



Appeal Decision

Site visit made on 30 June 2020

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th July 2020

Appeal Ref: APP/U5930/D/19/3239683
108 Manor Road, Leyton, London E10 7HN

- 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, Class A, paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mrs Dencia Goes against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 192700, dated 12 August 2019, was refused by notice dated 24 September 2019.
 - The development proposed is described as "Prior approval for the construction of additional 2.5m rear extension to total of 5.5m with the width 3.00m max, height and height, eaves height of 3.00m".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) requires that where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises. I have determined this appeal in the same manner.

Main Issue

3. The main issue is the effect of the development on the living conditions of adjoining occupiers with particular regard to outlook and daylight.

Reasons

4. The appeal property is a mid-terrace dwelling that is located within a mainly residential area. The property benefits from an existing single storey extension and the proposal seeks to extend this by a further 2.5m, so that the development would extend a total of 5.5m from the rear of the property. However, the proposed extension would cover about half of the width of the existing dwelling and positioned adjacent to the neighbour at 110 Manor Road (No. 110). Therefore, the development would not have a significant impact on the living conditions of the occupiers at 106 Manor Road.
5. The property at No. 110 benefits from a glazed canopy over a patio area that lies immediately to the rear of the dwelling. Given the scale of the proposed extension in terms of its height and length, which would be higher than the

fence that currently forms the boundary between the two sites, and in such close proximity to its neighbour, leads me to conclude that it would be an overbearing development that would result in an unacceptable loss of outlook when viewed from the neighbouring property at No. 110. Furthermore, owing to the orientation of the extension in relation to the neighbour, the proposal would be likely to cause overshadowing and reduce the overall level of daylight received by the neighbouring property. Therefore, in combination with the loss of outlook, the proposal would be harmful to the living conditions of the occupiers of the adjoining property at No. 110.

6. Whilst I acknowledge that there is an existing boundary fence between the appeal site and No. 110, the proposed extension would be more substantial and I consider that its effect would therefore be greater.
7. The appellant refers to the development of flats to the rear of the appeal site and comments that it has resulted in light being blocked. However, no further evidence has been provided on this matter, and I am not aware of the particular circumstances relating to this scheme. Moreover, each proposal should be determined on its merits, and the existence of other such developments elsewhere does not justify the harm I have identified above.

Conclusion

8. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wyatt

INSPECTOR