



Appeal Decision

Site visit made on 21 September 2020

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 September 2020

Appeal Ref: APP/W5780/W/20/3245583

94 Balfour Road, Ilford IG1 4JE

- 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 & Mrs Mehboob & Zubeda Khankhara against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3621/19, dated 12 September 2019, was refused by notice dated 4 November 2019.
 - The development proposed is proposed single storey rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 94 Balfour Road, Ilford IG1 4JE in accordance with the terms of the application, Ref 3621/19, dated 12 September 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: 18123_099A; 18123_100 and 18123_102.
 - 3) The roof area of the single storey extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.
 - 4) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are the effects of the proposed development upon:
 - The character and appearance of the host property and the surrounding area; and
 - The living conditions of occupiers of neighbouring properties.

Reasons

Character and appearance

3. The appeal property is a mid-terraced property, the rear elevation of which can be glimpsed from Adelaide Road across the rear garden of the neighbouring property at No. 92. Unlike the neighbouring property at No. 92, the appeal

property has not previously been extended at the rear and, in this respect, is something of an anomaly as I saw that rear extensions are not uncommon in the surrounding area.

4. The proposed L-shaped extension would be a large addition to the rear of the property. Its overall depth would comfortably exceed the guideline 'rule of thumb' figure for extensions to terraced properties set out in the Council's 'Housing Design' Supplementary Planning Document (SPD)¹. However, in addition to describing these measurements as a being rule of thumb, the SPD goes on to state that depths greater than those specified will be acceptable where consistent with adjoining properties. 'Creep' beyond adjoining neighbours will generally not be supported².
5. The maximum depth of the proposed extension would be along the shared boundary with No. 92 where there is already a conglomeration of build-outs, extensions and additions. The submitted plans show that the proposed extension would not have a greater overall projection than the existing elements at the rear of the neighbouring property, whilst its width and height would broadly reflect those same elements of No. 92.
6. Despite the overall projection of the larger part of the proposed extension, there would be no creep beyond the adjoining property at No. 92, whilst the appeal property's rear garden is generous enough that the extension would not render the remaining amenity space inadequate in quality or quantity. In this respect, the proposal would be consistent with the advice set out at paragraph 3.2.3 of the SPD for determining an acceptable depth of extension.
7. The smaller portion of the L-shaped extension would project beyond the un-extended rear elevation of No. 96, but it would not do so excessively in my judgement. Whilst the neighbouring property at No. 96 is un-extended at the rear, the principle of modestly sized rear extensions is well established and not uncommon elsewhere along the rear of this, and the next, terraced block.
8. Redbridge Local Plan (RLP) policy LP26 seeks to secure high quality design in all development, whilst RLP policy LP30 is supportive in principle of householder development. Both policies are subject to a range of criteria, but common themes are that proposals should be high quality, respect and compliment local character, form and context and be well integrated into their surroundings.
9. The proposed extension would be a large addition to the rear of the property and would exceed the rule of thumb figure set out in the SPD. However, for the reasons I have set out above I am not persuaded that this renders it unacceptable. It would relate well to the scale and form of the adjoining property at No. 92 which would, in turn, mitigate its sense of scale and proportion against that of the appeal property. Any glimpses of the extension from Adelaide Road would be limited through, or over, the existing garden structures of No. 92. In terms of its relationship with No. 96, whilst it would extend across the full width of the appeal property's rear elevation, its L-shaped form, limited projection and flat roof adjacent to No. 96 would ensure that it would not appear excessive or out of proportion when compared to the un-extended property next door.

¹ Housing Design SPD - Paragraph 3.2.2

² Housing Design SPD – paragraph 3.2.3

10. The proposed extension would satisfactorily respect the character of the local area and has respect for the scale, form and layout of the surrounding area. There would be no conflict with the aims and provisions of RLP policies LP26 or LP30 and would broadly align with the guidance set out in the SPD as the further provisions of SPD paragraph 3.2.3 provide scope for larger extensions.

Living conditions

11. The refusal reason is non-specific in terms of which amenities, and occupants of which neighbouring property, the proposal would have a serious and adverse effect upon. The officer report provides no further clues.
12. However, as the flat roofed extension would not project any further than the existing build-outs at the rear of No. 92 it would not cause harm in terms of daylight, sunlight, privacy and overlooking or outlook to that property. Despite extending across the full width of the rear of No. 94, the more limited projection of the element closest to No. 96 would ensure that a reasonable outlook and open aspect from the rear of this neighbouring property would be retained. There would be no harm to living conditions of occupiers of this property in terms of daylight, sunlight, privacy and overlooking or outlook.
13. For these reasons, I conclude that the proposed extension would not have a serious or adverse effect on the amenities enjoyed by occupants of neighbouring properties. There would, as a consequence, be no conflict with RLP policies LP26 or LP30.

Conditions

14. I have considered the Council's suggested conditions in light of the advice set out in the National Planning Policy Framework and Planning Practice Guidance. I agree that time limit, materials and plans conditions are necessary in order to provide certainty. I am also satisfied that a condition regarding the use of the roof area of the flat roofed extension is necessary in the interests of living conditions of occupiers of neighbouring properties, with particular regard to privacy and overlooking.

Conclusion

15. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be allowed.

Graeme Robbie

INSPECTOR