
Appeal Decision

Site visit made on 23 October 2024

by A Hunter LLB (Hons) PG Dip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 November 2024

Appeal Ref: APP/G5750/D/24/3344882

19 Fleetwood Court, Evelyn Denington Road, Beckton, London E6 5XY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Flavio Bucci against the decision of the Council of the London Borough of Newham.
 - The application Ref is 24/00240/HH.
 - The development proposed is the erection of a ground floor extension with two roof lights and window/door alterations.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a ground floor extension with two roof lights and window/door alterations at 19 Fleetwood Court, Evelyn Denington Road, Beckton, London E6 5XY in accordance with the terms of the application, Ref 24/00240/HH, 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: drawing no's 000 (site plan and block plan); 00 (proposed block plan); 102 (proposed loft plan and roof plan); 103 (proposed east elevation); 104 (proposed north elevation); and 105 (proposed section).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those specified on the application form, and the new brick and window frames shall match those on the existing building.

Preliminary Matters

2. The description of development on the appellant's application form contained superfluous information. In view of this, the description in both the banner heading above and the decision, has been taken from the Council's notice of decision, also referred to on the appeal form, as it most accurately describes the proposed development.
3. The Council has referred to the Draft Newham Local Plan (DNLP), said to be approved for consultation. No relevant policies of the DNLP have been identified as relevant to the appeal proposal, the appeal has been determined on this basis.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the host property, the wider Fleetwood Court buildings and the area, with particular regard to its siting, scale and design.

Reasons

5. The appeal site contains a mid-terraced two storey property which faces onto Evelyn Denington Road and has its side elevation onto Fleetwood Court. The terrace is part of an arrangement of properties all having similar external materials, incorporating matching brick, string courses, hipped roofs, and projecting porches. There is a taller building at the end of Fleetwood Court that has three storeys and to the opposite entrance into Fleetwood Court is a building of a similar form and proportions to that, which the appeal property is part of, providing some degree of uniformity to these buildings, particularly when seen from Evelyn Denington Road.
6. It is noted that permitted development rights are said to have been removed for the appeal property to protect the character and appearance of the buildings. Nevertheless, this in itself does not prevent planning permission being granted for extensions and alterations to the property.
7. The proposal would add a modest single storey side extension to the appeal property, that would occupy a space partly between it and its adjoining property. It would project as far out from the side of the building as the main front elevation of the adjoining property that faces onto Fleetwood Court. However, the neighbouring property's porch would still extend further beyond the proposed side extension, ensuring the proposal would not be seen as a prominent design feature. Unlike that porch and other porches on the buildings at Fleetwood Court which have hipped roofs, the proposal would have a parapet wall, which would allow it to be seen separately from the porches and to appear subservient to the building. In view of this and its siting, it would not unacceptably disrupt the uniform appearance of the characteristic porches or the distinctive character and form of the buildings at Fleetwood Court.
8. Furthermore, the proposed matching brick and window frames would ensure that the appearance of the proposal would harmonise with the existing buildings and the wider Fleetwood Court. This, together with its siting, design, and limited scale would ensure the proposal would not be harmful to the character and appearance of the area.
9. The Council has not raised any objections to the proposed 2 no. rooflights, and due to their modest scale, siting, and simple design, I see no reason to disagree.
10. I therefore conclude that the proposed development would have a satisfactory effect upon the character and appearance of the host property, the Fleetwood Court buildings and the area, and it would comply with the requirements of Policy D3 of The London Plan, the Spatial Development Strategy for Greater London, dated March 2021 and Policies SP1 and SP3 of the Newham Local Plan 2018, that collectively require high quality development that enhances local context, delivering buildings and spaces that positively respond to local distinctiveness. In addition, the proposal would comply with paragraph 135 of the National Planning Policy Framework, insofar as it requires new

development to add to the overall character of an area and be sympathetic to local character. The proposal would also be consistent with the objective of Newham's Altering And Extending Your Home, Supplementary Planning Document, adopted February 2018, that requires high quality urban development that compliments the character and appearance of the original house and the group of buildings of which it forms a part.

11. The Council has referred to LP Policies D1 and D4 in its reason for refusal. Policy D1 is focussed on plan making and Policy D4 is mainly concerned with strategic design review and analysis, I did not find these policies to be directly determinative on this main issue.

Conditions

12. A standard implementation condition (1) has been imposed, along with a condition (2) listing the approved plans to provide certainty over what has been approved. A condition (3) is also necessary to ensure the external materials are those specified on the application form, and that the brick finish and new window frames match that of the host property, so the proposal would harmonise with the character and appearance of the area.
13. I note the appellant suggested other conditions relating to drainage and landscaping. However, given the limited scale of the proposal, the information before me, and without adequate policy justification to impose them, I did not find them to be necessary in this case.

Conclusion

14. The proposed development accords with the development plan when taken as a whole and there are no other material considerations, including the provisions of the Framework, which outweigh this finding. For the reasons given above, I conclude that the appeal should be allowed.

A Hunter

INSPECTOR