



Appeal Decision

Site visit made on 23 October 2023

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 January 2024

Appeal Ref: APP/U5360/D/23/3328588

5 Leadale Road, Hackney, London N16 6BZ

- 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 Chaim Gluck against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2023/1022, dated 1 May 2023, was refused by notice dated 28 June 2023.
 - The development proposed is the erection of 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 No 3 Leadale Road, with particular regard to outlook and natural light.

Reasons

3. The appeal site comprises a two-storey terraced dwelling with a small lean-to to the rear. The land at the site slopes down gently towards the rear boundary. There is a proliferation of single-storey extensions to the rear of properties within the terrace, including at No 1 Leadale Road which abuts the boundary with No 3.
4. The proposal would project from the existing lean-to element and would span the width of the site. One of the side elevations would extend along the boundary with No 3 and would have a parapet wall, which the parties agree would have a height of three metres. The significant depth of the extension on the shared boundary would appear overbearing for the occupants of No 3. The effect is accentuated by the extension at No 1, and the proposal would further enclose the rear garden at No 3. Furthermore, the lack of detailing on the side elevation would represent an unneighbourly development that would harm the outlook of the occupants of No 3.
5. The extension would be single-storey and form the boundary with No 3. The orientation of the extension relative to No 3, in addition to the single-storey scale would ensure that there would be demonstrable loss of natural light to the occupants of No 3.
6. I acknowledge there is an extant planning permission¹ for a similar extension to that proposed. However, the earlier proposal is understood to be set in from the boundary and the effect on the outlook of the occupants of No 3 was

¹ 2022/3065

considered to have been acceptable in comparison to the appeal scheme. I also acknowledge a further extant planning permission² for extensions to the rear. I have not been presented with the full details and I note that the extension to the rear was described as being not as deep as that proposed in this appeal.

7. I conclude that the proposal would harm the living conditions of the occupants of No 3. The development therefore conflicts with Policy LP2 of the Hackney Local Plan (2020) and Policies D1 and D6 of the London Plan (2021), which collectively require proposals to avoid significant adverse impacts on the amenity of occupiers and neighbours.

Conclusion

8. The proposal does not accord with the development plan as a whole and there are no material considerations, which would indicate that a decision should be made otherwise. For the reasons given I conclude that the appeal is dismissed.

J Pearce

INSPECTOR

² 2021/0843