
Appeal Decision

Site visit made on 29 November 2017

by G Rollings BA(Hons) MA(UD) MRTPI

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

Decision date: 22nd December 2017

Appeal Ref: APP/G5750/W/17/3180818

56 Chesterton Road, Plaistow, London, E13 8BA

- 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 M Kayani against the decision of the Council of the London Borough of Newham.
 - The application Ref 17/01137/FUL, dated 31 March 2017, was refused by notice dated 25 May 2017.
 - The development proposed is a dormer loft conversion with roof alterations.
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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 area, and on the particular significance of 119 London Road, a grade-II listed building.

Reasons

3. The appeal site accommodates a house within a predominantly residential area comprising buildings of differing styles. The intersection of Chesterton Road is dominated by the listed building, with the appeal site located a short distance to the west along Chesterton Road. Both are listed building and appeal site are simultaneously visible in approach views.
4. The appeal building is a two-storey building that appears to be of more recent construction than its neighbours. The proposal seeks to replace the existing upper floor layout with a new first floor extension that would have a more traditional appearance than the existing. Atop this would be a pitched roof incorporating accommodation within, served by roof windows in the front roof slope, and a dormer to the rear.
5. The appeal site is substantially wider than its neighbours. In conjunction with the relatively plain first floor front façade of the proposed extension, the dwelling would stand out against the shorter neighbouring dwellings and the overall street scene. This effect would be amplified by the proposed roof, which would have a different pitch to its neighbours. I appreciate that there are variations in existing roof pitches on buildings along this part of the street, but similarly its length and appearance, as well as the resultant gap between it and the adjacent corner dwelling, would result in a significantly incongruous appearance.

6. Despite the existing building also appearing incongruous, its low height amongst its neighbours limits its obtrusiveness within the street scene. Given the increased scale and massing of the proposed works, the extension would achieve the opposite. Furthermore, I have concerns regarding the proposed rear dormer, which would appear large and obtrusive in the glimpsed public realm views, and views from adjoining properties. There are no existing dormers amongst its immediate neighbours, which would exacerbate the bulky appearance and incongruity of the proposed extension.
7. The site was recently the subject of a similar proposal. In dismissing the appeal, the Inspector in that case¹ noted in that instance that the proposal would significantly increase the scale and mass of the building, appearing unreasonably dominant within its context. I acknowledge that this proposed scheme was developed to overcome that Inspector's concerns, but despite these revisions I consider that the current proposal would also appear dominant within its surroundings, for the reasons I have set out. Moreover, given these effects and the proximity of the nearby listed building, I am not convinced that the proposal would preserve that building's particular significance, and that of its setting, which includes the street intersection and surrounding properties in foreground and background views of the building, such as the appeal site.
8. I consider the harm to the setting to be less than substantial. The *National Planning Policy Framework* (the Framework) notes that less than substantial harm should be weighed against the public benefits of the proposal (paragraph 134). I note that the proposal would provide benefits in providing additional residential accommodation, but I do not consider that this is a public benefit that outweighs the harm. In any case, although the harm here is less than substantial in terms of the definition of the Framework, it is nevertheless tangible and unacceptable in the local context.
9. I therefore conclude that the proposal would fail to conserve the particular significance of 119 London Road, a grade-II listed building. It would also have a harmful effect on its setting, and the character and appearance of the area, and would not comply with the Framework, for the reasons set out above. It would also fail to comply with *Newham's Local Plan – The Core Strategy* (2012) Policies S1, S6, SP1, SP2, SP3, SP5 and H1, and the relevant strategic policies of The London Plan (2016). Together, these policies require development to conserve the borough's heritage assets and their setting, and ensure that development is appropriate within its context, amongst other considerations.
10. The Council also mentioned *Newham's Local Plan Detailed Sites and Policies Development Plan Document* (2016) Policy SP8 in its reason for refusal, but as that policy is chiefly concerned with ensuring neighbourliness and preserving living conditions, I do not consider it relevant to this main issue.

Conclusion

11. For the reasons stated above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G Rollings

INSPECTOR

¹ Appeal ref: APP/G5750/W/16/3161494; decision date: 16 February 2017.