
Appeal Decision

Site visit made on 4 July 2017

by Paul Singleton BSc (Hons) MA MRTPI

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

Decision date: 20 July 2017

Appeal Ref: APP/G5750/D/17/3176527
50 Clova Road, London E7 9AH

- 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 Jonathan Ellse against the decision of the Council of the London Borough of Newham.
 - The application Ref 16/03873/HH, dated 6 January 2017, was refused by notice dated 3 March 2017.
 - The development proposed is erection of first floor side extension and loft conversion with rear dormer including four velux windows on the front elevation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the host building as part of a pair of semi-detached houses and of the surrounding area.

Reasons

3. Other than in respect of the addition of a projecting porch the appeal property is largely unaltered from its original appearance. In common with the adjoining dwelling at Number 48 it retains its two storey, curved bay windows topped by a gable and its oriel window above the front door. The hipped roofs of both houses are intact as is the shared chimney stack straddling the dividing line between the properties.
4. The proposal would result in the replacement of the hipped roof with a new gable and the introduction of a second oriel window serving the proposed new bathroom. These changes would produce a much extended ridge line and front elevation that, together, would significantly detract from the balanced proportions of the property and substantially erode the pleasing symmetry that currently exists within the pairing of the two houses. This would cause significant harm to the character and appearance of the host property and of the matched pair of semi-detached dwellings.
5. Permission has been granted for a side addition at ground floor level but that scheme would neither extend nor alter the roof of the property or significantly amend the proportions of its front elevation. It would not have the same detrimental effect on the character and appearance of the pair of houses.

The existence of that planning permission does not provide any justification for the allowing the appeal.

6. The semi-detached houses at Nos. 45 and 56 are of similar age and style to the appeal property and its immediate neighbour. The hip-to-gable conversion at No. 56 is quite prominent in the street scene because of the alignment of that pair of houses and the width of the gap between Nos. 56 and 56A. That development has resulted in some visual imbalance and a loss of symmetry within the pair of houses but differs from the appeal proposal because there has been no extension at first floor level. Because the appeal proposal would increase the width of the first floor elevation by around 2 metres and extend the ridge line by more than twice that amount it would cause substantially greater detriment to the character and appearance of the semi-detached pairing.
7. The proposal would effectively fill the gap between the appeal property and No. 54 at both ground and first floor levels and, in direct views from across the road, would result in the loss of the existing visual break between the houses. However, because Nos. 48 and 50 are set back behind the adjacent houses this would not be readily apparent from elsewhere in the street and would not cause significant harm in this respect.
8. The extension would be quite prominent in views from Atherton Mews and from some of the residential properties on the north side of that street. The dormer would read as a full width, third floor and would substantially increase its bulk and massing of the dwelling as perceived in these views. This change would cause detriment to the character and appearance of the area.
9. The proposal conflicts with the London Borough of Newham Local Plan Core Strategy (2012) Policy SP1, which requires that development be of a high quality which responds to the positive character of the area, and SP3, which states that all development should be of a high quality. It also conflicts with Policy SP6 insofar as this seeks to improve the quality and distinctiveness of places. The Council alleges conflict with Policies SP1 and SP2. However, the proposal would not be likely to have a material effect on the health of the neighbourhood or the Council's aspirations for building communities.
10. The proposal conflicts with Policies 7.1, 7.4, and 7.6 of The London Plan (2015) which seek high quality design that allows buildings to make a positive contribution to the character of the area. The proposal would have a limited effect on the street scene and I find no conflict with the Policy 7.5 objectives with regard to the protection and enhancement of the public realm. I have not identified any adverse effects on the living conditions of neighbouring occupiers and find no conflict with Policy SP8 of the Detailed Sites and Policies Development Plan Document (2016) which seeks to ensure neighbourly development.

Other Matters

11. I note the appellant's contention that hip-to-gable conversions can be carried out using permitted development rights but these would not enable an extension of the scale proposed.

12. Paragraph 58 of the National Planning Policy Framework (Framework) states that planning decisions should aim to ensure that proposals optimise the potential of the site to accommodate development. However, paragraph 6 states that the policies in paragraphs 18 to 219 of the Framework as a whole constitute the Government's view of what sustainable development means for the planning system. Regard must, therefore, be had to the policies in section 7 which seek to secure good design and to the statement in paragraph 64 that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. The appeal proposal is such a development.
13. The contention that the house is too small for family accommodation is contradicted by the obvious use of a large number of similarly sized properties in the area for that purpose. I am unable to give any weight to the appellant's assertion that construction of the approved extension would not be economic when there is clear evidence that a large number of property owners in the area have carried out single storey extensions to their dwellings. Although the proposals may help to improve security and energy efficiency there is no evidence that these improvements could not be achieved by less harmful alterations.
14. The additional accommodation provided by the appeal proposal would bring advantage to the appellant. However, this would be a wholly private benefit that would not outweigh the harm that would be caused.

Conclusion

15. For the reasons set out above I conclude that the appeal should fail.

Paul Singleton

INSPECTOR