

Appeal Decision

Site visit made on 24 April 2017

by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI

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

Decision date: 3rd May 2017

Appeal Ref: APP/W5780/D/17/3172161

9 Tillotson Road, Ilford IG1 4UZ

- 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 M Razaq against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 5735/16, dated 9 December 2016, was refused by notice dated 7 February 2017.
 - The development proposed is described as "amendment to planning application 2195/15 to enable the creation of a single storey outbuilding extension following the grant of Lawful Development Certificate application 1998/14".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application form described the development as "amendment to planning application 2195/15 to enable the creation of a single storey outbuilding extension following the grant of Lawful Development Certificate application 1998/14". However, the appeal form and the Council's decision notice describe the development as: "single storey rear extension; part first storey rear extension; first floor side extension; rear outbuilding; relocation of front roof lights". I have had regard to this alternative description of the proposal in determining the appeal.
3. The proposal seeks to amend two previous schemes that have been approved on the site. Firstly, in February 2017¹, permission was granted on appeal to demolish an existing single storey extension and garage and build a new two-storey side extension and part single-storey, part two-storey rear extension. At the time of my site visit, works associated with implementing this decision had begun.
4. Secondly, on 5 August 2014,² a Certificate of Lawfulness was granted for an outbuilding. This would be sited to the rear of the previously existing garage and immediately adjacent to the shared boundary with No 7. It would occupy the area between the boundary and the rear extension granted on appeal and would be of an equal depth to that extension. Some work on this outbuilding had been undertaken at the time of my site visit, but it was nowhere near completion.
5. The current scheme seeks to construct a larger outbuilding that would be 2.7m deeper than that approved by the Certificate of Lawfulness. It would have a flat roof that would vary in height. It would be 2.5m high alongside part of the shared boundary with No 7 closest to the proposed utility room, but this would be increased to 3.4m alongside an existing outbuilding at No7.

¹ APP/W5780/D/16/3164475, (Council ref: 2195/15)

² Ref: 1998/14

6. The Council has not raised concerns about any other elements of the scheme and I see no reason to do so, other than to note that the roof of the side extension shown on Drawing No 1523/203, submitted with this proposal, differs from the scheme approved on appeal shown on Drawing No 1519/03. In determining this appeal, I have had regard to the scheme approved on appeal, but focused on the effects of the proposed outbuilding.

Main Issues

7. The main issues are therefore the effect of the proposed outbuilding on:
- a) the character and appearance of the host property and the surrounding area;
 - b) the living conditions of occupants of No 7 in relation to outlook and enclosure.

Reasons

Character and appearance

8. In the vicinity of the appeal site Tillotson Road is predominantly characterised by pairs of large, semi-detached houses dating from the inter-war period set in good sized plots. No 9 is paired with No 11. The modest gap between No 9 and No 7 was previously occupied by a single storey garage. Included in the approved additions and alterations to No 9 it is proposed that the existing garage would be replaced with a two-storey side extension with a gable end immediately adjacent to the shared boundary with No 7.
9. If implemented in full the approved alterations would represent a substantial enlargement of the existing dwelling. The outbuilding that could be constructed as permitted development would sit alongside the single storey element at the back of the house and their rear elevations would be aligned with one another. Its juxtaposition with the extension would give it the appearance of another extension. However, its lesser height would ensure that it appeared to be a subservient addition to the building as a whole.
10. The appellant's statement suggests that the proposed outbuilding would occupy the same footprint as that previously found to be permitted development and that the only amendment sought is an increase in its height for part of its depth. This would enable the height of the rear-most section of the enlarged outbuilding to be the same as that of the proposed rear extension. However, a comparison of the permitted development, shown on Drawing No 2023-02, with plan submitted with the current appeal, Drawing No 1519/201, shows that it would not only be taller but would also be significantly deeper, projecting well beyond the approved single-storey rear extension.
11. The enlarged outbuilding would result in the deepest part of the house being immediately adjacent to the shared boundary and projecting over 8m from what was originally the rear elevation of the garage. Not only would this depth be disproportionate to the dimensions of the original dwelling, but the lack of set-in from the shared boundary would result in a cramped appearance across the site as a whole. The additional height of the enlarged outbuilding would result in it appearing to be visually integrated with the single storey rear extension. It would therefore appear to be one extension across the full width of the plot when viewed from the garden. Consequently, the structure would dominate the rear elevation, and the side extension and outbuilding would not appear to be subservient to the host property.

12. In my view the excessive depth, bulk and height of the outbuilding would be out of proportion with the original dwelling. Furthermore, I consider that including two separate elements with flat roofs within it would be awkward and would represent poor design. The cumulative effect of the various additions and extensions would result in them dominating and overwhelming the original building. They would do so in a manner that would fail to respect the scale, style and proportions of the host property. The scheme would therefore be harmful to the character of the building and its environs, notwithstanding the fact that the changes would not be visible from the public realm.
13. For these reasons I conclude that the proposed outbuilding would be harmful to the character and appearance of the host property and the surrounding area, contrary to Policy SP3 of the London Borough of Redbridge Core Strategy (Core Strategy) and Policies BD1 and BD5 of the Borough Wide Primary Policies Development Plan Document (Primary Policies DPD). These policies, amongst other things, seek high quality development whose style, massing, scale and design is appropriate to the locality. Although not cited in the Council's decision notice Policy BD5 is also relevant as it requires extensions to compliment, rather than dominate, the existing building in terms of size, scale and height.

Living conditions

14. No 7 has a dining room which has windows and a door in its side elevation. This room is already quite dark and enclosed due to its location in the middle of the house. Its outlook is further constrained by the location of a kitchen and a kitchen/utility room to the rear. Consequently, its only outlook is on a small, enclosed courtyard and towards the shared boundary with No 9.
15. The erection of the 2.5m high wall associated with the implementation of the outbuilding approved as permitted development has already increased the sense of enclosure within the dining room. The increased height and width of the rear element of the appeal scheme would significantly increase the bulk of the outbuilding above that which could be constructed as permitted development. Consequently, the proposal would compound the sense of enclosure and make users of the dining room at No 7 feel even more 'boxed-in' than they are at present. I consider this to be the case even though the height of the outbuilding along the shared boundary for part of its length would be comparable with that of the existing rear kitchen within this adjoining property.
16. I conclude that the proposed outbuilding would be harmful to the living conditions of the occupants of No 7, arising from loss of outlook and an increased sense of enclosure. It would therefore be contrary to Policy SP3 of the Core Strategy and Policies BD1 and BD5 of the Primary Policies DPD which, amongst other things, seek to protect the amenity of adjoining occupiers.

Conclusion

17. For the reasons set out above, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR