



Appeal Decision

Site visit made on 27 January 2020 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 March 2020

Appeal Ref: APP/G5750/D/19/3241126

11 Eversleigh Road, East Ham, London E6 1HG

- 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 Muhammed Mumtaz Alam against the decision of the London Borough of Newham Council.
 - The application Ref 19/02332/HH, dated 20 August 2019, was refused by notice dated 11 October 2019.
 - The development proposed is the construction of a two-storey rear extension and rear dormer loft extensions with two Velux windows to front elevation.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The description of development used in the header above is based on that used on the appeal form and the Council's decision notice as it describes the proposal more accurately than that description given on the application form.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the living conditions of the future occupants of the appeal property, having particular regard to the provision of outdoor amenity space, the outlook from bedroom 1, and the internal space of bedroom 6; and
 - the effect of the development on the character and appearance of the area.

Reasons for the Recommendation

Living conditions

5. The proposal would provide a ground floor bedroom which would lie between the front reception/dining area and the kitchen area and which would contain two large remote-controlled rooflights in the ceiling, 2.4 metres above the floor
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level. Whilst this would provide an adequate amount of ventilation, it would not allow for any outlook due to there being no eye-level windows. In my view, this would lead to a harmful sense of enclosure and would constitute poor living conditions for the future occupants. Although the appellant states that the internal environment will be no different to a loft room with high level rooflights, I find that the bedroom's position at ground floor level is not comparable to a loft room which, due to its higher elevation, would not be prone to being overdominated by surrounding buildings.

6. Turning to the provision of outdoor amenity space, the ground floor part of the extension would reduce the available garden space which is already limited by the large outbuilding in the rear of the garden. I find the space remaining would be insufficient for a six-bedroom property. I note that the appellant highlights that the rear outbuilding will be demolished and that, with the outbuilding removed, the amount of outdoor amenity space provided would be similar to that enjoyed by neighbouring properties on Eversleigh Road. However, the need to provide satisfactory living conditions in this respect should not be diminished by the conditions at other properties. I also understand that landscaping would be provided, that future occupiers may have no need for a substantial garden and that Priory Park is a short distance away. However, these factors do not wholly mitigate for the lack of amenity space in this instance.
7. Furthermore, I concur with the Council's position, set out in their officer's report, that bedroom 6 would be inadequately sized and would therefore fail to provide acceptable living conditions.
8. The development therefore conflicts with policy 7.6 of the London Plan, emerging policies D1 and D2 of the Draft London Plan, policies S6, SP1, SP2, SP3, SP8 and H1 of the Newham Local Plan (the 'Local Plan'), the 'Altering And Extending Your Home' Supplementary Planning Document (SPD), as well as the National Planning Policy Framework (NPPF) which all aim to ensure proposals are well-designed and provide a high quality standard of amenity and housing for all residents.

Character and appearance

9. The appeal property comprises a two-storey end of terrace dwelling located on the southern side of Eversleigh Road at the junction with Spencer Road. There is a two-storey outrigger extending off the rear of the dwelling and a ground floor rear lean-to. The proposal will result in a two-storey rear extension as well as a rear dormer loft extension which would project out over the two-storey rear outrigger. On my site visit I observed that many properties in the vicinity feature rear extensions and dormers.
10. Whilst the Council is concerned the proposed extensions would appear incongruous and constitute overdevelopment, they would be seen in the context of the neighbouring rear extensions along Eversleigh Road, which include a rear two-storey extension coupled with rear dormer loft conversion at No.33. Indeed, the proposed development would seem to replicate the extensions at No.33 which is also located in a prominent end of terrace position at the junction with Grosvenor Road.
11. Therefore, in this context, the proposed development would not appear incongruous, have an adverse effect on the street scene or result in a visually

discordant feature that would harm the character and appearance of the surrounding area.

12. Given the above, the proposed development would not conflict with policies policy 7.4 and 7.6 of the London Plan, policies S6, SP1, SP3 and H1 of the Local Plan, the SPD, emerging policies D1 and D2 of the Draft London Plan, as well as the NPPF which together seek to ensure proposals are well designed and contribute positively to the character and appearance of the surrounding area in which they lie.

Recommendation

13. Overall, I conclude the proposal would fail to provide satisfactory living conditions for the future occupiers of the appeal property in light of the lack of outdoor amenity space, the inadequate outlook from proposed bedroom 1, and the insufficient internal space of bedroom 6. Although I find the development will not adversely impact the character and appearance of the area, an absence of harm in this regard could not lend positive weight to the proposal. Likewise, the lack of objections from neighbours carries no positive weight. These factors therefore would not outweigh the failure to provide acceptable living conditions. Its failure to comply with the development plan means the presumption in favour of sustainable development does not apply.
14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR