



Appeal Decision

Site visit made on 8 August 2017

by A Napier BA(Hons) MRTPI MIEMA CEnv

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

Decision date: 29 August 2017

Appeal Ref: APP/W5780/D/17/3174830
31 Benego Gardens, Romford RM6 4BT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a Schedule 2, Part 1, Paragraph A.4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Ikram Bachcha against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 1021/17, dated 5 March 2017, was refused by notice dated 11 April 2017.
 - The development proposed is erection of 4m rear extension.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Schedule 2, Part 1, Paragraph A.4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) for a single storey rear extension at 31 Benego Gardens, Romford RM6 4BT in accordance with the details submitted pursuant to Schedule 2, Part 1, Paragraph A.4 (2) of the GPDO.

Procedural Matters

2. The Council has raised concerns that the appeal application does not include details of the external materials for the proposed extension. However, Paragraph A.4 (2) of the Order does not include a requirement to provide such details and Paragraph A.3 requires any materials used in any exterior work to be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
3. There is nothing before me to indicate that the proposal would not meet these requirements and the appeal submissions confirm an intention to use materials that would match the existing. I am satisfied that it is appropriate to consider the appeal on this basis. From the details provided, in other respects, the Council considers that the proposal would meet the relevant criteria for permitted development and I see no reason to disagree with this assessment.
4. The provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises, taking into account any representations received. My determination of the appeal will be made in the same manner.

Reasons

5. The appeal dwelling is a three-storey mid-terrace property and the appeal proposal would extend across the full width of the appeal site, to a depth of some 4 metres.

The appellant's statement indicates that the extension would have a maximum height of 3.55 metres and a height at the eaves of 2.7 metres. However, the application and appeal forms state that it would have a maximum height of 4 metres, reducing to 3 metres at the eaves and I have considered the appeal on this basis.

6. Currently, the rear elevation of the appeal dwelling includes a bedroom window and a door at ground floor level. The neighbouring properties within the terrace appear to follow the same design, with fenestration similar to that of the appeal dwelling. However, the layout of the ground floor fenestration of the adjoining dwellings is symmetrically opposite to that of the appeal dwelling. As a result, the rear door to No 29 and the ground floor window of No 33 are adjacent to the shared boundary with the appeal dwelling.
7. The proposed extension would have a pitched roof and, given its height and depth, it would inevitably alter the outlook from within those neighbouring dwellings and result in some increase in the sense of enclosure within the gardens of these properties. However, the gardens of these dwellings are relatively generous in size and extend a reasonable distance from the rear elevation of the dwellings. Taking these matters into account and given the overall scale and design of the proposal, I consider that it would not be unreasonably oppressive or overbearing on neighbouring occupiers. As a result, I find that its effect on outlook and enclosure would be acceptable.
8. In addition, whilst the proposal would lead to some loss of light to neighbouring occupiers, both inside and outside their dwellings, the window at No 33 is situated to the west of the appeal dwelling. Given the overall scale and design of the proposal, the respective relationship between the dwellings and their orientation, I consider that any overshadowing would be limited and the impact of the appeal extension in respect of light would be modest. As such, overall, I am satisfied that the proposal would not be materially harmful to the living conditions of neighbouring occupiers.
9. Concerns have also been raised about the potential increase in parking demand resulting from the proposal. However, from the limited information available to me, I am not satisfied that it has been demonstrated that the proposal would be materially harmful to neighbouring living conditions in this respect. As such, this matter does not lead me to alter my findings above.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed and approval granted. In granting approval the Appellant should note that, in addition to the materials condition referred to above, the GPDO requires at Paragraphs A.4 (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.

A Napier

INSPECTOR