
Appeal Decision

Site visit made on 20 January 2020

by Jillian Rann BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 February 2020

Appeal Ref: APP/G5750/D/19/3239886
18 Lens Road, Forest Gate, London E7 8PU

- 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 P Rock against the decision of the Council of the London Borough of Newham.
 - The application Ref 19/02472/HH, dated 5 September 2019, was refused by notice dated 14 October 2019.
 - The development proposed is rear conservatory including replacement of roof with conservatory roof.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my visit works to construct a rear extension had commenced. However, notwithstanding the works which have taken place, I have considered the appeal on the basis of the proposal as shown on the submitted drawings, which differs in some aspects of its appearance from the structure which was present when I visited.
3. A partly-built structure was also present adjacent to the property's garage at the time of my visit. However, that structure is not shown on the drawing showing the proposed development, or included in the description on the application form. Therefore, for the avoidance of doubt, I have not considered that further structure as part of this appeal.

Main Issues

4. The main issues are the effect of the development on:
 - the character and appearance of the appeal site and its surroundings;
 - the living conditions of the occupants of 16 and 20 Lens Road with regard to outlook.

Reasons

Character and appearance

5. The appeal relates to a mid-terraced house which, in common with its two adjoining neighbours and numerous other properties in the terrace, has an

existing single storey extension to the rear. Where such extensions exist, they are generally similar in depth to that at the appeal site. However, I observed that other properties in the terrace, at 4 and 22 Lens Road, have rear extensions which are deeper and which extend further into those rear garden areas. Furthermore, several houses in the terrace, including those immediately on either side of the site, have outbuildings adjacent to the garages on their rear boundaries. Those structures project towards the rear elevations of their associated dwellings, and into their rear gardens, to varying degrees.

6. There is therefore a degree of informality to the development within those rear gardens at present and, whilst there is some sense of a continuous open space running along the rear of the terrace, that 'corridor' is not strictly linear or free from development currently. Rather, it varies in size and position as a result of the varying positions and depths of those existing rear extensions and outbuildings.
7. The footprint and depth of the conservatory would be relatively limited, and not dissimilar to those of similar long extensions to the rear of other properties in the terrace. The depth of garden remaining between the conservatory and the garage on the site's rear boundary would be reasonable, and not inconsistent with the depths of other properties within the terrace which have had extensions to their rear elevations and/or outbuildings. In that context, and having regard to the layout of those existing extensions and outbuildings, and the deeper projections which exist to the rear of Nos 4 and 22, the conservatory would not represent an overdevelopment of the site or erode the sense of spaciousness which characterises the rear garden areas of the terrace at present.
8. However, whilst similar in height to the eaves, the conservatory's hipped roof would extend above the flat roof of the appeal property's existing rear projection. Therefore, and as a result of its hipped roof form, the conservatory would have an irregular and disjointed appearance when viewed alongside that existing rear extension's much simpler, lower, flat-roofed form. Its hipped roof design would also appear incongruous in the context of the simpler flat or mono-pitched roofs of other rear extensions in the wider terrace, including the longer rear extensions at Nos 4 and 22. Whilst public views of the site are somewhat limited, the conservatory would nonetheless be visible from the windows and garden areas of other properties in the terrace and, as a result of that discordant roof design, would detract from the character and appearance of the site and the wider terrace as experienced from those numerous private vantage points.
9. Therefore, for the reasons given I conclude that the proposed development would have an adverse effect on the character and appearance of the appeal site and its surroundings. The proposal would therefore conflict with Policies 7.4 and 7.6 of the London Plan 2016 and Policies S6, SP1, SP2, SP3 and H1 of the Newham Local Plan 2018 (the Local Plan). Amongst other things, those policies require high quality development which has regard to the form of an area and incorporates design appropriate to its context. Those policies are consistent with the National Planning Policy Framework (the Framework), which states that planning decisions should ensure that developments are sympathetic to local character, including the surrounding built environment.

10. The proposal would also conflict with the guidance in the Council's Altering and Extending your Home Supplementary Planning Document (the SPD) which requires extensions to complement the character and appearance of the original house and the group of buildings of which they form a part.
11. In reaching my decision I have also had regard to Policies D1 and D2 of the Draft London Plan, the aims of which are similar to those policies cited above in requiring good design which responds to local context.

Living conditions

12. The adjoining house at 20 Lens Road has a single storey rear extension the same depth as the appeal property's existing rear projection. The conservatory would be set in from the boundary with No 20, and from the adjacent window in that neighbouring extension closest to the boundary, which is obscure-glazed. Therefore, given its single storey height, and its separation from the boundary with No 20 and the clear-glazed rear windows and door of that neighbouring property further away, the conservatory would not appear unduly dominant or have an adverse effect on the overall outlook from No 20 or its garden, and would not have adverse implications for the levels of light reaching that neighbouring property.
13. The single storey extension to the rear of 16 Lens Road is slightly less deep than the appeal property's existing rear extension. However, whilst that existing extension is on the boundary with No 16, the conservatory would be set further away from that boundary which, I observed, is marked by a tall fence and relatively dense vegetation at present. Therefore, and as a result of its low eaves and its glazed roof which would slope away from the boundary with No 16, the extent to which the conservatory would be visible from the rear windows and garden of No 16 beyond the existing rear extension, and over and above that existing boundary treatment would be very limited. The conservatory would therefore not appear unduly dominant or have an adverse effect on the overall outlook from No 16 or its garden, or on the levels of light reaching that neighbouring property, compared with the existing situation.
14. Therefore, for the reasons given, I conclude that the proposed development would not have an adverse effect on the living conditions of the occupants of 16 or 20 Lens Road with regard to outlook or light. The proposal would therefore not conflict with Policies 7.4 and 7.6 of the London Plan 2016 or Policies S6, SP1, SP2 SP8 and H1 of the Local Plan which, amongst other things require development of a high quality design which would achieve good neighbourliness and not cause unacceptable harm to the amenity of surrounding buildings. Those policies are consistent with the Framework, which states that developments should create places with a high standard of amenity for existing and future users.
15. The proposal would also accord with guidance in the SPD which, amongst other things, recommends that new extensions should ensure that the outlook of neighbours is not harmfully compromised and that reasonable levels of sunlight and daylight to neighbours' rooms and amenity space are maintained.
16. In reaching my decision I have also had regard to Draft London Plan Policies D1 and D2, the aims of which are similar to those of the policies cited above, in requiring development proposals to deliver good design and appropriate amenity.

Conclusion

17. For the reasons given, and having regard to all other matters raised, the appeal is dismissed.

Jillian Rann

INSPECTOR