

Appeal Decision

Site visit made on 1 March 2017

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 March 2017

Appeal Ref: APP/G5750/D/16/3162553

22 Buxton Road, London, E6 3NB

- 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 M Ahmed against the decision of the Council of the London Borough of Newham.
 - The application Ref 16/02783/HH, dated 30 August 2016, was refused by notice dated 26 October 2016.
 - The development proposed is a first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension at 22 Buxton Road, London, E6 3NB in accordance with the terms of the application, Ref 16/02783/HH, dated 30 August 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 01, 02, 03 & 04.

Main issue

2. The main issue is the effect of the proposed development on the living conditions of existing occupiers at 20 Buxton Road.

Reasons

3. The proposed extension would be over an existing single storey projection, and would be flat-roofed which, due to the predominance of this form of extension in the adjoining terrace, is a design acceptable in this instance. The rearward projection of this new addition would align with the adjoining two storey extension to No. 24, to the south. There would not be any harmful effect upon that neighbour, and the distance from the proposed extension to the properties to the west would also be sufficient to ensure no harmful impact.
 4. To the north of the appeal site is 20 Buxton Road. The Council state that the proposed extension would lead to a loss of natural light and overshadowing to
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that property. I do not have objective evidence on this matter from any party, but have assessed this matter through observations on site and on the basis of the submitted drawings. The proposed extension would be visible from No. 20. However, a gap would be retained between the side elevation of the new extension to the adjoining property – and to the first floor window in the rear elevation of that property – which in my judgement would be sufficient to ensure there would not be an unreasonable imposition on levels of light or outlook to the neighbour.

5. On the basis of all I have read and seen, it is therefore my conclusion that the proposed development would not be harmful to the living conditions of existing occupiers, and there would be no conflict with the planning policies that are relevant to the main issue, namely Policy 7.6 of the London Plan (2016), Policy SP3 of the London Borough of Newham Core Strategy (2012), Policy SP8 of the London Borough of Newham Detailed Sites and Policies Development Plan Document (2016) and guidance in the London Borough of Newham Altering and Extending Your Home Supplementary Planning Guidance Note which, amongst other matters, seek to ensure new development is neighbourly.
6. The appeal is therefore allowed. I have attached the Council's suggested conditions requiring matching materials, to ensure a satisfactory appearance to the development, and a further condition specifying the relevant drawings as this provides certainty.

C J Leigh

INSPECTOR