



Appeal Decision

Site visit made on 18 May 2020

by M Madge DipTP, MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 June 2020

Appeal Ref: APP/W5780/D/20/3245398

41 Herbert Road, Seven Kings, Ilford IG3 8AL

- 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 G Russell against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 4513/19, dated 25 November 2019, was refused by notice dated 15 January 2020.
 - The development proposed is a rear detached games room structure.
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Decision

1. The appeal is allowed and planning permission is granted for a rear detached games room structure at 41 Herbert Road, Seven Kings, Ilford IG3 8AL in accordance with the terms of the application, Ref 4513/19, dated 25 November 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: OS Mastermap scale 1:1250, OS Mastermap scale 1:500 and drg.no: 6604/10.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the host building, 41 Herbert Road.

Preliminary Matter

2. The Council appears to have treated the proposal as a new dwelling, based, it seems, primarily on the inclusion of a shower room and toilet, and the ability to access the proposed building from the rear service road. Having done so, it appears to have concluded that such a dwelling would represent an unacceptable quality of accommodation for future occupiers and be detrimental to the living conditions of the occupiers of 41 Herbert Road.
3. Other outbuildings in the locality may have been converted into separate dwellings and I acknowledge the Council's concerns that the proposed development may have the potential to be used as a separate dwelling at some future date. Nonetheless, the proposal for my consideration and determination is a building to be used for purposes incidental to the host dwelling. I must determine the appeal based on what has been applied for and the evidence before me.

Main Issue

4. The main issue is the effect of the development on living conditions, with regard to the provision of private amenity space and internal living space for future users.

Reasons

5. The existing dwelling is a mid-terraced property with an area of private garden located to the rear, which abuts the rear service road. Other properties in the terrace have a similar layout including some with access on to the service road and several with rear outbuildings, similar to that being proposed.
6. The development would have a single storey and would occupy the rear most section of the garden. Notwithstanding that the proposed development would have a similar width to the host property, it would be subservient in terms of overall size, scale and height.
7. Access from the garden into the games room would be via a pair of glazed double doors. The proposed rear access door would allow pedestrian access onto the service road from the rear of the host property. The proposed floor plan shows that the bulk of the accommodation would be used as a games room.
8. The Council's Housing Design Guide Supplementary Planning Document (SPD) includes guidance on incidental outbuildings. The development would be located towards the end of the garden and would fall within the size constraints specified in the SPD. While the development would include a shower room and toilet, this limited conflict with the guidance does not outweigh the development's compliance with the SPD in all other respects.
9. The private garden space to be retained would be commensurate with the scale of the dwelling and would have sufficient depth to prevent any material loss of outlook or overshadowing of the host property. The proposed development would therefore respect living conditions, with regard to the provision of private amenity space and internal space for future users.
10. For the reasons set out above, the proposed development would not have a significant effect on the living conditions of future users and consequently would accord with Policies LP7 (Back Gardens), LP26 (Promoting High Quality Design) and LP30 (Householder Extensions) of the Redbridge Local Plan 2015 - 2020.

Conditions

11. In addition to the standard time limit, a condition specifying the approved plans is necessary as it provides certainty. I have imposed a condition specifying materials as this is necessary to safeguard the character and appearance of the area.

Conclusion

12. For the reasons set out above the appeal is allowed.

M Madge

INSPECTOR