

Appeal Decision

Site visit made on 29 November 2016

by David Hogger BA MSc MRTPI MCIHT

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

Decision date: 15th December 2016

Appeal Ref: APP/W5780/D/16/3159896

7 Bradford Road, Ilford IG1 4AR

- 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 A Islam against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2213/16, dated 16 May 2016, was refused by notice dated 11 July 2016.
 - The development proposed is described as the retention of extension and raised patio as built.
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Decision

1. I allow the appeal and grant permission for a single storey rear extension and patio at 7 Bradford Road, Ilford IG1 4AR in accordance with the terms of the application reference 2213/16, dated 16 May 2016 and the plans submitted with it.

Preliminary Matters

2. I saw on my visit that the extension and patio have already been constructed and I have determined the appeal on that basis. Photographs have been submitted that show the rear of the dwelling before the current extension and patio were built. Consequently I was able, at my site visit, to assess the changes that have taken place.
3. In my decision, in the interests of accuracy, I have used the description of the development as set out in the Council's Decision Letter.

Main Issues

4. The main issues are:
 - the appearance of the extension and its effect on the living conditions of neighbours, particularly in terms of outlook; and
 - the height of the patio and its effect on the living conditions of neighbours, particularly in terms of privacy.

Reasons

The Extension

5. I saw on my visit that many of the properties on this side of Bradford Road include rear extensions of the same or similar depth to that at No 7 and that there is no clear single style in terms of the appearance of the rear elevations in this locality. Although the extension at No 7 is higher than other similar extensions nearby, I do not consider that it is unduly dominant or visually intrusive in this setting. The Council states that the extension 'has a detrimental impact on privacy to the surrounding properties' but I saw no evidence that the privacy of neighbours, for example in terms of overlooking from inside the extension, was a significant risk.
6. Policy SP3 of the Redbridge Core Strategy (CS) and policies BD1 and BD5 of the Borough Wide Primary Policies DPD (BWPP) seek to ensure (in summary) that a high standard of design is achieved in all new buildings, that they are compatible with the character of the area in which they are located and that the amenity of neighbouring occupiers is not prejudiced. The extension satisfactorily meets those requirements.
7. On the first issue it can be concluded that the appearance of the extension is not significantly out of keeping with other development to the rear of properties in this area and does not harm the living conditions of neighbours, for example in terms of overlooking.

The Patio

8. I am told by the Council that the rear patio has been increased in height by 0.5m. However, because of the height of the boundary walls and the existence of a tree between the patio and No 5, the parts of the neighbouring gardens nearest to the adjoining dwellings remain relatively private. Whilst it is possible to see into parts of the neighbouring rear gardens that are further away from the two adjoining properties, this is not a unique circumstance in this locality, where housing density appears to be relatively high. Although it is not a matter to which I attach much weight, I note that there has been no objection to the proposal from either neighbour.
9. The Council also refers to the impact (in terms of overlooking from the patio) on properties in Vicarage Lane. However, the distance between the dwellings in that road (which runs parallel to Bradford Road) and the appeal property is such that any harm is not material.
10. The requirements of CS policy SP3 and BWPP policy BD1, as referred to in paragraph 6 above, have been met and on the second issue I conclude that the harm to the living conditions of neighbours (in terms of loss of privacy), as a consequence of the height of the rear patio, is not significant.

Conditions and Conclusion

11. The Council has suggested the standard conditions relating to the start of the development, materials to be used, and the development being carried out in accordance with the approved plans. However, the fact that the development

has been completed renders these conditions unnecessary and therefore I impose no conditions.

12. For the reasons given above I conclude that the appeal should be allowed.

David Hogger

Inspector