
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: 9 December 2016

Appeal Ref: APP/G5750/D/16/3159728
117 Geere Road, Stratford, London E15 3PP

- 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 Jago Peachey against the decision of the Council of the London Borough of Newham.
 - The application Ref 16/01500/HH, dated 16 May 2016, was refused by notice dated 12 August 2016.
 - The development is described as a loft conversion with 2 rooflights to the street elevation and a dormer over the rear roof and closet wing.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion with 2 rooflights to the street elevation and a dormer over the rear roof and closet wing at 117 Geere Road, Stratford, London E15 3PP in accordance with the terms of the application, Ref 16/01500/HH, dated 16 May 2016, subject to the following condition:

Other than the as-built windows (which are not as shown on the submitted plans but are acceptable), the development hereby permitted shall be carried out in accordance with the following approved plans: 065.003 P2; 065.002 P2; 065.001 P1; 065.011 P2; 065.021 P2; 065.022 P2; 065.102 P2; 065.103 P3; 065.104 P3; 065.000 P1; 065.121 P3; 065.124 P2; 065.111 P3

Preliminary matters

2. The development has already been carried out.
3. 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.
4. The appellant draws attention to an appeal against a refusal of a Certificate of Lawfulness¹ for a dormer construction elsewhere in the Borough that the Council appeared to consider relevant at the time of consideration of this appeal. However, I have determined this appeal entirely on the planning

¹ APP/G5750/X/15/3135806

merits of the appeal scheme duly made and now before me irrespective of the scope of permitted development rights in relation to extensions of this type.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the host property and the area.

Reasons

6. The appeal property is situated on a residential street that comprises of two storey terraced houses of similar design and regular features including outriggers to the rear that are paired with each neighbouring property. The ridge of each of the outriggers is set lower than the principal roof of the terrace.
7. The proposal seeks permission for the as built rear dormer and alterations. The development largely consists of a flat roofed 'L' shaped dormer built up to the party walls which themselves have been extended vertically to form the side walls of the dormer. The dormer projects over and at a substantially greater height than the ridgeline of the outrigger but crucially has not breached the main ridge of the terrace roof, which is a positive aspect of the proposal. Moreover there are no side windows overlooking the neighbouring properties.
8. The dormer has been executed using good quality materials and whilst the submitted plans indicate the use of modern style windows, the windows that have been inserted into the openings are of a high quality sash style casement windows. Despite the dormer extending over the outrigger, due to the dark coloured materials used throughout that blend into the roofing materials, I do not find that it over dominates the rear roofslope. I agree with the parties that the development does not impinge upon the living conditions of neighbouring properties to any significant degree that would be harmful.
9. In reaching my decision, I agree with the appellant's contention that the rear elevation of the appeal property is not visible from the public domain and views of the rear from other houses in the terrace opposite are intermittent. There are, in addition, several examples of poorly designed dormers and other alterations to dwellings in the neighbourhood, which combine to seriously denude the original character of this terrace as well as neighbouring terraces. Whilst having little bearing on the outcome of this appeal, I also acknowledge the improvements that have taken place throughout the appeal property. The resulting development here although modern in style, is nevertheless harmonious in the context of the original dwelling and terrace. Moreover, this proposal would provide high quality family accommodation, which is a fundamental ambition of the Council as explained in its Core Strategy (CS), particularly at CS Policy S6 Urban Newham.
10. Accordingly, the as-built development has not caused harm to the character and appearance of the host property nor in turn to the area. Accordingly the proposal would comply with those policies considered most relevant to this appeal, namely Policies S6, SP1, SP3 and H1 of the Council's CS, Policy H17 of the Council's Unitary Development Plan (UDP) and policies 7.1, 7.4 and 7.6 of The London Plan (TLP). The proposal would also be consistent with Section 7 of the National Planning Policy Framework, whilst would not seriously conflict with the advice contained within the Council's Supplementary Planning

Guidance No.15 'Altering and Extending your Home'. These policies in combination, seek amongst other things, to ensure that development is of a high quality of design and is appropriate in terms of the relationship to the character of the surrounding area.

Condition

11. I have considered the imposition of conditions against the advice contained within the Planning Practice Guidance and the Framework. A single condition is imposed specifying the approved drawings to provide certainty.

Conclusion

12. Having regard to the above reasons and to all other matters raised, this appeal is allowed.

Gareth W Thomas

INSPECTOR