

Appeal Decision

Site visit made on 7 September 2016

by Daniel Hartley MTP MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 September 2016

Appeal Ref: APP/W5780/D/16/3157034

62 Lord Avenue, Clayhall, Ilford IG5 0HN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under condition A4 of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Mr L Carter against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 1771/16, dated 18 April 2016, was refused by notice dated 1 June 2016.
 - The development proposed is a single storey rear extension with a depth of 4 metres, highest point of 3 metres and height at the eaves of 2.8 metres.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the description of development from the Council's decision notice as this was based on the information provided by the appellant in the application form, and formed the basis of the description of development in respect of the Council's neighbour notification letter.

Main Issue

3. The main issue is the effect of the proposal upon the amenities of the occupiers of No 60 Lord Avenue in respect of outlook and light.

Reasons

4. The appeal property is a semi-detached dwelling. It is proposed to erect a single storey and flat roofed (including a roof lantern) rear extension which would project 4.0 metres from the original rear wall of the house.
 5. I am satisfied that the proposal is permitted development in terms of the size of the extension. As an objection to the proposal has been received from the occupiers of No 60 Lord Avenue (the adjoining semi-detached house), it is necessary for me to consider the impact of the proposal upon the amenities enjoyed by the occupiers of surrounding residential properties. I have no reason to disagree with the Council that owing to the separation distances involved, the proposal would not have an adverse amenity effect upon the occupiers of No 64 Lord Avenue.
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6. The rear of No 60 Lord Avenue includes ground and first floor projecting bay windows with clear glazing to the rear and sides. The proposed extension would be built up to the party boundary with No 60 Lord Avenue, would be in very close proximity to the rear bay window and rear patio area and would be considerably higher than the boundary fencing.
7. Whilst there is some vegetation running alongside some of the party fencing, this is not the case along the part of the fencing closest to the rear of the semi-detached dwellings. Taking into account the height and depth of the extension, I consider that it would have an unacceptably enclosing impact when viewed from the rear ground floor window and rear patio area of No 60 Lord Avenue. In addition, and given the very close proximity of the proposed extension, I consider that there would be a loss of some daylight to this window. Furthermore, there would be some overshadowing of the patio / window, particularly in the early mornings. Collectively, these matters are of such a magnitude that I conclude that the proposal would have a significantly adverse effect on the amenities enjoyed by the occupiers of No 60 Lord Avenue.

Other Matters

8. I am aware of the evolution of this scheme and the appellant's attempts to reduce the impact of the proposal. However, I have determined this application on its individual planning merits and have concluded that unacceptable harm would be caused to the occupiers of the neighbouring dwelling.

Conclusion

9. For the reasons outlined above, the proposal would have a significantly adverse amenity impact upon the occupiers of No 60 Lord Avenue in respect of outlook and light. Therefore, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Daniel Hartley

INSPECTOR