
Appeal Decision

Site visit made on 9 August 2017

by M Seaton DipTP MRTPI

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

Decision date: 17 August 2017

Appeal Ref: APP/W5780/W/16/3164729
304 Thorold Road, Ilford, Essex, IG1 4HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Paragraph A.4 of The Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Mr Masaddar Ali Khan against the decision of the London Borough of Redbridge.
 - The application Ref 5119/16, dated 27 October 2016, was refused by notice dated 2 December 2016.
 - The development proposed is a single storey rear extension with a depth of 4 metres, highest point of 3 metres, and height to eaves of 2.6 metres.
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Decision

1. The appeal is allowed and approval granted under the provisions of Schedule 2, Part 1, Paragraph A4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) for a single storey rear extension with a depth of 4 metres, highest point of 3 metres, and height to eaves of 2.6 metres, at 304 Thorold Road, Ilford, Essex, IG1 4HD, in accordance with the details submitted pursuant to Schedule 2, Part 1, Paragraph A4 (2) of the GPDO.

Reasons

2. The appeal relates to single-storey rear extensions to a semi-detached dwelling in a predominantly residential area. The development would comprise a pair of 4 metre deep extensions on the rear of the existing two-storey rear outrigger and within the 'tunnel' area to the side of the rear outrigger. The extensions are indicated as possessing a height to eaves of 2.6 metres, and a total height of 3 metres.
 3. The Council has assessed the extension against the provisions of Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO), and concluded that having regard to the size and position of the extensions on the rear of the dwelling, that in this respect the proposed extensions would accord with the restrictions set out within paragraph A.1 of the GPDO. On the basis of the information submitted, I would also agree with this assessment.
 4. However, the Council has drawn my attention to paragraph A.3 of the GPDO, which sets out conditions which development permitted by Class A are subject to. In this respect, the Council has assessed the proposal as not being in
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accordance with paragraph A.3(a), which requires *the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse*. Specifically, the Council has concluded that the appellant has provided insufficient details of external materials with the application so as to determine that they would meet the requirements of the Condition.

5. I have carefully considered the Council's contention, and would accept that the appellant has failed to explicitly state in the submissions that the materials proposed for the external works would be similar to those used in the construction of the existing dwelling. However, I have had regard to the visual representation of materials as shown on Drawing Nos. A04 (Existing Elevations) and A05 (Proposed Elevations) which clearly differentiates between the use of render, brickwork, roof tiles etc. by virtue of the graphic detailing. In this respect, the Proposed Elevations indicate the extension would be formed of the same material as shown graphically as the existing dwelling. Furthermore, I am also mindful that it has been set out on the submitted Specification Drawing No. A08 that the external solid walls would be of a *sand cement render external finish*, which I am satisfied would provide a similar appearance of external work.
6. I accept that for the avoidance of doubt a written submission confirming the use of materials for external works of a similar appearance would have clarified matters. However, I am satisfied that in this instance the submitted detail and information related to the proposed external works as indicated, would meet the limitations and condition as set out at paragraph A.3(a) of the GPDO. I am minded that full compliance with the condition would be required in order for the development to be regarded as permitted development, and that this would be a matter for the Council and the appellant to address upon implementation of the development.
7. The provisions of the GPDO require the local planning authority to assess the proposed development on the basis of its impact on the amenity of any adjoining premises, taking into account any representations received. Whilst I am mindful that the Council has not submitted an assessment on this basis, as a consequence of the notification of the proposals undertaken by the Council in respect of the appeal, a representation has been received from the neighbouring occupiers of No. 306 Thorold Road, in respect of the impact of the proposed extensions on light and outlook as a consequence of a perceived sense of enclosure.
8. Whilst I have had regard to the expressed concerns of the neighbouring occupier, and the submitted photographs attached to the objection, it would appear from the submissions that the principal area of concern relates to the undeveloped 'alleyway' between Nos. 306 & 308 Thorold Road. On the basis of the submissions and my observations on the appeal site, I conclude that the proposed extensions would not have any impact on the windows or outlook referred to by the neighbouring occupier, with the scale and disposition of the extensions relating acceptably to neighbouring occupiers as a consequence of the position of existing built development to the rear of both Nos. 302 & 306 Thorold Road. As a consequence, I am satisfied that there would not be a significant or adverse impact on the living conditions of neighbouring occupiers, and in particular on light or outlook.

Conclusion

9. For the reasons given above, I conclude that the appeal should be allowed and approval granted. In granting approval the Appellant should note that the GPDO requires at Paragraphs A4 (13), (14) and (15) that the development shall be completed on or before 30th May 2019 and that the developer shall notify the local planning authority in writing of the completion of the development as soon as reasonably practicable after completion. Such notification shall include the name of the developer; the address or location of the development, and the date of completion.

M Seaton

INSPECTOR