



Appeal Decision

Site visit made on 10 June 2019

by Adrian Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2019

Appeal Ref: APP/G5750/D/19/3224554

25 Heyworth Road, Stratford, London E15 1ST

- 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 Khurshid Ahmed against the decision of the Council of the London Borough of Newham.
 - The application Ref 18/03152/HH, dated 5 November 2018, was refused by notice dated 19 December 2018.
 - The development proposed is loft conversion with rear dormer (extension to existing loft conversion).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Notwithstanding the description of development on the Council's decision notice it is clear from the application form and the submitted plans that the proposal is for a rear dormer. I have determined the appeal accordingly.

Main Issues

3. The main issues are the effect of the development on the character and appearance of the host property and area; and upon the living conditions of the occupiers of 74-76 Idmiston Road, with particular regard to outlook and light.

Reasons

Character and appearance

4. Heyworth Road is characterised by semi-detached and terraced properties of varied style and appearance. To the rear of the properties is a mix of both original outriggers and new extensions, including some dormer windows. No 25 is located within a short terrace, which terminates on the corner with Idmiston Road. It forms a distinctive pair with No 27 as they are the only properties in this part of the street with a mansard roof extension.
5. Although the proposed dormer would be set in from the party wall and would not occupy the whole roof of the outrigger, it would still be a flat-roofed structure of considerable bulk and projection, clearly visible from Idmiston Road and surrounding properties. It would lack architectural subtlety in its box-like design, disrupting the parapet line and eaves of the building, and by overlapping between the outrigger and mansard roof. In these respects, the proposed development would be a visually dominant and incongruous addition

to the building. Whilst the effect would be reasonably localised it would, nevertheless, diminish the character and appearance of the host property in an unacceptable manner, with consequent harm to the character and appearance of the surrounding area.

6. Although there are other flat roof rear dormers nearby, they do not contribute positively to the area, and for the reasons above, the proposed development would exacerbate this. In any event, I have considered the appeal proposal on its own merits.
7. I therefore conclude that the proposed development would unacceptably harm the character and appearance of the host property and area. This would be contrary to Policies 7.4 and 7.6 of the London Plan 2016 (LP), Policy SP3 of the Newham Local Plan 2018 (NLP) and the accompanying Altering and Extending your Home Supplementary Planning Document 2018 (SPD). It would also be contrary to paragraph 127 of the National Planning Policy Framework, which seeks to ensure new development is visually attractive and adds to the overall quality of the area.

Living conditions

8. 74-76 Idmiston Road appears to be split horizontally into flats. Its outrigger has a full height two storey bay facing directly onto the outrigger of the appeal property, containing what appear to be primary windows to habitable rooms in each flat. There are two further windows in the main wall at ground and first floor level, close to the common boundary. These windows also appear to serve habitable rooms.
9. The proposed dormer would project a considerable length above the existing outrigger at the same height as the roof of the main building. This would have a significant enclosing and oppressive effect on the outlook of the opposing upper bay window, notwithstanding that the development would be set in from the eaves and end of the outrigger. Moreover, due to the proximity and height of the proposed development, it would be likely to further reduce the amount of daylight available to all of the windows to the rear of Nos 74-76, which is already at a premium on this northern elevation.
10. I therefore conclude that the proposed development would significantly harm the living conditions of the occupiers of Nos 74-76, with particular regard to outlook and light. This is contrary to LP Policy 7.6, NLP Policy SP8, and the SPD, which seek to protect the living conditions of neighbours.

Other Matters

11. As the appellant acknowledges that the proposed dormer does not meet the Permitted Development (PD) criteria, any partial compliance with PD is a matter I give very limited weight.

Conclusion

12. For the reasons given, I conclude that the appeal should be dismissed.

Adrian Caines

INSPECTOR