
Appeal Decision

Site visit made on 26 August 2020

by Rory MacLeod BA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 September 2020

Appeal Ref: APP/W5780/W/19/3241384

Ground floor flat, 185 Thorold Road, Ilford IG1 4HB

- 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 Amin Patel against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 1918/19, dated 12 June 2019, was refused by notice dated 8 August 2019.
 - The development proposed is rear and side ground floor extension and conversion into 3 bedroom flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on (a) the character and appearance of the area and (b) the living conditions of occupiers of adjoining dwellings in relation to outlook.

Reasons

Character and appearance

3. The appeal relates to a mid-terrace two storey dwelling in use as two flats. The dwellings along Thorold Road have been constructed with two storey outriggers and that at the appeal site abuts the outrigger at no.183 along the common boundary. The main rear wall to the appeal building aligns with the rear wall in the recess between outriggers at the appeal site and no.187. The proposal is for single storey extensions about 6m deep to both the rear of the outrigger and infilling between the flank of the outrigger and the boundary with no.187.
4. The regular rhythm of outriggers and recesses in the immediately surrounding area has been punctuated by several single storey extensions to the rear of the outriggers. These vary in depth but none visible from the site were as deep as that now proposed. There is an extension to the recess at no.181 but this is an end of terrace house with a gap between the terraces, and so differs from that now proposed for the recess at no.185.
5. The extensions would not therefore be keeping with the prevailing pattern of development by reason of their size and siting on shared boundaries but would conflict with Policies LP26 and LP30 of the Redbridge Local Plan (2018) (RLP) which requires extensions to be subordinate to the scale of existing buildings.

Living conditions

6. The rear extension to the outrigger would project about 3m beyond an extension to the rear of no.183. However, planning permission¹ has been granted for construction of a replacement extension approximately 5.5m deep along the boundary with the appeal site. Given the large size of the window for the habitable room at the rear of the existing extension at no.183, and the very limited depth of the extension proposed at no.185 beyond the replacement extension at no.183, should this be built, there would not be an adverse effect on the living conditions for the occupiers of no.183.
7. There are clear glazed windows in the recessed rear wall and along the flank of the outrigger at no. 187 that would face towards the proposed extensions. There would be sufficient separation from these windows to the extension to the rear of the outrigger to not result in a material adverse effect on living conditions. However, the extension infilling the recess alongside the shared boundary with no.187 would result in a loss of outlook from affected rear and side facing windows by reason of the extension's depth, height and proximity. Whilst outlook from windows in the recess is already affected to a degree by the flank outrigger wall at the appeal site, the infill extension would further restrict this and would have an overbearing impact. It would be contrary to Policies LP26 and LP30 of the RLP which require development to not result in an adverse impact upon the amenity of neighbouring occupiers in relation to matters including outlook, massing and adequate spacing between buildings.
8. The appellant has submitted a drawing with annotations referring to BRE guidelines to indicate that there would not be a significant loss of light to windows at no.187. But the Council's refusal reason refers to a loss of outlook and to an overbearing impact rather than to a loss of light. The appellant has also likened the proposal to a 'prior approval scheme' in which an extension not exceeding 6m in depth may be accepted on a terraced house not subdivided into flats. Such a scheme would be subject to separate 'prior approval' procedures. The current proposal requires planning permission and must be determined in accordance with policies in the development plan unless material considerations indicate otherwise.

Conclusion

9. For the reasons given, and having regard to all other matters raised, the appeal is dismissed.

Rory MacLeod

INSPECTOR

¹ Application 1273/19 refused but allowed on appeal ref: APP/W5780/D/19/3233302