

Appeal Decision

Site visit made on 14 November 2016

by Gareth W Thomas BSc(Hons) MSc(Dist) PgDip MRTPI

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

Decision date: 30 November 2016

Appeal Ref: APP/G5750/D/16/3157568

70 Rosedale Road, Forest Gate, London E7 8AT

- 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 Ali Abdul Rofo against the decision of the Council of the London Borough of Newham.
 - The application Ref 16/01780/HH, dated 8 June 2016, was refused by notice dated 8 August 2016.
 - The development proposed is for a single storey rear infill extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear infill extension at 70 Rosedale Road, Forest Gate, London E7 8AT in accordance with the terms of the application, Ref 16/01780/HH, dated 8 June 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: 2016-628/P01; 2016-628/P02, and; 2016-628/P03

Preliminary matters

2. Policy SP8 of the Proposed Submission Draft detailed Sites and Policies Development Plan Document (DPD) formed part of the Council's decision notice. Since the decision date, the Council has adopted the DPD. It is also noted that there is no material difference between the Draft and Adopted version of Policy SP8. Consequently I have determined this appeal on the basis of the adopted policy.

Main Issue

3. The main issues are the effects of the proposed development on (i) the character and appearance of the area and (ii) on the living conditions of existing occupiers of the neighbouring property with particular regard to light and outlook.
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Reasons

Character and appearance

4. The appeal property is a mid-terrace house in an area dominated by long terraces of two storey houses. The properties are generally consistent in terms of size, height and design with two storey outrigger gable extensions to the rear. Several properties in the street have seen various extensions and alterations and consequently there has been some denudation of the original Victorian character particularly to the rear. Indeed the adjoining property has been extended at ground floor with an infill extension that now forms the common side boundary with the host property. However the Council explains that this extension is unauthorised and that enforcement action is being taken although suspended for the time being.
5. The proposal would see a similar infilling of the rear area to form a single storey flat roofed extension to the existing kitchen. Two large rooflights would be introduced into the roof of the extension that would assist in providing natural light into the existing dining room. Although the proposed extension would be slightly recessed behind the forward most part of the neighbouring rear extension, it would mirror in terms of design to what has been provided at No.68
6. For all intents and purposes, this proposal would result in a modest addition to the property that would not be unsympathetic in its context and would not detract from the form and character of this terrace. Moreover the proposal would not be visible from any public vantage points. Parapet walls where they are built up to define the boundary between adjoining properties are traditional features of terraced properties. Whilst the Council's design advice contained within its 'Altering and Extending Your Home' Supplementary Planning Guidance (SPG) talks about the introduction of mono-pitched roofs as a preferred solution for single storey rear extensions, I consider that a parapet form as proposed would be an appropriate design response.
7. Accordingly, the development would accord with policies S6, SP1, SP2, SP3 and H1 of the Newham Core Strategy (CS), policies 7.1, 7.4 and 7.6 of The London Plan: Spatial Development Strategy for Greater London (TLP), Policy SP8 of the SPD, as well as the Council's SPG, which in combination seek high quality designed developments, which would fulfil the ambitions of policy S6 of the CS to rejuvenate the Borough. CS Policy S1 is not relevant as this relates to strategic issues for the Borough.

Living conditions

8. It is recognised that unauthorised development should not establish any favourable precedent for similar development. I am also conscious of the amplification given in Policy SP3 of the CS which states that design should resolve not repeat past mistakes, which in my view should not apply to either of these modest extensions. The extension would occupy the remaining area between the outrigger of the host property and the common boundary with No.68 now occupied by the similar extension as described above. However, even if the neighbouring extension was to be removed and the tunnelback reinstated, given the size, height and bulk the proposed extension would not be

overbearing or create an unneighbourly sense of enclosure nor would it dominate the outlook from the nearest windows or the garden or lead to unacceptable loss of light.

9. Consequently, the proposed development would not adversely harm the living conditions of the occupiers of No.68 with particular regard to light and outlook. It would therefore comply with the requirements of the National Planning Policy Framework in terms of the fourth bullet point to paragraph 17. It would also comply with policies S6, SP1, SP2, SP3 and H1 of the CS, Policy SP8 of the DPD and the advice contained within the SPG. These policies amongst other things seek to ensure that developments are of high quality design that respects neighbouring properties.

Conditions

10. In accordance with the Planning Practice Guidance and the Framework I have imposed the standard condition relating to commencement of development and a condition specifying approved plans in order to provide certainty.

Conclusion

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

Gareth W Thomas

INSPECTOR