
Appeal Decision

Site visit made on 18 January 2017

by A J Mageean BA (Hons) BPI PhD MRTPI

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

Decision date: 16 February 2017

Appeal Ref: APP/G5750/W/16/3161494
56 Chesterton Road, London E13 8BD

- 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 Kayani against the decision of the Council of the London Borough of Newham.
 - The application Ref 16/01596/FUL, dated 25 May 2016, was refused by notice dated 29 July 2016.
 - The development proposed is new roof to provide loft conversion with rear dormer with two skylight windows and a double storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and surrounding area.

Reasons

3. The appeal property is a two storey building located on the south side of Chesterton Road. This is a predominantly residential area characterised by a range of terraced and semi-detached Victorian and post-war houses. The appeal property itself is somewhat unusual in appearance, and appears to be sited in a plot of greater width than its neighbours. Whilst similar in position, scale and mass to adjoining properties, its roof takes the form of a front facing gable spanning much of the width the property, with an additional flat roofed element containing a front facing dormer. It is tiled at first floor level with an additional tiled and pitched element connecting the ground and first floors. Its ground floor is redbrick. The property has a single storey rear extension.
 4. I understand that this property was significantly modified in the 1980's and that it is now in use as an HMO accommodating up to 10 people.
 5. The proposal would raise the roof of the property to incorporate an additional storey across the full width of the plot, including infilling the existing side alleyway. The front of the property would include red brick at first floor, and the front facing part of the roof would contain two roof lights and would be pitched. To the rear roof slope a flat roofed dormer extension containing three windows and spanning much of its width would be inserted. This would have brick cheeks and a tiled frontage. Overall, an additional four bedrooms in the roof space would be created.
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6. I accept that this building currently has an unusual appearance when viewed directly from the front. However, as it follows the common front building line and is of modest proportions, it does not present a discordant feature in oblique and longer distance views. In the proposal, the Council notes that the roof ridge would be 1m higher than that of adjacent properties, and would be pitched at a steeper angle. The impact of this addition would be noticeable given the width of the appeal property.
7. Therefore the proposal would significantly increase the scale and mass of this building when viewed from Chesterton Road. It would therefore appear as an over-dominate addition and would detract from the setting of the listed Earl of Derby Public House, located diagonally opposite the appeal site.
8. To the rear the dormer extension would be clearly visible in views from the rear of nearby properties and from London Road. This large addition would be unusual in this area, and in this relatively high density residential environment would be a visually intrusive and discordant feature.
9. The appellant argues that the appeal building presently has a dysfunctional appearance and that this scheme would make a positive contribution to the street scene. However, my view is that for the reasons given above this scheme would not be well integrated with its context.
10. I conclude that the proposal would have a detrimental effect of the character and appearance of the host building and surrounding area. It would therefore conflict with the relevant aspects of policies quoted by the Council, including the London Plan 2016 Policies 7.1; Newham's Local Plan: the Core Strategy 2012 Policies S6, SP1 and SP3; Newham's Local Plan: Detailed Sites and Policies DPD 2016 Policy SP8; the London Borough of Newham Unitary Development Plan 2001 saved Policy H17 and Newham's Supplementary Planning Guidance 2001 Altering and Extending Your Home, all of which seek to ensure development is appropriate to local character.

Other Matters

11. The appellant argues that the scheme would provide additional accommodation, and points to the presumption in favour of sustainable development contained in the National Planning Policy Framework (the Framework). I accept that this consideration does weigh moderately in favour of this scheme.
12. I note the additional concerns of the Council regarding discrepancies between the plans presented and the housing license issued for the property. However, such considerations do not alter my findings on the main issue in this case.

Conclusion

13. I have found that this proposal would be harmful to the character and appearance of this area, and also that there would be harm to the setting of a listed building. In this latter respect the statutory duty in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. In this case the harm caused to the setting of a listed building would be less than the substantial harm referred to by the National Planning Policy Framework. However, the public benefits that would accrue, including provision of additional accommodation, would not

outweigh the harm to the significance of the designated heritage asset, or the wider concern about character and appearance of the area.

14. Therefore, as this proposal would conflict with the development plan taken as a whole and with the Framework, I conclude that the appeal should fail.

AJ Mageean

INSPECTOR