
Appeal Decision

Site visit made on 1 November 2016

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 10TH November 2016

Appeal Ref: APP/G5750/D/16/3155860
17 Mitcham Road, East Ham, London E6 3LT

- 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 Ms Jennifer Beamish against the decision of the Council of the London Borough of Newham.
 - The application Ref 16/00868/HH, dated 22 March 2016, was refused by notice dated 19 May 2016.
 - The development proposed is a first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension at 17 Mitcham Road, East Ham, London E6 3LT in accordance with the terms of the application, Ref 16/00868/HH, dated 22 March 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: KD/EXT/PP/77/15/M-109.1, KD/EXT/PP/77/15/M-109.2 Revision R1, KD/EXT/PP/77/15/M-109.3 Revision R1 and KD/EXT/PP/77/15/M-109.4.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the main part of the existing building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no first floor windows shall be inserted in the side elevations of the extension hereby permitted.

Preliminary Matter

2. Policy SP8 of the Proposed Submission Draft Detailed Sites and Policies Development Plan Document (DPD) was referenced in the decision letter. Since the date of the Council's decision, the Council have adopted this document. Policy SP8 in the adopted DPD repeats almost exactly Policy SP8 in the submission draft version. I have determined the appeal on the basis of the adopted policy.
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Main Issue

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

Reasons

4. The property is a mid-terrace house in an area dominated by long terraces of dwellings. The houses are generally consistent in terms of their size, height and design, being two-storey with a single storey rear projection. The frontages generally have a uniform appearance, however to the rear the houses have been subject to a number of extensions and alterations of differing forms and designs. Indeed in the terrace (Nos 1-33) within which the appeal site sits, Nos 23, 25 and 27 have had dormers added to the roofs above their single storey rear projections, Nos 7, 31 and 33 have had first floor or two storey rear extensions, and at No 9 there is a rear dormer extension to the main house and a two storey rear extension which combine to create a large addition. As such the rear elevation of the host terrace has lost much of its original form and character.
5. The proposed extension would be above the house's single storey rear projection. Its eaves would be just lower than the eaves of the main house and its ridge would be just higher than the eaves of the main house. In this respect it would be similar in height to the rear extensions at Nos 7, 9, 31 and 33. Furthermore its depth would be similar to the extensions at these four neighbouring properties. Consequently it would be comparable to the extensions already present along the terrace.
6. It is noted that the extensions at Nos 7, 9, 31 and 33 are, in effect, in pairs and hence they do not present a blank side wall, as would be the case in the proposal. However despite this, it is not considered that this would render the extension incongruous in its context. Indeed my attention has been drawn to a number of other examples in proximity of the site, notably at Nos 39 and 43, where extensions have been built which are not part of a pair, and the proposal would compare favourably with these.
7. Accordingly, the development would not appear unsympathetic in its context, would not detract from the form and character of the terrace and so would not harm the character and appearance of the area.
8. Consequently the development would accord with policies SP1, SP2, SP3 and H1 of the Newham Core Strategy (NCS), policies 7.1, 7.4, 7.5 and 7.6 of the London Plan and the advice in section 7 of the National Planning Policy Framework (the 'Framework') which all expect a high quality of design in development. It would also accord with Saved Policy H17 of the Unitary Development Plan which requires development to have regard to the character of the surrounding area, Policy SP8 of the DPD which aims to ensure neighbourliness, and the design and amenity advice in the Altering and Extending Your Home Supplementary Planning Guidance. It would not conflict with Policy S1 of the NCS, though as this relates to strategic development it is of little relevance to the proposal.

Conditions

9. In accordance with the requirements of the Planning Practice Guidance and the Framework I have imposed the standard condition relating to the

commencement of development, a condition specifying the relevant plans in order to provide certainty, and a condition in the interests of preserving the character and appearance of the area. I have also imposed a condition preventing the insertion of windows on the side elevations to protect the privacy of the adjacent occupiers.

Conclusion

10. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be allowed.

Andrew Owen

INSPECTOR