



Appeal Decision

Site visit made on 19 July 2017

by Elizabeth Pleasant DipTP MRTPI

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

Decision date: 1 August 2017

Appeal Ref: APP/G5750/D/17/3173536

3 Langdon Crescent, East Ham, London E6 2PW

- 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 Muzahid Ahmed against the decision of the Council of the London Borough of Newham.
 - The application Ref 17/00280/HH, dated 30 January 2017, was refused by a notice dated 16 March 2017.
 - The development proposed is a double storey side extension, formation of living room and bedroom at first floor.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this case are the effect on the:
 - Character and appearance of host dwelling and surrounding area; and
 - Living conditions of the occupants of 5 Langdon Crescent, with particular regard to outlook and light.

Reasons

Character and appearance

3. Langdon Crescent is characterised by semi-detached dwellings which are generally aligned with small frontage gardens enclosed by low boundary walls. Their materials of external construction are a mixture of render and cladding, but their consistent form, scale and alignment create a uniform appearance and rhythm to the street.
4. The appeal property forms one half of a semi-detached dwelling and occupies a prominent position on the corner of the street. It has a large side garden which is enclosed by a high brick wall. The proposed side extension would double the width of the existing dwelling and extend across the full depth of its flank wall. The eaves and ridge of the proposal would align with those of the existing dwelling and consequently the resultant appearance of the development would be that of a short terrace of three dwellings.
5. Policy SP8 of the Newham's Local Plan, Detailed Sites and Policies Development Plan Document, 2016 (DPD), seeks to ensure, that all new development is

integrated with the street scene. Policies SP1, SP2, SP3 and H1 of Newham's Core Strategy, 2012 (CS) seek, amongst other criteria, to support development that responds to the character of the Borough's neighbourhoods and reinforces local distinctiveness which fits with the existing urban character where high quality design is required.

6. The proposed extension by reason of its scale, which would almost double the size of the existing dwelling, would not respect the original form of the host property. Consequently, the character and appearance of No 3 Langdon Crescent as a semi-detached dwelling would no longer be discernible. Moreover, the resultant form of development, which I have described as a short terrace, would conflict sharply with the street scene of Langdon Crescent whose character is derived from the uniform appearance of semi-detached homes.
7. I conclude that the proposed development would have a harmful effect on the character and appearance of the host property and the surrounding area. It would therefore conflict with the development plan, and in particular with Policies SP8 of the DPD and Policies SP1, SP2, SP3 and H1 of the CS. I also find conflict with Policies 7.1, 7.4 and 7.6 of the London Plan, 2016 which require new development to, amongst other things, reinforce and enhance local character.

Living conditions

8. The proposed extension would be situated within one metre of the common boundary of the site with its neighbour No 5 Langdon Crescent. Furthermore, it would lie to the south of No 5 and in a location which currently provides an open aspect to No 5's private rear garden area allowing sunlight to penetrate. The proposed extension would infill that open space, and in view of its proposed two-storey height and proximity to No 5's rear garden, it would result in significant overshadowing of this garden area and have an overbearing impact on it.
9. No 5 has three windows on its flank elevation which is situated adjacent to the common boundary of the appeal site. Whilst the first floor window within its gable wall would still retain an open aspect and have views over the No 3's side garden area, the two windows within its splayed facing elevation would be within two metres of the rear wall of the proposal. Consequently, the outlook from those windows would be severely constrained and the amount of daylight available to them reduced.
10. I conclude that the proposed extension would have a harmful effect on the living conditions of No 5 Langdon Crescent, with particular regarding to outlook and light. It would conflict with the development plan, and in particular with Policy SP8 of the CS and Policy 7.6 of the London Plan which seek to ensure that all development achieves neighbourliness, including adequate access to daylight and sunlight, and does not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to amongst other things, overshadowing.

Other Matters

11. The Council have expressed concern that the proposed development would reduce the amount of private amenity space available for the existing occupiers of the host property. However, the extension would not remove any of the existing private garden area, and although it would reduce the amount of open space to the side of the house, I am satisfied that sufficient space would be available to meet the needs of the occupiers for external amenity space, and furthermore, the high boundary wall that encloses the side garden ensures that this area is private.
12. I have had regard to the extension that has been constructed at No 5 Langdon Court. However, due to the orientation of this property the extension does not have a harmful effect on its neighbours outlook or access to daylight or sunlight. It is not therefore directly comparable to the extension the subject of this appeal. I recognise that its proportions are similar to the appeal proposal, however each application must be considered on its own merits and the existence of this other extension does not justify the harm I have identified in the main issues set out above.

Conclusion

13. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Elizabeth Pleasant

INSPECTOR