
Appeal Decision

Site visit made on 9 October 2017

by Les Greenwood MRTPI

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

Decision date: 23 October 2017

Appeal Ref: APP/W5780/D/17/3181064

165 Redbridge Lane East, Ilford IG4 5DB

- 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 Mukesh Kanbi against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 1694/17 was refused by notice dated 6 June 2017.
 - The development proposed is a small single storey extension to the rear at ground floor level, together with a basement extension including a 3.0m extension to the rear with a terrace over.
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Decision

1. The appeal is allowed and planning permission is granted for a small single storey extension to the rear at ground floor level, together with a basement extension including a 3.0m extension to the rear with a terrace over in accordance with the terms of the application Ref 1694/17, dated 11 April 2017, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 7845/13A, 14A, 15A and 16A.
 - 2) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.
 - 3) The terrace hereby permitted shall not be used unless 1.8m high opaque glass side screens are in place as detailed on the approved plans.

Preliminary matters

2. The proposed works were largely complete at the time of my site visit. A large outbuilding, which is not shown on the submitted plans, was also under construction at the end of the garden. I have no information about a planning history for that outbuilding and it is not a matter in front of me for consideration.

Main issue

3. The main issue is the effect of the proposal on living conditions at neighbouring properties.

Reasons

4. 165 Redbridge Lane East is an end of terrace house located within a mainly residential area. The plot slopes down steeply to the rear so that the flats behind no. 165 on Margaret Way sit at a much lower level. The proposal adds a small rear ground floor extension and a basement running the full width of the house and extending out further to the rear, with a raised terrace over that replaces a smaller terrace.
5. The Council's reason for refusal relates to the impact on occupiers of the next house in the terrace, No 167, due to the effect on outlook caused by the basement extension and a proposed opaque glass side screen on the terrace. The basement structure itself is low enough that it would have little effect. The side screen, which is necessary for reasons of privacy, would be significantly taller than the boundary fence, but would not be an imposing structure and would be inset from the boundary far enough to reasonably minimise any overbearing or enclosing effect.
6. Concerns have also been raised by the occupiers of some of the Margaret Way flats, in particular about privacy, noise from the newly installed car lift and light pollution. The distance between the glazed rear doors/roof terrace and the flats is sufficient that, despite the difference in levels, there should be adequate privacy in the flats. I note that the overlooking here would have been similar when the previously existing terrace was in place. I have listened to the car lift in operation and found it to be reasonably quiet. Any noise nuisance that may be caused could be dealt with under other legislation. Finally, while I sympathise with the concerns about light pollution from rear glazed doors and external lighting, this is not sufficient reason to withhold planning permission.
7. I conclude that the proposal would not unduly effect living conditions at neighbouring properties. It therefore accords with the aims of Core Strategy Policy SP3 and Policy BD5 of the Borough Wide Primary Policies (BWPP), to ensure that development respects the amenity of adjoining properties. It likewise accords with the National Planning Policy Framework's emphasis on securing a good standard of amenity for all existing and future occupants. The Council also cites BWPP Policy BD5 here, but this does not appear to be directly relevant to the main issue.
8. Neighbours have also raised the issue of the proposal's impact on the character and appearance of the area. It appears to me to be reasonably well designed and proportionate to both the building and the plot. It would be little seen in public views. I therefore find no objection on this count either.
9. Although the project is nearing completion, there is significant work still to be done. I therefore impose a condition specifying the relevant plans to provide certainty and another requiring the use of matching materials to protect local character and appearance. Finally, a condition requiring the erection of the side screens is needed to protect privacy at neighbouring houses.
10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR