
Appeal Decision

Site visit made on 14 October 2020

by Rory MacLeod BA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2020

Appeal Ref: APP/G5750/D/20/3245062
145 Claremont Road, London E7 0PY

- 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 Sahail Akbar against the decision of the Council of the London Borough of Newham.
 - The application Ref 19/02771/HH, dated 7 October 2019, was refused by notice dated 28 November 2019.
 - The development proposed is erection of a rear outbuilding.
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Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect on the living conditions of occupiers at 158 Hampton Road.

Reasons

3. The appeal relates to a large end of terrace house with a rectangular back garden. The plans show the back garden to be undeveloped but at my site visit an outbuilding similar in size and design to that the subject of this appeal had been constructed in its rear north-western corner. To the rear of the site is 158 Hampton Road, a single storey dwelling with rooms set in a pitched roof. It is sited with its front wall abutting the footway and consequently windows to all rooms are in the flank or rear walls. There is a small triangular rear garden.
4. The outbuilding the subject of this appeal would be centrally positioned along the rear boundary, about 1m from a kitchen window and door and about 3m from a ground floor window to a habitable room at no.158. It would be seen over the boundary wall and being to the south of no.158 would cast a shadow towards it. The outbuilding's massing and proximity would result in loss of outlook and natural lighting and would result in an overbearing effect.
5. The proposal would thereby be contrary to Policies 7.4 and 7.6 of the London Plan (2016), Policies SP1, SP2, SP3, SP8 and H1 of the Newham Local Plan (2018) and the Altering and Extending Your Home SPD (2018) which promote sensitively designed buildings that achieve neighbourliness.
6. The outbuilding's design would respect the character of the Woodgrange Estate Conservation Area. It would preserve the character or appearance of the conservation area in accordance with the duty set by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion

7. The proposal would have a detrimental impact on the living conditions of occupiers of 158 Hampton Road in relation to its size and siting. For the reasons given the appeal should be dismissed.

Rory MacLeod

INSPECTOR