
Appeal Decision

Site visit made on 24 November 2020

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2020

Appeal Ref: APP/G5750/W/20/3245651

69A Plashet Road, Plaistow, London E13 0QA

- 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 Ms Najma Masood against the decision of the Council of the London Borough of Newham.
 - The application Ref 19/02370/FUL, dated 25 August 2019, was refused by notice dated 14 October 2019.
 - The development proposed is erection of first floor wrap around extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the host property and the area;
 - whether the proposal would provide satisfactory living conditions for future occupiers, with particular regard to natural light and outlook, and
 - the effect of the proposal on the living conditions of occupiers of the existing neighbouring property, 71 Plashet Road, with particular regard to outlook and overbearing.

Reasons

Effect on host property and character and appearance of the area

3. The area is primarily residential and is characterised by 2-storey, back-to-back terraced properties laid out in a dense, grid pattern. Outriggers at the rear is a common feature of the terraced properties, generally constructed such that the structure extends across 2 properties, though not the full width of either. This creates gaps between the outriggers, at least at first floor level. I observed that several properties in the area have inserted dormer windows at the rear and some have extended in other ways, though some of the extensions I observed were not as sympathetic to the original dwellings as they could have been.
4. The site is like others in the area, consisting of a mixed use, 2-storey mid-terraced property with additional accommodation in the roof space. There is a retail use on the ground floor and residential use, a flat, on the first floor.

The flat is accessed from the rear of the property, with steps leading to the first-floor level with the entrance door positioned on the outrigger.

5. The proposal would extend off the side of the outrigger at first floor level, halving the gap between the outriggers at the appeal site and that of the neighbouring property to the east. I consider the proposal would erode important features of the properties in the area, ie the outriggers and the gaps between them. In contrast with the appellant, I therefore conclude that the proposal would not be in keeping with the host property and consequently would harm the character and appearance of the area.
6. As such, the proposal does not accord with policies SP1 and SP3 of the Newham Local Plan 2018: A 15 year plan looking ahead to 2033 (NLP), 3.5, 7.4 and 7.6 of The London Plan: The Spatial Development Strategy for London, Consolidated with alterations since 2011 (March 2016), (the LP), or design policies in the National Planning Policy Framework (the Framework). Collectively, and among other things, these policies require new development to be of high-quality design and to have regard to, complement and reinforce local character. *Living conditions – future occupiers*
7. The proposal would extend across an existing bedroom window, reducing its height by around 2 thirds. Due to the location of the window in between rear outriggers and its north-facing orientation, the extent of natural light presently received in the room is limited. Reducing the size of the window would make the existing situation worse. Consequently, the extent of natural light received in the bedroom would be much less than it is at present, and I consider it would not be of a satisfactory level. In addition, I consider the quality of the outlook from the bedroom would be poor, as only the higher-level window pane would remain, and the extent of outlook would be substantially reduced. For these reasons I conclude that the proposal would not provide satisfactory living conditions for existing occupiers of the flat.

Living conditions – existing occupiers

8. The proposal would extend from the eastern side of the existing outrigger to the site boundary with number 71 Plashet Road. This would result in the proposed eastern facing side elevation being very close to the western facing side elevation of the outrigger of No 71. The western facing elevation of the first-floor outrigger at No 71 has 3 windows in it, the smallest of which is obscure-glazed. I did not enter No 71 and therefore cannot be certain of the rooms that are served by these 3 windows. However, should the property reflect the layout of the appeal property, then at least one of the windows would serve a kitchen/dining area. It appeared to me that the fenestration on the outrigger of No 71 was not the same as that on the outrigger of the appeal building. Consequently, it may be that the layout at No 71 differs to that of the appeal site. Even if this is the case, given the limited amount of internal space in these properties, I consider it highly likely that at least one of the windows on the first floor, western facing outrigger elevation of No 71 serves a habitable room.
9. The existing gap between the outriggers is around 2.5 m; as such, the space between the existing elevations and windows on each of the respective properties is already sub-standard. The gap would be halved should the proposed extension be constructed. Hence, the eastern facing elevation of the proposed extension would only be around 1.2 to 1.3 m from the windows on

the outrigger at No 71. As I consider it likely that at least one of the windows serves a habitable room, I consider that the proposed extension would make the existing outlook at No 71 worse than it currently is. Also, being so close to the side windows I consider the proposed extension would be overbearing in respect of its relationship with No 71. For these reasons, I conclude that the proposal would harm the living conditions of occupiers of the existing property No 71 to an unacceptable degree.

10. Therefore, the proposal does not accord with policies SP1, SP2 and SP8 of the NLP, Policy 7.4 of the LP and sub paragraph 127 'f' of the Framework. Collectively, and among other things, these policies require development to provide high standards of living conditions for existing and future users, to not cause unacceptable harm to existing users, to minimise overbearing impacts, to provide access to adequate levels of natural light and to contribute to the health and well-being of the Borough's residents.

Other considerations

11. The appellant points out that the appeal building is not listed, it is not near any listed buildings, it is not in a conservation area and there would be no loss of trees. These are true facts. However, they are merely site circumstances rather than benefits that would result from the proposal that weigh in favour of the proposal. The appellant points out that the proposed windows on the side elevation would be obscure glazed and therefore there would be no overlooking or loss of privacy. In addition, the proposed materials would be appropriate to the area. Although there may not be any loss of privacy and the proposed materials may be acceptable, planning policies require these outcomes of any planning application anyway. The appellant states that the proposal complies with BRE guidance, as the rooms would receive 2 hours of sunlight on 21 March. I have not been provided with any light assessment and therefore cannot be certain of the specific amount of sunlight any rooms would receive at any time. As noted above, it is my judgement that the existing bedroom would not receive a satisfactory level of natural light should the proposal be implemented.
12. I therefore conclude that none of the above considerations attract any weight to support the proposal.

Conclusion

For the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR