



Appeal Decision

Site visit made on 3 July 2017G5750

by Paul Singleton BSc (Hons) MA MRTPI

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

Decision date: 17 July 2017

Appeal Ref: APP/G5750/D/17/3174990
10 Hubert Road, London E6 3EY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Paragraph A.4 of The Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Mr M Abbas against the decision of the Council of the London Borough of Newham.
 - The application Ref 17/00698/PREHH, dated 27 February 2017, was refused by notice dated 6 April 2016.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the living conditions of the occupiers of number 8 Hubert Road having regard to outlook and loss of light.

Reasons

3. The single storey rear addition to the adjacent house, at No. 8, is of significant depth but is set in from the shared boundary with No. 10 by about 1 metre (m). This gap serves as a passageway between the back door to No. 8 and its rear garden. Both the ground floor window to the rear living room and the window in the side elevation to the extension look out onto this passageway.
4. The passageway is partially enclosed by the existing rear addition to No. 10. The side elevation to the proposed extension, which would stand on the shared boundary, would extend by about 2m further along the boundary than the existing extension to No. 10 and to a height of between 2.55 and 3.5m. Although no higher than the existing wall, its additional length would significantly increase the degree to which this elevation encloses the passageway to the rear of No. 8.
5. The increased length of that wall would substantially reduce the amount of daylight and sunlight reaching the ground floor windows in the rear elevation of No. 8 and the side elevation of its rear addition. The proposed extension would be overbearing in the views from those windows and would result in an

oppressive sense of enclosure for the occupier of No. 8 when using the passageway to access the rear garden.

6. I find that the proposal would cause significant harm to the living conditions of the occupier of No. 8 with regard to outlook and the loss of daylight and sunlight.

Other Matters

7. Although there may be other similar extensions in the street it is necessary that the effects of any proposal on neighbouring properties are considered on a case by case basis. This is neither an arbitrary nor an unfair process.

Conclusion

8. For the reasons set out above I conclude that the appeal should be dismissed.

Paul Singleton

INSPECTOR