



Appeal Decision

Site visit made on 8 January 2020

by C Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2020

Appeal Ref: APP/W5780/D/19/3241906

15 Clarendon Gardens, Ilford IG1 3JN

- 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 Mohammed Hassan against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3504/19, dated 5 September 2019, was refused by notice dated 31 October 2019.
 - The development proposed is single storey ground floor rear extension with part first floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposal on the living conditions of surrounding occupiers having particular regard to outlook.

Reasons

3. The appeal concerns a mid-terrace property which, like neighbouring properties in the terrace, has an area of private outdoor space to the rear. It benefits from an existing ground floor extension, consisting of a brick-built structure and what is shown on the plans as a conservatory.
4. I understand that an application for a Lawful Development Certificate for the conservatory was refused in August 2016. Although the appellant indicates that no enforcement action was taken, there is limited information before me to confirm, definitively, that the existing conservatory is lawful. As such, I am unable to assume that the conservatory would necessarily remain in place in the event of this appeal being dismissed. I have therefore determined the appeal on that basis.
5. The proposed ground floor extension would have a limited effect on outlook and daylight in No 13 Clarendon Gardens as the elevation facing this property would remain largely unchanged. However, the extension would have a more noticeable effect on No 17 Clarendon Gardens. It would introduce permanent development close to the neighbouring boundary which, according to the Council, would extend 6.4 metres from the rear of the host property.

6. According to the Housing Design SPD¹, ground floor extensions in terraced properties should have a maximum depth of 3.5 metres. It is stated that this is to avoid the extension being overbearing and causing a significant loss of outlook, light, or an increased sense of enclosure. The depth of the proposed extension would clearly be well in excess of this. While the extension would be positioned 1 metre from the neighbouring boundary, it would nonetheless have an overbearing impact on the private amenity space to the rear of No 17 and would reduce the outlook from ground floor windows.
7. I therefore conclude that the proposed development would have a harmful effect on the living conditions of neighbouring occupiers. It would conflict with Policies LP26 and LP30 of the Local Plan² which, amongst other things, seek good standards of design which respects neighbouring amenity. The appeal is therefore dismissed.

C Cresswell

INSPECTOR

¹ London Borough of Redbridge Housing Design Supplementary Planning Document Adopted September 2019.

² Redbridge Local Plan 2015–2030, March 2018.