

Appeal Decision

Site visit made on 8 July 2019

by C J Leigh BSc(Hons) MPhil MRTPI

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

Decision date: 18 July 2019

Appeal Ref: APP/G5750/W/19/3226941
2F Braemar Road, London, E13 8EH

- 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 Ahmed against the decision of the Council of the London Borough of Newham.
 - The application Ref 19/00503/FUL, dated 18 February 2019, was refused by notice dated 15 April 2019.
 - The development proposed is a two bedroom house.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues in this appeal are the effect of the proposed development on, firstly, the character and appearance of the surrounding area and, secondly, the living conditions of existing and future occupiers with particular reference to outlook and privacy. A further main issue is whether the proposed development would make sufficient provision for cycle and refuse storage.

Reasons

Character and appearance

3. The proposals would see alterations and extensions to an existing structure to the rear of 251 Barking Road, and the provision of a house arranged over three floors. The design, scale and dimensions of this new building would not relate well to the surrounding area. It would rise well above the lower adjoining buildings and extensions, with the height and awkward dimensions of the site creating an isolated structure that shows no clear relationship with the neighbouring buildings or wider streetscene. The treatment of the elevations shows a disparate and incoherent use of windows, with the walls of the building appearing dominant and oppressive to the street.
 4. I noted there is a modern building to the west, 2D Braemar Road, that sits to the rear of Barking Road. However, this lies next to the terrace of the Braemar Road terrace, is set back from the street frontage, and is on a site that can accommodate the size, height and scale of the building. Those are not features of the appeal site or the design shown in the submitted drawings; thus, my comments remain unaltered and I consider the appeal proposals would be
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unduly prominent, and represent a poor design that is intrusive to the site and wider area.

5. On the first main issue it is therefore concluded that the proposed development would be harmful to the character and appearance of the area. This would be contrary to Policies S1, S6, SP1, SP3, SP5, SP8 and H1 of the London Borough of Newham Local Plan (2018), Policies 3.5, 7.1, 7.4, 7.5 and 7.6 of The London Plan (2016), the general thrust of which is to seek to ensure high quality design in new development proposals. It would also be inconsistent with the National Planning Policy Framework's objective of achieving well-designed places.

Living conditions

6. The proposed building would rise two storeys above the existing level of the building on site at present, where it would be around 9.4m from the dwelling within 251 Barking Road.
7. From my observations at the site visit and review of the plans I consider the scale, position, height and proximity of the new building would be very dominant to the outlook from the adjoining properties. This would harm the living conditions of existing occupants. The scale and height of the building would, due to its siting, also be unduly dominant to the outlook of properties on the opposite side of Braemar Road and 2D Braemar Road, which has a window in the side elevation.
8. The proximity of the new building to 251 Barking Road and the positioning of windows would lead to a material loss of privacy for existing occupants. Future occupants of the proposed building would similarly experience a loss of privacy. Furthermore, the proposed garden area for the new house would be overlooked by the existing residential properties, leading to further loss of privacy.
9. I note that a lighting assessment concluded there would not be a material loss of light to adjoining residents. However, the findings of that study do not change my conclusions that the proposed development would be harmful to the living conditions of existing and future occupants by virtue of loss of outlook and privacy. Thus, on the second main issue, it is concluded the proposal would be contrary to Policies S1, S6, SP1, SP2, SP3 and SP8 of the Local Plan and Policies 7.1, 7.3, 7.4 and 7.5 of The London Plan which, amongst other matters, seek to ensure new development is neighbourly and does not harm amenity.

Provision for cycle and refuse storage

10. The requirement of the London Plan is 2 cycle spaces for a 2+ bedroom dwelling. One space is shown on the submitted drawings, and I share the Council's concern about the practicality of this single space as it is shared with a bin store; space appears very tight to be able to properly maneuver cycles and/or bins.
11. The proposed development does not make any provision for car parking, which the Council consider acceptable. I concur, given the location of the site. However, given that finding, it would seem necessary to meet cycle parking standards in order to optimize the potential for alternative means of travel other than the private car. I do not have any evidence as to why there should

be a lower cycle provision and so, on the basis of what I have seen and read, I consider the cycle parking to be inadequate.

12. I have commented that the drawings show an arrangement which would make bin storage and the storage of even one cycle difficult. I therefore further concur with the Council that the submissions do not make adequate provision for bins.
13. On the third main issue it is therefore concluded that the proposed development would not make sufficient provision for cycle and refuse storage, and so would conflict with Policies S1, S6, SP2, INF2 and INF3 of the Local Plan, and Policies 3.5, 5.17, 6.9, 7.1, 7.4, and 7.5 of the London Plan insofar as they relate to seeking that sustainable transport facilities and infrastructure requirements are provided in new development.

Conclusions

14. I acknowledge that the development plan and the Framework seek to make the most efficient use of land for housing. However, I must determine this appeal on its own merits. There is conflict with the development plan with regards to the main issues and this clearly outweighs the benefits of providing new housing. The appeal is dismissed accordingly.

C J Leigh

INSPECTOR