 and 17A Horace Avenue, with particular regard to outlook and daylight.

Reasons

Character and appearance

5. The site is in a residential area comprising rows of two-storey terraced houses, set back from the road, with outbuildings to the rear. There are some outbuildings in the area, which like the appeal building are located to the rear of dwellings on corner plots and are sited up to or close to the footpath. However, these buildings are of modest scale and design, and finished in materials that blend in with their surroundings.
6. The original garage is a modest sized pitched roof building, set back from the road. Contrary to what is shown on the submitted drawings, the photographs and my observations on site, show that the walls are a mixture of brick, and

pre-fabricated artificial stone panels. The stone panels facing into the gardens of Nos.17 and 17A are painted white. The roof tiles are slate with clay ridge tiles. Photographs submitted by the appellant show that the area to the front of the garage, which is now occupied by the extension, previously provided parking for two vehicles.

7. The extension, rather than being subordinate to, or matching the eaves height, ridge height and roof form of the building to which it is attached, is instead a large, flat roofed box-like building. The roof height of the extension is greater than both the eaves and ridge height of the original building. It is finished in a mixture of breezeblock, brick, UPVC cladding and a roller shutter door. The materials do not match those of the original building or the immediate surroundings. The poor design and appearance of the extension is exacerbated by its prominent siting right up to the edge of the footpath, resulting in an intrusive, alien feature in the street scene.
8. I therefore conclude that the garage extension, due to its scale, siting, design and materials, is overly dominant and harmful to the street scene and the character and appearance of the area. Consequently, it does not accord with policy BP11 of the Planning for the future of Barking and Dagenham Development Plan Document (DPD), 2011 and policy CP3 of the Planning for the future of Barking and Dagenham Core Strategy (CS), 2010, which collectively seek, amongst other things, to ensure that new development is of high-quality design and layout, which protects and enhances the character of the area. There would also be conflict with guidance contained in the Residential Extensions and Alterations Supplementary Planning Document (SPD), 2012 and the National Planning Policy Framework, which have similar design and character objectives.
9. Whilst I have also considered policies D1, D4 and D8 of The London Plan (LP), 2021, I do not consider these to be directly relevant to this small scale development.
10. As The London Borough of Barking and Dagenham Draft Local Plan has not yet been adopted, I have not had regard to this in reaching my decision.

Living conditions

11. As the extension is to the front of the garage and some distance from the boundary of No. 17, the living conditions of the occupiers of this property are not affected by it.
12. The garage extension is located directly to the south of No.17A, a short distance from the windows of the ground floor rear extension. I note that the side of the garage facing No.17A has been painted and that there are climbing plants, which soften and improve its appearance to some extent. As such, I do not consider that the extension is overbearing or has resulted in an unacceptable loss of outlook for the occupiers of No.17A.
13. Although the increased length and height of the garage, and the use of a flat roof, as opposed to a pitched roof that slopes away from the adjacent dwelling, increases the degree of overshadowing to the small remaining area of garden, the extension does not result in any significant loss of daylight to any windows in No.17A.

14. I therefore conclude that the extension preserves the living conditions of the occupiers of Nos.17 and 17A Horace Avenue in accordance with policies BP8 and BP11 of the DPD, which seek amongst other things to protect residential amenity. The guidance I have been referred to in the SPD relating to the effect of outbuildings on occupiers of neighbouring dwellings is also complied with.

Other Matters

15. I acknowledge that the owner has spent money developing the site and that there have been problems in the past relating to fly tipping and anti-social behaviour. However, there are multiple, more sensitive ways, in which these issues could be addressed. Consequently, these matters do not justify or outweigh the poor design and appearance of the extension.
16. I have had regard to other garages in the area that are referred to in the appellant's appeal statement. However, none of these are directly comparable to the case before me. The appellant has also made reference to four planning permissions granted by the Council, between 2003 and 2020, for garage replacements, extensions and alterations. As I have not been provided with any detailed plans or photographs of these developments or the circumstances surrounding their approval, I am unable to give these any significant weight.
17. A letter of support has been received from the occupier of No.17A. This is a neutral consideration, which weighs neither for nor against the development.

Conclusion

18. For the reasons given above I conclude that the development conflicts with the development plan as a whole and there are no considerations which outweigh this finding. The appeal is therefore dismissed.

R. Bartlett

INSPECTOR