



Appeal Decision

Site visit made on 25 January 2023

by J Wellstead BA(Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2023

Appeal Ref: APP/Z5060/D/22/3302829

27 Clare Gardens, Barking and Dagenham, Barking IG11 9JH

- 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 M Miah against the decision of London Borough of Barking and Dagenham Council.
 - The application Ref 22/00415/HSE, dated 10 March 2022, was refused by notice dated 5 May 2022.
 - The development proposed is the construction of a two storey side extension and a single storey rear infill extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council refer to the emerging Regulation 19 Submission Version of the London Borough of Barking and Dagenham's Draft Local Plan (December 2021). The examination has concluded, however I have little information to suggest when the plan is likely to be adopted, if any policies have been modified, or if there are any unresolved objections. As such, it currently attracts only minimal weight in my consideration of the merits of this appeal.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

4. The appeal site comprises of a two-storey end of terrace dwelling and is located in an area primarily characterised by terraced dwellings. The host property reflects the prevailing pattern of the built form which is linear and uniform in character with a pattern of single storey garages providing gaps between two-storey blocks of terraced dwellings. There are some side extensions in the wider area, nevertheless, the predominant pattern is of first-floor level gaps at the end of terraces which makes a positive contribution to the open character of the area.
5. The proposed two-storey side extension would extend across the entire width of the existing garage and up to the boundary of the plot, completely enclosing the gap at first floor level and abutting the side boundary of No.25 Clare Gardens (No.25). This would erode the existing spaciousness between the terraces which gives views from the street scene beyond the properties

towards Mayesbrook Park and be detrimental to the open character of the street scene.

6. The development would alter the existing prevailing pattern of short-terraced rows ending with single storey garages by the formation of an elongated terrace. This would be out of character for the surrounding area and result in a development that was significantly at odds with its setting due to its proposed mass, bulk and siting. The development would result in the loss of the clearly defined end of the terrace and therefore not relate to its context or reinforce local distinctiveness and would consequently cause unacceptable harm to the character and appearance of the surrounding area.
7. The appellant proposes using design and materials that would match that of the host property. This, however, will not resolve the loss of the visual gap at first floor level which contributes positively to the character and appearance of the area. It would still be dominant when viewed from the street scene and neighbouring properties and appear to be a narrow and cramped addition to the host property that would be at odds with the prevailing character of the street scene, which has a predominant pattern of spacious gaps at first floor level.
8. My attention has been drawn to other examples of side extensions at Westrow Drive and Edgefield Avenue. However, these are not located within the street scene of the appeal site, and are different in terms of design, form, roof shape, scale, materials, and layout. They are also isolated examples that do not reflect the predominant character of the area. Given these differences, the presence of these extensions do not form a binding precedent for approving the appeal scheme.
9. Although the proposed development would be of a different height and character to the side extension at No.25, the depth would be the same in comparison to the side extension at No.25 and the roof form would be different. The combination of the side extension and the proposed development would appear to be a continuation of the terrace and the two-storey nature of the proposed development would erode the open and spaciousness of the existing gap between the end of the terraces.
10. Consequently, I conclude that the proposed development would harm the character and appearance of the surrounding area. This would conflict with Policies D1, D4, D8 of The London Plan¹, Policies CP2 and CP3 of the Core Strategy², Policy BP11 of the LDF³ Borough Wide Development Plan Policies, The Residential Extensions and Alterations Supplementary Planning Document and the National Planning Policy Framework ('The Framework'). Together, these policies seek to ensure, amongst other matters, high quality design that suits the context and protects, enhances and promotes local distinctiveness, character and amenity. It would also be at odds with the guidance within the SPD⁴ which requires extensions to be sympathetic in terms of their form, roof treatment, detailing and materials. And the aims of the National Planning Policy Framework which seeks to secure high quality design.

¹ The London Plan: The spatial development strategy for Greater London (March 2021)

² Local Development Framework Planning for the future of barking and Dagenham Core Strategy (July 2010)

³ Borough Wide Development Plan Policies Development Planning Document (March 2011)

⁴ Residential Extensions and Alterations Supplementary Planning Document (February 2012)

Other Matters

11. I acknowledge that the Council has no concerns in regard to the proposed single storey rear extension. Even if I were to agree, this lack of harm is a matter of neutral consequence in the overall planning balance.

Conclusion

12. For the above reasons, the proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal is dismissed.

J Wellstead

INSPECTOR