
Appeal Decisions

Site visit made on 18 July 2017

by Richard McCoy BSc MSc DipTP MRTPI IHBC

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

Decision date: 07 August 2017

Appeal Ref: APP/G5750/D/17/3177532
15 Olive Road, Plaistow, London E13 9PZ

- 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 Mrs Hajera Shultana against the decision of the Council of the London Borough of Newham.
 - The application Ref 17/00177/HH, dated 19 January 2017, was refused by notice dated 16 March 2017.
 - The development proposed is double storey rear extension at first floor.
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Decision

1. The appeal is allowed and planning permission is granted for a double storey rear extension at first floor, at 15 Olive Road, Plaistow, London E13 9PZ, in accordance with the terms of the application Ref 17/00177/HH, dated 19 January 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing nos. A101, A102, A203 and A204.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are the effect of the proposal on the living conditions of the occupiers of no. 17 in respect of outlook and overshadowing and on the character and appearance of the area.

Reasons

3. No. 15 is a mid-terrace dwelling located in an area characterised by two storey terraced houses, a number of which feature single and two storey rear extensions.
4. Proposed is an extension above an existing ground floor projection that would have a depth of around 3.05m. Concerns were raised that the depth of the proposal and proximity to a window on the rear of no. 17 would result in an adverse impact on the neighbour's living conditions in respect of loss of outlook and overshadowing.

5. However, the proposal would be stepped in from the boundary with no. 17, and the roof pitch and modest depth would reduce the visual impact of the extension when seen from the neighbouring bedroom window. Furthermore, the set-back, roof pitch and modest depth of the extension would also be likely to prevent daylight levels to the rear of no. 17 being harmfully reduced. In which case, the proposal would be unlikely to harmfully change the living conditions of the occupiers of this dwelling.
6. Accordingly, the proposal would not conflict with Policy 7.6 of the London Plan: Spatial Development Strategy for Greater London (consolidated with alterations since 2011 and published March 2016) (LP) and Policy SP8 of the adopted London Borough of Newham Local Plan: Detailed Sites and Policies Development Plan Document.
7. Concerns were also raised that the proposed design would be an unsympathetic and discordant addition that would detract from the character of the original dwelling and of the general area. I observed that the area to the rear of the terraced dwellings includes examples of large extensions and that the rear of the appeal site is not readily visible from the public realm. In any event, in my judgement, the modest width and depth, use of design features such as the "catslide" roof and matching materials and finishes would create an extension that would appear subordinate in scale and appearance to the host.
8. Moreover, when seen in the context of the rear elevations of neighbouring dwellings, it would politely integrate itself into the established character of the terrace. Accordingly, in this regard, the proposal would not conflict with LP Policies 7.4 and 7.6, and Policies SP1, SP2, SP3 of the adopted London Borough of Newham Local Plan: Core Strategy.
9. The Council also raised concerns regarding the proposal providing inadequate floor space for a bedroom. No policy basis is specifically identified against this concern and in my judgement, bedroom 3 as shown on drawing no. A102, would provide adequate accommodation for its intended purpose.
10. I have considered the conditions suggested by the Council in the light of the tests and advice within the National Planning Policy Framework and the Planning Practice Guidance. I agree that conditions are necessary in respect of commencement time, relating the development to the submitted plans and materials in the interests of providing certainty and protecting visual amenity.
11. For the reasons given above, I conclude that the appeal should be allowed.

Richard McCoy

Inspector