
Appeal Decision

Site visit made on 6 August 2019

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2019

Appeal Ref: APP/G5750/W/19/3228755
235 Plashet Road, London E13 0QU

- 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 Nafis Rafiq against the decision of the Council of the London Borough of Newham.
 - The application Ref 18/03069/FUL, dated 26 October 2018, was refused by notice dated 12 December 2018.
 - The development proposed is erection of single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. It was clear from my site inspection that the proposed works have already commenced and, in fact, appear to be substantially complete. The works have included the construction of blockwork walls and the above placement of corrugated sheeting and timber supporting elements to form a flat roof above. The development I observed on site generally appeared to closely correspond with the scheme depicted on the proposed plans before me. However, whilst the plans illustrate the extension being setback slightly (within the site) from the rear boundary, I observed that the works undertaken instead appeared to align with the rear boundary of the site (as depicted in red outline on the submitted location plan scaled 1:1250). For the avoidance of doubt and notwithstanding that development has commenced, my responsibility is to consider the appeal based on the scheme as it appears on the plans submitted.
3. The Council has confirmed that the Mayor of London's new Draft London Plan is currently under examination, a process that has yet to conclude following initial consultation undertaken in December 2017. Where the content of relevant policies has been substantiated in the evidence before me, I have given them limited weight in my consideration of this appeal. This is because their content may yet change prior to being formally adopted.

Main Issue

4. The main issue is the effect upon the character and appearance of the host building and the site's surroundings.

Reasons

5. The appeal site contains a 2-storey property that is occupied by a retail use at ground floor level with, I understand, a residential flat above. It makes up part of a terrace of 4 similarly set out properties, from No 233 to No 239 Plashet Road (the terrace). These properties are contained within comparably sized rectangular plots. To the rear of the terrace is located a mosque, which can be accessed via Plashet Road.
6. The rear extension that has been constructed on the appeal site, whilst merely a single storey in height and flat-roofed in design, forms a strident and prominent structure when viewed in the context of the rear of the terrace. This is predominantly due to the extent of its footprint coverage meaning that the extension appears out of proportion with both the host building and the terrace as a whole. This would similarly have been the case even had the extension been constructed in strict accordance with the proposed plans that are before me.
7. The extension is relatively discreetly located to the rear of the site. However, it still has a presence and influences how the area is read and experienced, particularly by neighbouring residents and by users of the mosque. Indeed, its blank east elevation is visible from the mosque's access road and the works fail to sympathise with the design and proportions exhibited by the terrace or by other surrounding buildings. This includes the mosque itself, where the extension's construction has led to an unduly close and cramped relationship having been formed that is at odds with the relationship in place between the mosque and other parts of the terrace. The extension appears incongruent and unduly prominent and thus has a negative effect upon the built environment. These findings would similarly apply even had the extension been constructed precisely as set out on the proposed plans.
8. From inspection, I noted the presence of other development to the rear of Nos 237 and 239 Plashet Road. With respect to No 237, a small single storey rear extension was in place, which has been noted by the Council in its delegated report, as well as a modestly sized timber-constructed outbuilding. In terms of No 239, I observed the existence of blockwork walling to the perimeter of its external area. The presence of these features does not, I consider, justify the construction of an extension of the size and extent under consideration here. This is even if the extension were finished in materials that fully match the external surfaces of the host building.
9. For the above reasons, the development causes harm to the character and appearance of the host building and the site's surroundings. The scheme conflicts with Policies S1, S6, SP1, SP3 and SP8 of the Newham Local Plan (December 2018) (the Local Plan), Policies 7.1, 7.4, 7.5 and 7.6 of The London Plan (March 2016) and with emerging Policies D1, D2 and D7 of The Draft London Plan (December 2017) in so far as these policies state that high quality development will be expected, which respects, takes advantage of, and enhances the positive elements and distinctive features of the Borough and that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass.
10. I do not consider that the development before me conflicts with Policy SP2 of the Local Plan. This is because this policy refers to healthy neighbourhoods

and the harm I have identified relates specifically to character and appearance matters.

Other Matters

11. I accept that the extension does not have an adverse effect upon the living conditions of neighbouring residential occupiers, through any overshadowing effect or loss of either privacy or outlook. It is also the case that the extension provides storage and staff facilities to serve and support an existing retail business within an area that I understand is defined in the Local Plan as a District Town Centre and as an Employment Hub. However, this benefit, given the relatively limited extent of floorspace under consideration, is modest and does not outweigh the significant harm identified to the character and appearance of the host building and the site's surroundings.
12. The scheme conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

13. For the above reasons, the appeal is dismissed.

Andrew Smith

INSPECTOR