
Appeal Decision

Site visit made on 27 June 2017

by Gwyn Clark BSc DipTP MRTPI

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

Decision date: 1st August 2017

Appeal Ref: APP/W5780/D/17/3172965

48 Lorne Gardens, Wanstead, London E11 2BZ

- 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 Alex Colley against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 5899/16, dated 15 December 2016, was refused by notice dated 13 February 2017.
 - The development proposed is single storey rear extension.
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Decision

1. I dismiss the appeal.

Preliminary Matter

2. I am aware that since lodging this appeal a further planning application has been submitted for a single storey rear extension and that this has been granted planning permission (Ref 1961/17, dated 21 June 2017). The approved extension differs from that before me by running for a distance of 3.5m along the neighbouring boundary and then inset by 1m for the remaining 0.5m of its length. I have considered this as a valid 'fall-back' position.

Main Issues

3. The main issues in this appeal are the effect of the development upon the character and appearance of the existing dwelling and the surrounding area, and upon the living conditions of the occupiers of the adjacent dwelling, No 46, in respect of loss of light and an overbearing effect.

Reasons

4. No 48 is a traditional semi-detached dwelling. It is proposed to construct a full width rear extension that would run along the boundary with the neighbour (No 46) for a distance of 4 metres. It would have a mono-pitched roof fitted with three rooflights. The height of the extension where it would be attached to the house would be around 3.45m (though the local planning authority says this would be 3.15m). The height would reduce with the slope of the roof to around 2.27m. The extension would be of a conventional design and would be constructed in sympathetic materials.
5. The rear of this part of Lorne Gardens is enclosed by a variety of boundary fences, domestic buildings, garden shrubs and trees. It is relatively enclosed

and not open to general view. The design of the extension is also reasonably in keeping with the character of the original dwelling and it would not harm the character and appearance of its surroundings. I therefore find that the proposal would be consistent with policy SP3 of the London Borough of Redbridge Core Strategy (LBRCS) and policies BD1 and BD5 of the London Borough of Redbridge Borough Wide Primary Policies (LBRBWPP).

6. Neither of these two semi-detached houses has previously been extended to the rear. At ground floor each has large glazed doors, with side and top windows, which give access to the house from a raised patio area. A fence of around 1.9m high has been erected along the boundary. The extension would abut the boundary with its neighbour and for much of its length it would be significantly higher than the recently erected fence.
7. The advice within the adopted Redbridge Householder Design Guide SPD (2012) offers no specific rule as to the maximum depth of single storey extensions. However it does put forward some design principles for rear extensions which include avoiding the blocking of natural light and outlook to habitable rooms in neighbouring properties.
8. The extension would stand to the north of the neighbour's garden, and so would not cause a loss of sunlight. However I consider it would have a significant overbearing and oppressive effect upon the living conditions of the neighbours due, in part, to the height of the extension in close proximity to the neighbouring glazed doors, and due to the length of the side wall. For this reason I consider it would be contrary to policy SP3 of the LBRCS and to policy BD1 of the LBRBWPP which seek to ensure that development respects the amenity of adjoining properties.
9. I have considered the fact that there are other extensions in the area that are over 4m in depth. However each case must be considered on its own merits. I have also been invited to consider a slightly amended proposal but this would not make such a significant difference to the harm that I have identified sufficient to alter my view.
10. I have taken into account the 'fall back' position of what has been granted planning permission and what may be allowed under permitted development. However I must determine this appeal upon the evidence that has been presented to me.
11. Whilst the proposal would preserve the character of the host dwelling and the character and appearance of the surrounding area, this lack of harm is far outweighed by the significant harm to living conditions that would arise as a result of the proposed extension as a result of its overbearing effect and accordingly I dismiss the appeal.

Gwyn Clark

INSPECTOR