



Appeal Decision

Site visit made on 23 November 2021 by Darren Ellis MPlan

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2022

Appeal Ref: APP/G5750/D/21/3280485

60 Pitchford Street, Stratford, London E15 4RX

- 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 & Mrs Peter F and Tracey Gunby against the decision of the Council of the London Borough of Newham.
 - The application 21/01332/HH, dated 26 May 2021, was refused by notice dated 9 July 2021.
 - The development proposed is the construction of part single/part two storey rear extension.
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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.

Main Issues

3. The main issues area the effect of the development on the character and appearance of the dwelling, the terrace and surrounding area, and on the living conditions of the occupiers of the neighbouring properties.

Reasons for the Recommendation

Character and appearance

4. The appeal property is an end-of-terrace two-storey dwelling and is located in a prominent position on a corner plot on Pitchford Street. The adjoining properties in the terrace at Nos 62 to 68 are built to the same design as the appeal property, along with the other terraces in Pitchford Street and Widdin Street albeit with variations in external materials. No 70 at the other end of the terrace is a former public house and is a much larger property than the surrounding properties. With the exception of No 70, the uniformity in the design and appearance of the properties defines the character of the area and creates a coherent street scene.
 5. The proposed rear extension would match the materials of the existing dwelling. However, the extension would span the width of the house and would add considerable bulk and mass to the rear of the property, as well as introducing a hipped-roof design that is not commonly found in the street.
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Many of the properties have single-storey rear extensions, however two-storey rear extensions that are visible from the street are scarce. In this case, the extension would be highly visible given the prominent corner location of the appeal site. The substantial bulk and depth would also reduce the gap between the rear of the terrace and the gable end of the adjacent block. The comparative sense of openness that exists at present provides a welcome visual relief in an otherwise densely packed urban layout and the proposal would impact negatively on that arrangement. For these reasons the proposal would not respond well to its context and would detract from the character and appearance of the appeal property and the terrace.

6. In view of the above, the proposal would conflict with policies D3 and D4 of the London Plan (March 2021) (LP) and policies SP1, SP3 and H1 of the Newham Local Plan (2018) (NLP), which all seek, amongst other things, to ensure that developments are of a high-quality design that respond to local distinctiveness. The proposal would also fail to comply with the design aims of the National Planning Policy Framework (the Framework) or the guidance of the Newham's Local Plan Altering and Extending Your Home Supplementary Planning Document (2018) (SPD), which requires development to complement the character and appearance of the original house and the group of buildings of which it forms a part.
7. The reason for refusal also refers to policies D1 and D8 of the LP and policy S2 of the NLP. Policy D1 has regard to defining an area's capacity for growth and for planning for growth. Policy D8 involves protecting public realm. Policy S2 sets out the over-arching strategic criteria and spatial strategy for development proposals in Newham. None of these policies mention residential extensions or make any specific references to the design quality of individual development proposals. Furthermore, in this case no harm has been identified by the Council in respect of the public realm and based on the evidence before me I have no reason to disagree.

Living conditions of the occupiers of the neighbouring properties

8. The proposed single-storey element would project the same distance as the existing single-storey rear extension at the attached property at No 62, and consequently this element would not have significant impact on the living conditions of the occupiers of No 62. The first-floor rear windows at No 62 are a mirror-image of the first-floor windows at the appeal property, which suggests that the first-floor window at No 62 closest to the proposed extension serves a landing while the window that serves a bedroom is set away from the proposed extension. Given this separation to the bedroom window and as a landing is not considered to be a habitable room, the first-floor element of the extension would not cause any significant overbearing impact or loss of light or outlook to the occupiers of No 62.
9. The proposed extension would be an even greater distance to the dwelling at No 64 than it is to No 62, and there are no proposed windows that would directly face No 64. As such the proposal would not be detrimental to the living conditions of the occupiers of No 64.
10. For these reasons, the proposal would not cause harm to the living conditions of the occupiers of Nos 62 and 64 Pitchford Street. Consequently, the proposal would accord with policy D3 of the LP and policy SP8 of the NLP which both seek, amongst other things, for proposals to provide neighbourly development

with appropriate levels of outlook, privacy and amenity. The proposal would also comply with paragraph 130(f) of the Framework, which requires development to have a high standard of amenity for existing and future users, and the guidance of the SPD, which requires extensions to be designed to be respectful of neighbouring privacy, daylight and outlook.

11. The reason for refusal also refers to policies D1 and D4 of the LP and policy SP2 of the NLP. Policies D1 and D4 are described earlier in this report. Policy SP2 sets out the over-arching strategic principles and spatial strategy for healthy neighbourhoods with specific regards to matters including air pollution, healthy eating and health facilities. None of these policies mention residential extensions or make any specific references to the effect of development proposals on the living conditions of the occupiers of neighbouring properties. Furthermore, in this case no harm has been identified by the Council in respect of healthy neighbourhoods and based on the evidence before me I have no reason to disagree.

Other Matters

12. I recognise that the proposal is intended to modernise the property and would result in an enhancement of the internal living environment. Whilst I give some weight to that benefit there is nothing to indicate that a similar refurbishment could not take place without the harmful first floor addition and that matter does not outweigh the conflict with planning policies identified in relation to the character of the building and its surroundings.

Conclusion

13. The proposal would not cause harm to the living conditions of the occupiers of the neighbouring properties and would allow for the refurbishment of the property. However, the absence of harm in those respects does not outweigh the harm that would be caused to the character and appearance of the dwelling, the terrace and surrounding area. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed because of the conflict with the development plan and there being no material considerations which indicate that a decision should be made other than in accordance with the development plan.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR