



Appeal Decision

Site visit made on 14 February 2023

by I Jenkins BSC CENG MICE MCIWEM

an Inspector appointed by the Secretary of State

Decision date: 28 March 2023

Appeal Ref: APP/G5750/D/22/3303237

9 Bolton Road, Stratford, Newham, London, E15 4JY

- 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 B Palairat against the decision of London Borough of Newham.
 - The application Ref 22/01163/HH, dated 13 May 2022, was refused by notice dated 7 July 2022.
 - The development is a proposed loft extension.
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Decision

1. The appeal is allowed and planning permission is granted for a proposed loft extension at 9 Bolton Road, Stratford, Newham, London, E15 4JY in accordance with the terms of the application, Ref 22/01163/HH, dated 13 May 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan (drawing no. 2134A100); Block plan (drawing no. A105, dated 11/5/2022); Existing plans (drawing no. A150, dated 11/05/2022); Existing sections & elevations (drawing no. A151, dated 11/05/2022); Proposed plans (drawing no. A350, dated 11/05/2022); Proposed sections & elevations (drawing no. A351, dated 11/05/2022); and, Dormer volume calculation (drawing no. A352, dated 11/05/2022).

Preliminary Matters

2. The development for which planning permission was sought is described on the planning application form as '*proposed loft extension*'. In its Decision Notice the Council described the proposal differently, as '*Construction of a rear and side dormer extension, including rooflights to the front roof slope and raising the ridge height*' and this is reflected on the appeal form. However, there is no correspondence before me to show that the appellant agreed to the change of description from that set out on the planning application form. Therefore, I have considered the appeal on the basis of the original description, '*proposed loft extension*', which is used in the formal decision and summary information above.

Main Issue

3. I consider that the main issue in this case is the effect of the proposal on the character and appearance of No. 9, the Bolton Road street scene and the local area.

Reasons

4. No. 9 is a mid-terrace property, 2-storeys in scale below a pitched front roof slope, which is bounded on one side by a capped side parapet wall rising to an apex and on the other side by a capped parapet wall rising to a chimney stack. For the most part, the Bolton Road street scene is characterised by similar properties and front facing roof features, which give rise to a roofscape generally characterised by the regular rhythm of alternating peaked parapet walls and chimney stacks. However, the roofscape is not entirely uniform. A number of dwellings appear to have a flat roofed rear dormer that extends above the plain of the front roof slope, such that the rear dormer is partially visible from Bolton Road. In addition, in some instances the pitch of the front roof slope appears to have been altered and roof tiles replaced by slates.
5. The proposal involves the addition of a flat roofed dormer (A) to the rear roof slope of the main roof and an adjoining flat roofed dormer (B) to the side roof slope of No. 9's 2-storey rear offshoot. The front roof slope of the house, to which 2 roof lights would be added, would be extended at the same pitch beyond the existing ridge line by a short distance to meet the flat roof of dormer (A). As such, rear dormer (A) would not be visible from Bolton Road. In place of the existing roof tiles, slate would be used and the vertical faces of the proposed dormers would also be clad in slate. The frame colour of the proposed new windows would be consistent with that of the slate.
6. The Council's *Altering and Extending your Home Supplementary Planning Document, 2018* (SPD) seeks to preserve the character of housing by, amongst other things, retaining street facing roof slopes, chimneys and parapet walls; features which would be retained by the appeal scheme. The proposal would not maintain the existing ridgeline of the main roof of the house, contrary to SPD guidance. Nonetheless, I consider that the increase in the height of the top edge of the front roof slope would be likely to be sufficiently limited so as to be largely imperceptible from Bolton Road, not least as the capped parapet wall on one side and the chimney on the other side of the front roof slope of No. 9 weakens the visual relationship between it and the front roof slopes of adjoining properties. In my judgement, the appeal scheme would not have a material impact on the character or appearance of the street facing elevation of the house, in keeping with the aim of the SPD, or the street scene.
7. The proposed rear dormers would be set back to retain the existing eaves, in accordance with the SPD guidance. Although part of proposed dormer (B) would be visible from the north on Vaughan Road, visibility would be limited by the rearward projection of a neighbouring two-storey dwelling. Furthermore, from that vantage point, it would be seen as part of a terraced row of properties that includes a number of other flat roofed rear dormers. It would be neither incongruous in appearance nor would it detract from the character of the terrace.
8. I conclude that the effect of the proposal on the character and appearance of No. 9, the Bolton Road street scene and the local area would be acceptable.

In terms of securing high quality design and positively responding to local distinctiveness, the proposal would accord with the aims of Policies D1, D3, D4 and D8 of *The London Plan 2021* as well as Policies S6, SP1, SP2, SP3 and SP8 of the *Newham Local Plan, 2018* (NLP) and the *National Planning Policy Framework*.

Other matters

9. Due to the setbacks of the proposed dormers from the eaves of the dwelling, they would be unlikely to have a significant effect on the outlook or light enjoyed by neighbouring residents. The existing rear facing windows of No. 9 and its adjoining neighbours face towards those of a similar terrace that fronts onto Eleanor Road. Under these circumstances, I consider that the proposed addition of two rear facing windows at roof level would not add to the potential for overlooking of neighbouring dwellings to any significant extent. In my judgement, the effect of the appeal scheme on the living conditions of neighbouring residents would be acceptable; a view shared by the Council. It would not conflict with the aims of the Development Plan as regards neighbourly development.

Conditions

10. The Council has suggested 3 conditions which it considers should be imposed in the event that the appeal is allowed and planning permission granted. In addition to the normal commencement condition, I consider that a condition would be necessary to identify the approved plans, in the interests of certainty for everyone. A separate condition requiring that the external materials of the proposed extension match those of the existing building would not be necessary. I consider that the proposed materials, which differ to some extent from the existing, would be acceptable. They are identified on the approved plans, adherence to which would be secured by the second condition.

Conclusion

11. For the reasons given above, I conclude that the appeal should be allowed.

I Jenkins

INSPECTOR