

Appeal Decision

Site visit made on 25 October 2016

by Graham M Garnham BA BPhil MRTPI

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

Decision date: 2 November 2016

Appeal Ref: APP/W5780/D/16/3157783
102 Clayhall Avenue, Ilford, IG5 0LF

- 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 Roofi Khan against the decision of London Borough of Redbridge Council.
 - The application Ref 1356/16, dated 23 March 2016, was refused by notice dated 25 May 2016.
 - The development proposed is single storey conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for single storey conservatory at 102 Clayhall Avenue, Ilford, IG5 0LF in accordance with the terms of the application Ref 1356/16, dated 23 March 2016, subject to the following condition:
 - 1) The development hereby permitted shall be in accordance with the following approved plans: numbers OA/1613/ 1-6, 2-6, 3-6, 4-6, 5-6 & 6-6.

Procedural Matters

2. The planning application form contains an extended description of the proposal, including full dimensions. I have simply cited the first three words in the summary above. I consider that this is adequate for my decision, and does not prejudice the interests of either main party.
3. The application form says that the development for which planning permission is sought was completed in 2015. The retrospective nature of the proposal does not affect my consideration of its planning merits.

Main Issues

4. I consider that these are the effects of the proposal on firstly, the living conditions of the adjoining occupiers at no.104, by virtue of loss of outlook and increased sense of enclosure; and secondly, the character and appearance of the host and nearby properties.

Reasons

5. The appeal property is an extended semi-detached house. At the rear, the adjoining house (no.104) has an abutting ground floor extension of similar
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outward projection, with a matching two storey extension beyond. The plots are of a good width and back gardens are quite long.

First main issue – effect on living conditions

6. The conservatory projects 3.2 metres from the rear elevations of the ground floor extensions on both properties. The neighbouring house has glazed double doors set some distance back from the common boundary. The conservatory has windows on all three sides, above a low brick wall, and a slightly sloping light weight roof. It is a low-key structure, and a minor addition to the outlook through the neighbour's doors, not a great deal higher than the close-boarded boundary fence. The conservatory is set back from the boundary, further reducing the impact on outlook. Even if it had been constructed in accordance with the submitted drawings, adjoining the boundary, I consider that the modest scale and light weight nature of the conservatory would not detract significantly from living conditions next door.
7. I conclude that the proposal does not unreasonably prejudice the living conditions of the adjoining occupiers at no.104, by virtue of loss of outlook or an increased sense of enclosure. There is no conflict in this respect with Policy BD1 of the London Borough of Redbridge Borough Wide Primary Policies (2008) [BWPP].

Second main issue – effect on character and appearance

8. In addition to the extensions mentioned above (paragraph 5), both properties also have large rear box dormers. The conservatory is a minor addition to the mass of the building, of a style and materials appropriate to the host house, its neighbour and the locality. Although it is somewhat utilitarian in appearance, the conservatory can only be seen from the rear of nearby properties. A variety of other ground floor rear extensions can be seen on either side, and I consider that the proposal is not out of keeping in this context.
9. I conclude that the proposal does not detract materially from the character and appearance of the host and nearby properties. It is not contrary to the design requirements of BWPP Policies BD1 & BD5, or the more general architectural provisions of Policy 7.4 in The London Plan (2011).

Overall conclusion

10. I have found in favour of the proposal with respect to both main issues. As it has already been built, no planning conditions are necessary with respect to commencement or materials. Except for the side wall towards no.104 (paragraph 6), the conservatory appears to have been built in accordance with the submitted plans. These show the maximum extent of what is being approved. I consider that it is necessary to impose a condition specifying the relevant drawings in order to provide certainty on this matter.
11. Subject to this condition, there is therefore no reason to withhold planning permission, and I allow the appeal.

G Garnham

INSPECTOR