
Appeal Decision

Site visit made on 10 February 2020

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2020

Appeal Ref: APP/W5780/D/19/3243227

28 Kilmartin Road, Goodmayes, Ilford IG3 9PF

- 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 Jeremy Foster against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3407/19, dated 28 August 2019, was refused by notice dated 23 October 2019.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 28 Kilmartin Road, Goodmayes, Ilford IG3 9PF in accordance with the terms of the application, Ref 3407/19, dated 28 August 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: JF.01; JF.02 Rev B; JF.03 Rev A; Location Plan 1:1250; and Block Plan 1:500.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is whether the proposed development would be acceptable, having regard to the character and appearance of the area and the living conditions of the occupants of 26 Kilmartin Road, insofar as light and outlook.

Reasons

Character and appearance

3. The appeal property is a two-storey semi-detached dwelling that has been extended to the rear. The adjoining property, 30 Kilmartin Road benefits from a single storey rear extension that projects slightly further back than the existing extension to the host property. A detached bungalow, at No 26 is to the west of the appeal property. The rear elevation of No 26 is broadly flush with what was the original rear building line of the appeal property. A boundary wall, roughly 1.5 metres high, lines the common boundary between Nos 26 and 28 up to the

- rear elevation of the existing extension at No 28. The rear elevations of Nos 26, 28 and 30 face southwards into their long linear gardens which are enclosed by boundary fences and landscaping.
4. The rear elevation of No 26 has numerous window openings. The nearest opening to No 28 is within a single storey element to the side of the main body of the dwelling. I agree with the Council that this is not a habitable room based on the definition set out in the Householder Design Guide Supplementary Planning Document (SPD). The larger window opening next to this is, however, in my view likely to serve a habitable room given the size of the opening.
 5. The SPD explains that rear extensions have the potential to impact significantly on the daylight, sunlight and outlook of neighbouring properties. It goes on to say that the appropriate form of rear extension will depend on the proximity to the boundary with other properties; the position of windows to habitable rooms in neighbouring properties; and the impact on privacy, light and outlook for neighbouring properties. The SPD states that where planning permission is required, there is no specific rule governing the maximum depth of single storey rear extensions, but the key concern is to minimise adverse impacts on neighbouring dwellings where they abut habitable rooms. Consideration will also be given to the prevailing pattern of the street.
 6. Given the SPD, I am unclear why the Council say that single storey rear extensions must have a maximum depth of 3.5 metres. That said, the proposal would be of the same width and of a comparable scale and design to the scheme already granted planning permission by the Council¹. Compared to the approved scheme, the proposal would have the same depth next to No 26 and extend no further than the extended ground floor elevation of No 30. The proposal would not be excessive in its depth, be intrusive or unneighbourly and result in harm to the living conditions of the occupants of No 26, insofar as light and outlook. Furthermore, the proposed design and the intended use of matching materials would ensure that the proposed extension would respond to the character of the host dwelling and that of neighbouring dwellings.
 7. I conclude that the proposed development would accord with Policies LP26 and LP30 of the Redbridge Local Plan 2015 – 2030 and the SPD; which jointly seek, among other things, single storey rear extensions to be: of a high-quality inclusive design that complements the character of the building and the surrounding area, in terms of layout, scale, style, form, design and materials; and to not adversely impact the amenity of neighbouring occupiers in relation to daylight/sunlight and outlook.

Conclusion and conditions

8. In the interests of certainty, I have imposed an approved plans condition. I have also imposed a condition so that matching materials are used so that the extension harmonises with the host property.
9. For the reasons set out above, I conclude that the appeal is allowed.

Andrew McGlone

INSPECTOR

¹ Council Ref: 1271.19