



Appeal Decision

Site visit made on 17 July 2025

by **Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 July 2025

Appeal Ref: APP/G5750/D/25/3365407

46 Langon Avenue, East Ham, Newham, London E6 6AL

- 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 Abdul Kalam Azad against the decision of the London Borough of Newham Council.
 - The application Ref is 25/00132/HH.
 - The development proposed is the construction of a part single and part double-storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the appeal dwelling and that of the local area; and
 - The living conditions of neighbouring residential occupiers.

Reasons

Character and Appearance

3. The appeal dwelling is two storey mid-terrace house with small front garden. It is located in a street and wider local area that is made up of similar terraced properties, the majority of which appear to have been the subject of some form of alteration and/or extension to their front and rear.
4. The proposal is for a part one part two storey flat roofed extension to the rear of the appeal dwelling, constructed in brick to match that of the appeal dwelling, which would replace an existing small single storey outbuilding. Both the ground and first floor elements of the proposed rear extension would project approximately 3 metres from the existing main rear wall. The ground floor of the proposal would extend across the full width of the appeal dwelling, approximately 5.5 metres. The first floor of the proposal would align with the ground floor on that side of the boundary with 48 Langton Avenue (No.48) but would be set back by approximately 1.1 metres from the boundary with 44 Langton Avenue on the other side. The proposal would have a total height of approximately 5.8 metres, and its flat roof would align with the rear eaves of the existing dwelling.

5. The existing rear elevation of the appeal dwelling is of no significant architectural merit. In the terrace of which the appeal dwelling forms part, and the terrace onto which this backs, it would appear that many of the properties have undergone a variety of rear extension, most of which are single storey and very simple in design. However, there is a two storey flat roofed rear extension at 56 Langton Avenue (No.56), which the Council notes was not built in accordance with approved plans. The approval was for an extension with a narrower and centrally positioned first floor element, with a hipped roof form. However, the as built flat roofed and wider first floor element due to its contrasting flat roof and scale appears incongruous and bulky in relation to the scale of its pitched roofed host building and does not constitute a design exemplar of the proposal.
6. The proposal, by having a flat rather than hipped roof form, would not follow the form or the original design language of the appeal dwelling. As such, given the height and scale of the proposed extension, it would appear as a box like and bulky addition that would appear as a discordant and unduly prominent addition to the appeal dwelling, rather than as a secondary and subordinate addition very much like that at No.56.
7. In views towards the rear of the appeal dwelling and the terrace of which it forms part, the proposals form and scale would not reflect the existing context of the smaller scale and single storey extensions to the rear of properties in the immediate area, with the exception of that at No.56. Its scale, design and prominence would result in it appearing as an unduly prominent and visually disruptive addition to this local scene, adding to the existing detrimental effect of the extension at No.56 in this regard.
8. As such, the proposal would not accord with the aims of the guidance set out in the Newham Altering and Extending Your Home Supplementary Planning Document (2018) (SPD).

Living Conditions

9. The proposed 2 storey extension would have a continuous flank wall on the boundary of the appeal dwelling with its attached neighbour in the terrace at No.48. This flank wall would project approximately 3 metres rearward from the existing rear wall with a height of approximately 5.8 metres. There is an existing single storey flat roofed extension at the rear of No.48 that projects itself approximately 3 metres from the main rear elevation. The proposal would, however, be positioned close to a first floor rear window to No.48. As such, the proposal would encroach on the outlook from this window with a resulting sense of enclosure that would be overbearing and would be experienced by its occupiers as oppressive.
10. The information on daylight provided by the appellant as part of their appeal statement shows that, given the south westerly orientation of the rear of these neighbouring properties, loss of sunlight to this nearest first floor window at No.48 would be minimal and limited to late in the day, more particularly in winter months. However, given the proximity of the first floor element of the proposal to this window, it would result in a loss of daylight that would only add to the effect of the loss of outlook that I have identified above and the resulting oppressive effect I have identified. As such, the proposal would fail to accord with the aims of the guidance in the SPD for the creation of neighbourly development.

11. For the reasons given, the proposal would result in substantial harm to the character and appearance of the appeal dwelling and that of the local area, and substantial harm to the living conditions of the neighbouring residential occupiers. This would conflict with Policies SP1, SP3 and SP8 of the London Borough of Newham Local Plan (2018), which collectively seek development that is of high quality and that integrates and has coherence with its local context, avoiding negative impacts for neighbours by minimising overbearing impact and ensuring adequate access to daylight.

Conclusion

12. For the reasons given, the appeal is dismissed

Victor Callister

INSPECTOR