



Appeal Decision

Site visit made on 22 October 2019

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 November 2019

Appeal Ref: APP/W5780/W/19/3231502

297A High Road, Ilford, Essex IG1 1NR

- 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 Sarju Chandarana against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 4163/18, dated 9 October 2018, was refused by notice dated 17 December 2018.
 - The development proposed is a first floor rear extension to an existing first floor two bedroom flat to create two studio flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposed development on:
 - Living conditions of nearby residents with particular regard to outlook and light;
 - Living conditions of future occupiers with respect to outlook and amenity space; and,
 - The character and appearance of the existing property and wider area.

Reasons

Living conditions – nearby residents

3. The first-floor extension would project to almost the full depth and for the full width of the appeal site. This would have a combined length of about three times the depth of the original first floor and would project significantly beyond the rear of the first-floor elements of the immediate neighbouring properties, including their modest first-floor extensions. Whilst the first-floor rear facing openings at 299 High Road do not appear to provide outlook from habitable rooms, those at 295 High Road do. The rearward outlook from those windows is already dominated by the full depth of the combined corner units at 291 and 293 High Road and the existing first-floor projection of the appeal site. The proposal would exacerbate an existing tunnelling effect creating a significant increase in the sense of enclosure and reduced outlook for the occupiers of no 295.
4. Furthermore, the first-floor accommodation above Nos 291 and 293 has several windows facing the appeal site at a distance of about 4.5 metres. Whilst two of these overlap with the current first floor extension, angled views beyond the

existing rear limit of development can be achieved. This would not be the case if the proposed development were to proceed.

5. A similar enclosing effect would occur to an additional clear-glazed window further towards the rear of Nos 291 and 293 which benefits from an unobstructed outlook. Whilst the proposed development would replace a distant view of an extension formed from a shipping container-like structure, it would present a substantially blank elevation at close distance. This would significantly reduce outlook to the detriment of the living conditions of the occupiers of that part of Nos 291 and 293.
6. Due to the arrangement of neighbouring window positions and the overall height of the proposed extension, there would be some additional overshadowing and reduced ambient daylight to the closest windows of nearby first-floor residential accommodation. However, having regard to the scale and orientation of the terrace, existing levels of overshadowing and the heights of the nearby openings, any additional effect arising from the proposed extension would be limited. Consequently, I conclude that the effect on living conditions would not be so great as to warrant refusal of planning permission with regards to impacts on light levels.
7. Whilst I consider the effects with regard to light would be acceptable, the development would cause significant harm to the living conditions of nearby residents through creating and exacerbating the sense of enclosure and poor outlook. The proposal would therefore conflict with policy LP26 of the Redbridge Local Plan (2018) (LP) as it relates to protecting the living conditions of nearby residents.

Living conditions – future occupiers

8. The proposed scheme would result in two flats, each with a single point of outlook. However, the internal layouts are such that the flats would provide open-plan multi-use space with the main habitable activities taking place in those areas served by the window openings. The accommodation within the extension served by a north-facing window would be relatively shallow and natural illumination of the deeper parts of the flats would be achieved by additional rooflights. With combined sky and outward views serving the main living spaces the flats would provide a reasonable standard of accommodation for occupiers in that respect.
9. The Council has recently adopted a specific policy¹ seeking to establish dedicated external amenity space for new housing to meet the needs of occupiers, including a specific standard for flats regardless of if they are intended to be occupied by families or not. I acknowledge that the existing flat does not currently provide such amenity space and it would therefore be unreasonable to retrospectively require it. Nonetheless, the absence of provision for the additional unit would fail to achieve the standard of living conditions sought in the LP.
10. I note that there are parks and leisure facilities in the wider area, however, these would not provide the type of private amenity space required by the Council's policies. Furthermore, whilst there are limited examples of external amenity space serving first floor flats nearby, and that the evidence indicates that the Council has previously permitted a similar development without amenity space at 305 High Street under a former policy provision, due to the change in circumstances with regard to the recently adopted policy these matters do not weigh in favour of the proposal. I have considered the proposed development on its own merits and based on the policies in place at the time of my decision.

¹ Policy LP29 of the Redbridge Local Plan (2018)

11. Whilst I have found in favour of the appellant with respect to the matters of outlook for prospective residents of the flats and therefore the proposals are consistent with Policies LP26 and LP29 of the LP and Policy 3.5 of the London Plan 2016 in that respect, I do not consider this matter would outweigh the harm arising from the absence of dedicated private external amenity space for the additional residential unit. The proposal therefore fails to meet the requirements of Policies LP26 and LP29 of the LP which, amongst other matters, seek to achieve a suitable standard of living conditions for future occupiers through the provision of private external amenity space.

Character and Appearance

12. No 297A is a first floor residential flat above a commercial premises in a long terrace of mixed-use properties. Frontages are set immediately to the rear of the pavement on the northern side of High Road in a location close to the town centre. At the rear the deep narrow plots front onto Thompson Close a local access road serving the terrace, local car parks and commercial premises. The rear of the terrace has a wide variety of mixed forms of single-storey and two-storey extensions. Whilst the first floors appear to be predominantly residential accommodation there is a mix of residential and commercial uses including parking and servicing areas at ground floor level.
13. The proposed extension would substantially fill the plot with two-storey development. The combined scale of the extensions would be considerable and have little regard to that of the original building. Furthermore, the flat roof construction and first-floor elevation addressing Thompson Close would reflect little of the original character of the building. However, there are similar examples of this level of plot development within the section of the terrace served by Thompson Close and those beyond.
14. The predominant character along Thompson Close is one of a haphazard series of additions varying in width, style, projection, materials and heights and, as such, there is little interpretation of the original terrace elevations left. Those that survive merely contribute to the degree of variation. In the context of the wide variety of size and forms of extensions the proposal would not, in itself, cause harm to the character and appearance of the locality. Furthermore, the design proposal is based on an existing extension close by that provides a consolidated form in contrast to some of the surrounding development.
15. The proposed extension would therefore be in keeping with local development and would not be harmful to the character and appearance of the existing property and wider area. The proposal would therefore be consistent with the requirements of Policy LP26 of the LP with respect to achieving quality design that responds to the area's character.

Other Matters

16. The appellant advises that the development would contribute to the local housing need in a sustainable location and assist in minimising local crime and anti-social behaviour. However, whilst acknowledging the benefits that would result in these respects, they are not sufficient to outweigh the harm that I have identified.
17. I note the frustrations expressed by the appellant in relation to the level of communication from the Council leading up to this appeal. However, this is not a matter for this appeal which I have determined on its own merits.

Conclusion

18. Whilst I have found in favour of the appellant with respect to the matters of outlook for prospective occupiers and the effect of development on the character and appearance of the locality, I do not consider these matters outweigh the harm identified in relation to the living conditions of nearby residents caused by enclosure and poor outlook, or the effect on the living conditions of future occupiers of the development through the absence of private external amenity space. I therefore conclude that the appeal should be dismissed.

R Hitchcock

INSPECTOR