
Appeal Decision

Site visit made on 25 October 2016

by Andy Harwood CMS MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 09 November 2016

Appeal Ref: APP/G5750/D/16/3157074
78 Boleyn Road, Forest Gate, London E7 9QE

- 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 Kazi Abdul of KKB Property and Financial Services against the decision of the Council of the London Borough of Newham.
 - The application Ref 16/01585/HH, dated 23 May 2016, was refused by notice dated 4 August 2016.
 - The development proposed is the erection of a ground floor and first floor rear and side extension, loft conversion with rear dormer and two velux windows to front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a ground floor and first floor rear and side extension, loft conversion with rear dormer and two velux windows to front elevation at 78 Boleyn Road, Forest Gate, London E7 9QE in accordance with the terms of the application, Ref 16/01585/HH, dated 23 May 2016, 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: '004 BRPA revision A'; '005 BR/PA revision A'; '006 BR/PA revision A'.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. The Council suggests that there is insufficient clarity and precision within the submitted details. The officer report refers to discrepancies without clearly outlining what they are. I could understand what is being proposed and I am satisfied that other people consulted about the proposal would also be able to do so.
 3. On 20 October, Newham's Local Plan Detailed Sites and Policies Development Plan Document (LP) was adopted. Although it was not adopted at the time of the Council's decision it replaces the London Borough of Newham Unitary Development Plan, adopted June 2001 as part of the 'development plan'. I must therefore take it into account. The appellant has been given an opportunity to comment upon this change of circumstances.
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Main Issue

4. The main issue is the effect of the proposals upon the character and appearance of the dwelling and surrounding area.

Reasons

5. The appeal site is within a tight knit residential area but close to a range of other uses. Boleyn Road includes mainly terraced properties behind short front gardens. There is a narrow gap between the site and the nearest of the neighbouring terrace of dwellings that defines most of this side of Boleyn Road. Those dwellings have unifying features such as the front sloping roofs. The original form of the terraced dwellings is evident although many have been subject to obvious alterations. There are also several large rear roof dormers on properties nearby which are visible from the footpaths alongside this and surrounding roads.
6. The existing dwelling at the appeal site is at the end of a short terrace of 3 dwellings close to the junction with St Anthony's Road. The other 2 dwellings in this terrace have small gables breaking the eaves line of the front roof slopes which most dwellings along the road do not. The dwelling at the site has a flat roof which is even more unusual and which goes against the general character of the area.
7. The proposal would involve the replacement of the front flat roof with a sloping roof thereby unifying this aspect of the dwelling with the general characteristics of the area. This would significantly enhance the appearance of the property when seen from public vantage points within Boleyn Road.
8. At the rear the flat roof is barely noticeable behind the valley roof and the 2 storey outrigger. This valley roof would be replaced by a roof dormer to enable the use of the proposed loft space. This would have a flat roof that would be at the same height as the ridge of the adjoining dwellings and that would extend across the full width of the dwelling. The existing single storey rear part of the dwelling would be enlarged up to the boundary but this would not have a significant visual impact outside of the site.
9. The dormer would be more noticeable than the existing flat and valley roofs. It would be seen from the properties to either side and at the end of the garden. This would not be unusual in this general area which does include some other large flat roofed rear dormers. The gable of the large two storey outrigger across the back of Nos 80 and 80a would screen the proposal from St Anthony's Road to the east and it would not be seen prominently from the public realm of other streets. It would have a very limited wider visual impact. The proposed rear dormer would therefore have a small but noticeable negative impact upon the appearance of the dwelling. It would not comply with the advice within the Council's Supplementary Planning Guidance Note 15 "Altering and Extending Your Home" (SPG).
10. The front roof alteration would have a significantly beneficial impact when seen from the wider public vantage points. The rear roof alteration would have a negative impact but from limited points of view. In my opinion the significant benefits outweigh the less significant negative impacts. In relation to the main issue, the proposals overall would have a satisfactory effect upon the character and appearance of the dwelling and surrounding area. This would comply with

decisive Policies S6, SP1, SP3 and H1 of the Core Strategy¹, LP Policy 8 and Policies 7.1, 7.4 and 7.6 of the London Plan².

Other Matters

11. The limited visual harm would not lead to harmful impacts upon adjoining residents' living conditions in terms of the effect upon the outlook from those properties. There would be no significant harmful impacts upon adjoining residents in terms of privacy, daylight or shading either.
12. I have imposed a condition specifying the relevant drawings as this provides certainty that the development will be implemented as proposed. In addition I have included a condition requiring that materials match the existing dwelling.

Conclusion

13. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

A Harwood

INSPECTOR

¹ Newham's Local Plan – The Core Strategy, adopted January 2012

² The London Plan, adopted March 2016 (with alterations since 2011)
