



Appeal Decision

Site visit made on 18 August 2022

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th September 2022

Appeal Ref: APP/U5930/D/21/3287163

161 Normanshire Drive, Chingford, E4 9HB

- 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 Mumin Uddin against the decision of Waltham Forest London Borough Council.
 - The application Ref 212707, dated 17 August 2021, was refused by notice dated 29 September 2021.
 - The development proposed is Single-storey rear extension. An additional 6m from the existing rear wall. The new extension will have same use such as kitchen, dining room and living space. The height of the proposed extension will be 3m.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, under Article 3(1) and Schedule 2, Part 1, Class A.1, Part A.4(7) requires the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises, taking into account any representations received. My determination of this appeal has been made on the same basis.
3. The appellant confirms the height of the proposed extension to be 3m and I have made my assessment based on this height.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the neighbouring occupiers with regards to outlook, light levels and whether or not it would have an overbearing effect.

Reasons

5. No 161 Normanshire Drive sits between No 159 and 163 Normanshire Drive. I observed from site visit that the neighbour of No 163 has extended to the rear elevation by virtue of a single storey extension close to the party boundary at approximately three metres projection.
6. The proposed extension would be located adjacent to this neighbouring extension and would thus extend approximately three metres beyond it. The occupants would have oblique views from the rear windows onto the proposed flank wall, above the existing boundary treatment.

7. However, taking into account the location of the proposed extension and its projection, height of the extension at approximately 3m, boundary treatment in situ, its position and general relationship with the neighbouring property, I am not of the view that it would lead to a sense of overbearing or loss of outlook to the adjacent occupants.
8. Some sunlight levels would be reduced to this neighbouring property, although this would not be to such a significant level as to unduly compromise the living conditions of the neighbouring occupiers.
9. Overall, there is nothing to lead me to the view that their living conditions of the occupants of Number 163 would not be satisfactorily safeguarded.
10. In terms of Number 159, they have not extended to the rear elevation, and a number of windows serve this elevation at ground floor level. Considering the length of the proposal, its location within close quarters of the party boundary, coupled with its height and scale, it would have the resultant effect of creating an uncharacteristically large form of development along the shared boundary. The existing party boundary would not adequately shield it from view.
11. It would thus appear unduly prominent and visually intrusive when viewed from the lower levels of the neighbour's property, and part of their rear garden, creating an overbearing effect. The gardens are north facing along this side of Nomanshire Drive, and therefore rely on light from the east when the sun rises. This scheme would detrimentally reduce light levels into the rear of the property and to part of the garden as a consequence.
12. Therefore, even when matching materials would be employed, my assessment concludes that due to these adverse factors, unacceptable harm would arise to the living conditions of the neighbouring occupiers of Number 159 only.

Other Matters

13. The appellant evidence's other extensions seen locally that compare to this. However, as is my duty, I have determined this proposal against the requirements of the prior approval process.
14. Issues raised by the objector require no further comment as I am dismissing the appeal.

Conclusion

15. For the reasons given above, I conclude that the appeal is dismissed.

Alison Scott

INSPECTOR

