



Appeal Decision

Site visit made on 14 September 2020

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th September 2020

Appeal Ref: APP/G5750/W/19/3242369

52 Green Street, Forest Gate, London E7 8BZ

- 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 Amir Mohammed Gere against the decision of the Council of the London Borough of Newham.
 - The application Ref 19/02575/FUL, dated 19 September 2019, was refused by notice dated 31 October 2019.
 - The development proposed is the erection of basement and single storey rear infill single storey side extension at ground floor flat.
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Decision

1. The appeal is allowed. Planning permission is granted for a the erection of basement and single storey rear infill single storey side extension at ground floor flat at 52 Green Street, Forest Gate, London E7 8BZ in accordance with the terms of the application Ref 19/02575/FUL dated 19 September 2019 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, LIVARCH/52GS/101 A, LIVARCH/52GS/201 A, LIVARCH/52GS/301 A, LIVARCH/52GS/401 A, LIVARCH/52GS/501 A & LIVARCH/52GS/701 A.

Main Issues

2. The main issues are the effect of the proposal a) on the character and appearance of the area and b) on the living conditions of occupiers of the neighbouring property at 50 Green Street.

Reasons

3. The proposal relates to the ground floor lower flat within an end of terraced property on Green Street, Forest Gate, which has a mixed residential and commercial character.

Character and appearance

4. The south facing side elevation of the main body of the property forms the boundary with Westbury Terrace leaving a narrow and irregularly shaped strip of land immediately to the side of the rear off shot. The boundary treatment has an incoherent appearance, being formed of varying bricks in different finishes and somewhat ramshackle timber fencing.
5. The rear elevation of this and the neighbouring properties incorporate what appear to be small original matching single storey off shots with lean to pitched roofs.
6. Whilst the extension would project beyond the rear elevation on the off shot, and would deviate from the existing roofing arrangement, the rear projection would be restrained and a significant proportion of the rear yard would be retained. Further, it would be limited in height as a result of the flat roof that is proposed, which although not the dominant roof form would have a neutral impact at the site. For these reasons, the extension would remain subservient to the host property.
7. Whilst wrap around extensions can sometimes be inappropriate, the circumstances at this particular site suggest that this would not be the case. The boundary line is set at an irregular angle and the front part of the property is already set directly against the footway. Further, the side return space, being so narrow, has limited function. The proposals would offer a simple rationalisation of the available space and a significant improvement on the existing poor-quality mismatched boundary treatment within what is an area of mixed built character.
8. Subsequently, I conclude on this issue that the proposal would not represent an unsympathetic or incongruous addition and would not therefore detract from the character and appearance of the area.

Living Conditions

9. The adjoining property to the north, within its rear elevation has a doorway close to the boundary and a small window further across. Nothing within the evidence or from observations gained on the site visit suggest that the window serves a habitable room. Due to its small size, any outlook across the appeal site is likely to be very limited. I do not therefore consider that the extension is likely to have an overbearing impact on the occupiers of 50 Green Street.
10. Given the limited projection of the extension beyond the rear elevation, a reasonable area of garden would remain beyond the extension and therefore I do not consider that the proposal would form an unneighbourly development which would significantly compromise the quality of the garden space at the neighbouring property through loss of daylight.
11. I therefore conclude on this issue that the proposal would not have a significant adverse effect on the living conditions of the occupiers of 50 Green Street.

Policy conclusion

12. As a result of my conclusions on the two main issues, the proposal would comply with Policies S6, SP1, SP2, SP3, SP8 and H1 of the Newham Local Plan (2018) which amongst other things seek development of good quality and

design which takes a neighbourly form. It would also comply with Policies 3.5, 7.1, 7.4, 7.5 and 7.6 of the London Plan (2016) which further seek good quality design and architecture that is appropriate to local character and the public realm and Policies D1, D2 and D7 of the Draft London Plan (2019) which have similar aims. There would be no conflict with the National Planning Policy Framework (2019).

Other Matters

13. The existing bedroom window on the rear elevation of the host property already suffers from a sense of enclosure and somewhat limited light as a result of the existing two-storey rear element and the tall fencing, and as a result the proposal would not materially worsen this situation.

Conditions

14. Planning permission is granted subject to the standard three-year time limit. Matching materials are required in the interests of the character and appearance of the area. It is necessary that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty.

Conclusion

15. For the reasons set out above, I conclude that the appeal should be allowed subject to the conditions.

T J Burnham

INSPECTOR