

Appeal Decision

Site visit made on 22 March 2017

by Brendan Lyons BArch MA MRTPI IHBC

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

Decision date: 12th April 2017

Appeal Ref: APP/G5750/D/17/3166973

83 Halley Road, Forest Gate, London E7 8DS

- 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 Manoj Ravji against the decision of the Council of the London Borough of Newham.
 - The application Ref 16/03223/HH, dated 10 October 2016, was refused by notice dated 16 December 2016.
 - The development proposed is a rear dormer extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the extension's effect on the character and appearance of the area.

Reasons

3. The appeal property is a two-storey house that forms part of a long terrace in a densely built inner suburban location. The house has a typical layout of its period, with a two-storey rear 'outrigger' projecting from the main terrace. A flat-roofed single-storey extension has been added filling in the space to the side of the outrigger and extending some way beyond it across the width of the plot.
 4. Permission is now sought for an extension comprising conjoined dormers that have been added across the full width of the rear roof slope and across the full extent of the outrigger. The dormers have flat roofs and are clad in red hanging tiles, with each having a main window facing the rear. There is a slight step in roof levels between the main dormer and the lower rear wing. The walls of the outrigger have been built up in matching brickwork to form a level base for the dormer, so that the outline of the original lean-to roof form is no longer expressed.
 5. The directly adjoining house, No.81, has also been extended in very similar fashion, but in that case the outline of the outrigger roof has been retained. The appellant has provided details of permission recently granted at appeal for a further first floor extension to the end of the outrigger at No.81, in the form of a 3m projection with a roof in the original profile. At the time of my visit, a first floor extension had been added, but with a flat roof.
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6. I also noted that a small number of other nearby houses in the terrace and in the very similar facing terrace on the street behind had been extended with flat-roofed dormers.
7. The Council acknowledges that a high-quality roof extension could provide an excellent addition to the house. Its concern is with the design of the dormers as built, which it considers to be unduly bulky, overbearing and visually incongruous.
8. I agree that the dormers do not relate well to the form of the original house. In common with many flat-roofed dormers, their box-like shape does not relate well to the original pitched roof forms and, because the entire roof slope has been covered, results in a top-heavy appearance. In this case, that effect is amplified by the conjunction of the two box shapes, which provides an intensive form of development, to which attention is drawn by the use of red cladding. The location, shape and pattern of the windows do not respond to the position and vertical proportions of the original window openings.
9. The appellant does not claim that the development represents high quality design but refers to a number of mitigating circumstances that might justify approval of the development.
10. The first of these is the potential to construct a very similar form of enlargement as 'permitted development', without the need for planning permission. In this regard, there is no dispute that the appellant was granted a Certificate of Lawfulness of Proposed Development ('CLPD') in 2012 for an arrangement of dormers very like that now built. The key differences appear to be that the main dormer has been built some 40cm wider, to the full width of the house, and that the outrigger brickwork has been raised.
11. A plan has been submitted with the appeal showing the brickwork added to the outrigger replaced by tiles and the original roofline re-expressed. However, the structural implications, if any, of making this alteration have not been outlined and I do not agree that this material change could be secured by means of a condition were the appeal to be allowed, as suggested by the appellant. No evidence has been put forward of how the width of the main dormer could be reduced to achieve the lawful form of development.
12. Therefore, I consider there is some doubt whether the CLPD scheme represents a sound fallback position with a realistic prospect of implementation. Furthermore, even if the CLPD scheme could still be delivered, it is clear that its visual effects would be almost equally as incongruous as the appeal scheme's. As a fallback, it does not offer a compelling argument in favour of allowing the appeal scheme.
13. The appellant also points to the extension's lack of visibility from public vantage points. However, the alteration is prominently seen from the rear gardens of adjacent houses and from the rear aspect of a large number of houses in the street behind. The few comparable alterations to houses in that street stand out in views from the appeal site as incongruous additions to the otherwise regular run of the terrace, and the same must be true of the reverse view.
14. In the case of the appeal alteration, the adverse impact is somewhat tempered by the presence of the adjoining extension, as the dormers form a pair with

very similar overall form, size and treatment. However, the impression of a matching pair is reduced by the differences in detail in eaves and verge treatment, and the lack of matching windows. The effect of both together might be preferable to one on its own, but neither represents an ideal form of alteration to the original house. I note that in allowing the proposed first floor extension at No.81, the Inspector commented that the dormer gave the house an 'awkward, top-heavy appearance'.

15. In summary, I consider that the appeal scheme forms a poorly designed addition to the house, contrary to the objectives for good design set by the National Planning Policy Framework and by Policies 7.1, 7.4, and 7.6 of the London Plan, as consolidated with alterations to 2016, and by Policies SP1, SP3 and H1 of the Newham Local Plan Core Strategy, adopted in 2012. I recognise that the extension provides useful family accommodation, but consider that other options for extending the home could have provided additional space in a better form. The other considerations put forward by the appellant would not outweigh the conflict with national and local policy.

Conclusion

16. For the reasons set out above, and having taken all representations into account, I conclude that the appeal should be dismissed.

Brendan Lyons

INSPECTOR