



Appeal Decision

Site visit made on 1 December 2020

by D Szymanski BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th December 2020

Appeal Ref: APP/G5750/D/20/3257708

22 Roman Road, East Ham, London E6 3RX

- 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 Mrs Arokia Duraiswamy against the decision of the Council of the London Borough of Newham.
 - The application Ref 20/00905/HH, dated 5 May 2020, was refused by notice dated 22 June 2020.
 - The development proposed is described as Retrospective application to retain side extension storage building.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At my visit the development had already commenced, so I am considering the appeal as retrospective. Although the description of the development above refers to the development being a side extension, from the plans and my visit, the development comprises an extension at the rear of the dwelling.
3. In comparing the pre-existing and the as-built plans, the latter shows an extension constructed in 2017 without the benefit of express planning permission that is abutted by a more recent extension. The appeal statement shows both elements outlined in red when describing the effect of the development. The Council's delegated report has considered both elements of the development. Therefore, I have considered the appeal on this basis.
4. While the Council's reason for refusal cites the unfinished nature of the development, and at my visit it was not yet completed. I have assessed the development as set out on the plans accompanying the application.

Main Issue

5. The main issue is the effect of the development upon the character and appearance of the host dwelling and the area.

Reasons

6. The appeal site comprises a two storey end of terrace dwelling, which is reflective of many nearby, integrating a pitched roof on the main dwelling with pre-existing rear mono-pitched or flat roof projections. The projections reduce the symmetry to the rear of the properties in this part of Roman Road.

However, the plot layouts are similar, being generally characterised by subservient extensions and moderately sized rear gardens with occasional modest outbuildings. Due to the limited depths in relation to the historic rear façade and the most prominent having pitched roofs, the pre-existing extensions relate reasonably well to and are subservient to the appeal site dwelling.

7. This appeal development differs significantly from the other extensions. This is because the resultant flat roof projection protrudes approximately 10m deeper than the first floor façade of the host property. It results in a long narrow projection extending the majority of the depth of the rear garden, over 4m deeper than other extensions at the property.
8. Its height, depth and close proximity to the west side boundary results in the development creating a significant bulk and mass that is visible over the boundary fences from neighbouring properties and gardens. The proximity to the boundary fence means there is little relief when viewed from the west. The development results in a projection that is notably visible as an incongruently long deep development extending most of the depth of the garden, which nearly doubles the depth of that part of the dwelling.
9. Such is its considerable depth and area of flat roof, the development creates a dominant projection that is significantly at odds with and is harmful to the character and appearance of the host dwelling. The considerable depth is also significantly and visibly at odds with the pattern of rear of plot development of the dwellings nearby. As a consequence, notwithstanding the localised visibility at the rear of properties, the development is not in keeping with and is harmful to the character and appearance of the host dwelling and the area.
10. The rearmost approximately 4.7m of the projection includes an approximately 0.3m deep section of overhanging eaves on its side elevation, which is different to the other part of the projection which has an almost flush eaves. This results in a considerably disjointed appearance on the eastern elevation. As a consequence, it relates poorly to the adjoining section of the projection as well as the existing rear façade of the host property as a whole, further adding to the incongruent and harmful appearance of the development.
11. I have been provided with the plans and details of other developments in the locality. I do not have the officer reports for the proposals on Roman Road, or the full evidence before the Inspectors for the developments on Turnmarsh Lane. Therefore, the full details and circumstances that lead to the approval of the schemes are not before me. However, the extensions at Nos 71, 178 and 261 are all full width, only extending from the original rear façade of the host properties by 6m, 4.4m and 3.4m respectively. The proposals at No 102 and 110 Turnmarsh Lane were for 3m deep first floor extensions, significantly behind the line of ground floor projections. These other developments are all significantly different to this appeal proposal in terms of depth, appearance and relationship to the host dwellings, and are not directly comparable. Therefore, they do not justify allowing this appeal development.
12. For the reasons set out above the development is significantly harmful to the character and appearance of the host dwelling and the area. Therefore, it conflicts with Policies 7.4 and 7.6 of the London Plan (2016) and Policies SP1, SP3, SP8 and H1 of the Newham Local Plan (2018) (the Local Plan). In combination and amongst other things, these policies expect development to

be of a high quality design that has regard to, maintains and enhances the character and appearance of the existing buildings and the area.

13. The development also conflicts with the advice in the Altering and Extending your Home Supplementary Planning Document (2018). This expects an extension should be an attractive development which compliments the character and appearance of the original house and the group of buildings of which it forms a part, including with particular reference to being subservient and preserving the character of the original dwelling.
14. The Council's reason for refusal refers to Policy S6 of the Local Plan which sets out a spatial strategy for various areas. Based upon the evidence before me it is not clear which of the areas the appeal site lies within, therefore, I am unable to make a finding in relation to this policy. Policy SP2 of the Local Plan sets out criteria in relation to healthy neighbourhoods, space provision and functionality, so is of limited relevance to character and appearance. Policy D1 of the Draft London Plan (intend to publish version, December 2019) sets out requirements for area assessments and the preparation of local plans, and Policy D4 relates primarily to the design process. Therefore, these are of limited relevance to the reason for refusal. However, this does not change my findings in relation to the main issue above.

Other Matters

15. Based upon the evidence before me the development would not result in harmful living conditions to neighbouring occupiers. The development may result in the more efficient use of previously developed land, providing an increase in floorspace at the appeal site dwelling, which gains some support having regard to some of the policies of the development plan and the National Planning Policy Framework (2019). However, the benefits of the development are small and only attract limited weight. These considerations and the benefits do not outweigh the significant harm to the character and appearance of the host dwelling and the area, which attracts significant weight against the development.

Conclusion

16. For the reasons set out above and having regard to all the matters raised, the appeal should not succeed.

Dan Szymanski

INSPECTOR