



Appeal Decision

Site visit made on 22 February 2022

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 8th March 2022

Appeal Ref: APP/G5750/W/21/3282926

251 Lonsdale Avenue, East Ham, London E6 3QA

- 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 Yahya Nadat against the decision of London Borough of Newham.
 - The application Ref 21/01273/FUL, dated 21 May 2021, was refused by notice dated 15 July 2021.
 - The development proposed is construction of a single storey rear and first floor side extension for the ground floor flat and first floor flat.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Yahya Nadat against London Borough of Newham.

Preliminary Matter

3. I note the evidence regarding an inaccurate drawing. Drawing 06.3 was submitted as part of the appeal which shows the proposed rear elevation in a manner generally consistent with the proposed floor plan. From the wider evidence, I consider that the scheme is not substantially altered by the amended drawing and to have regard to it in my assessment would not deprive those who should have been consulted on the changed development of the opportunity of such consultation. I have therefore had regard to the drawing in my assessment of the scheme.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The area surrounding the appeal site is characterised by two-storey terraced and semi-detached dwellings set back from the pavement, many of which have similar forms and gable features, that give the area a spacious character and a degree of uniformity. A number of the nearby dwellings, including those to the rear of the site, have hipped roofs which contribute to the sense of spaciousness.
6. The existing building is part of a semi-detached property with a hipped roof that is in keeping with the surrounding buildings. It occupies a prominent position at the corner of Lonsdale Avenue and Greatfield Avenue and the two-storey form is set

back from the pavement at the front and side such that the building is in harmony with the spacious feel of the area.

7. The proposed first floor extension would extend to the side of the property by a significant distance, greatly increasing the massing of the building. The two-storey element would be set back only by a slight distance from the front elevation and the ridge level would be set a minimal distance lower than that of the existing building. As such, while I note the distance to the rear property which can be seen in some views, the extension would result in a significantly enlarged massing that would appear bulky given the spacious setting. Since the adjacent building does not appear to have been extended in a similar way, the proposal would unbalance the composition of the pair of dwellings and would fail to retain the sense of spaciousness of the area.
8. Moreover, the proposed gable roof would appear dominant from a number of directions given its massing and the prominent position of the dwelling. While the first-floor element would not project beyond the rear elevation and would be less than half the width of the host building, given the limited set back and gable roof, the scheme would unacceptably diminish the spacious character and appearance of the area.
9. The single storey extension would project a significant distance to the rear of the building and extend the flank wall of the existing extension further along the side of the pavement. Therefore, while flank walls adjacent to the pavement may not be unusual elsewhere, since the flank wall of the ground floor extension would be significantly higher than the existing fence and would be sited at the back of the pavement, it would unduly diminish the spacious quality of the public realm in the vicinity of the site.
10. The materials are proposed to match existing and as such would not appear incongruous in the area. However, given the harm to the character of the area that would result from the proposed massing, this matter has not altered my finding on this main issue.
11. Consequently, the proposed development would unacceptably harm the character and appearance of the area. Therefore, it would conflict with Policies SP1, SP3 and H1 of the London Borough of Newham Local Plan (adopted December 2018) (LP) which together seek high quality development.
12. LP Policy S6 relates to strategic concerns and LP Policy SP2 relates to healthy neighbourhoods rather than design and are not directly relevant to this appeal.
13. In addition, the scheme would conflict with the aims of Policies D1, D3, D4 and D8 of The London Plan 2021 (London Plan) which seek development that respond to and enhance the existing character and context, ensure high quality design and ensure there is a mutually supportive relationship between the public realm, surrounding buildings and their uses. Furthermore, the proposal would conflict with the National Planning Policy Framework in this particular respect.

Other Matters

14. I note the evidence regarding the effect on the living conditions of neighbouring occupiers, and the alterations to the internal accommodation of the building. However, given the harm identified above, these matters have not altered my overall decision.

15. I note the other developments granted planning permission by the Council. However, they appear to be in less prominent locations and determined under a previous development plan. While I also note the dwellings at the junction of Lonsdale Avenue and Brooks Avenue, these dwellings have a different design to the proposal. Therefore, these cases are not directly comparable to this appeal which must, in any event, be assessed on its individual merits.

Conclusion

16. For the reasons given above, the proposed development would conflict with the development plan as a whole and in the absence of material considerations to indicate otherwise, the appeal is dismissed.

R Sabu

INSPECTOR