



Appeal Decision

Site visit made on 6 December 2024

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2024

Appeal Ref: APP/G5750/D/24/3348767

57 Kensington Avenue, Manor Park, London E12 6NW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr M Azim against the decision of the Council of the London Borough of Newham.
 - The application Ref is 24/00650/HH.
 - The development proposed is the erection of a single storey wrap round rear/infill extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposals on:
 - (i) the character and appearance of the host property and the surrounding area, and
 - (ii) the living conditions of the occupiers of 55 Kensington Avenue, with particular regard to outlook and natural light.

Reasons

Character and Appearance

3. The appeal property forms part of a terrace of 2-storey houses with paired 2-storey outriggers to the rear. Whilst some properties, including 59 Kensington Avenue, have wrap-around ground floor additions these are not a prevailing characteristic of the terrace which more generally features more modest ground floor additions.
4. The proposal would comprise the erection of a single-storey ground floor addition that would occupy the entirety of the gap between the outrigger and the boundary shared with 55 Kensington Avenue and would also wrap around the rear elevation of the outrigger. This would create a lounge/kitchen/dining area that would have a far larger footprint than the main body of the house.
5. I note that the proposal would comprise materials to match the original house and would not be visible from the street. However, due to its extensive footprint and rear protrusion it would be disproportionate in scale to the host

property and the overall terrace of which it forms part, and it would detract from the prevailing pattern of development in the area.

6. For this reason the proposal would have an unacceptable effect on the character and appearance of the host property and the surrounding area. It is therefore contrary to Policy D3 of the London Plan (2021) (LP) and Policies SP1 and SP3 of the London Borough of Newham's Local Plan (2018) (NLP). Amongst other matters these policies require high quality development that enhances local context, delivering buildings and spaces that positively respond to local distinctiveness. The proposal also fails to accord with the aims of the National Planning Policy Framework (2023).

Living Conditions

7. The proposal would result in the formation of an extremely long flank wall along the boundary of the appeal site shared with 55 Kensington Avenue, which retains its original form, including side-facing windows, at the rear. Due to its height and length this wall would severely enclose the neighbouring area of garden immediately to the rear of No. 55 resulting in a significant loss of outlook from this property.
8. For these reasons I conclude that, due to its siting, height and length, the appeal proposal would have an unacceptable effect on the living conditions of the occupiers of No. 55. As such the proposal is contrary to NLP Policy SP8, which requires all development to achieve good neighbourliness and LP Policy D6 which seeks to deliver appropriate outlook.

Other Matters

9. The appellant has referred to the wrap around extension at 59 Kensington Avenue. Whilst I note that the appeal proposal is similar in footprint and size, it is next to an un-extended house (No. 55) whereas the information provided indicates that the scheme at No. 59 abuts a large infill extension to the side of No. 61. As each planning application and appeal needs to be considered on its individual merits having regard to its particular immediate context, I afford limited weight to the recent extension to No. 59.
10. The Council's reasons for refusal refer to London Plan Policies D1 and D4. These relate to design management procedures and policy guidance for London planning authorities. As these policies are not directly related to the matters before me there is no conflict with them.

Conclusion

11. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR