



Appeal Decision

Site visit made on 23 November 2020

by Euan FS Pearson BA(Hons) BTP FRGS MRICS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11/02/2021

Appeal Ref: APP/W5780/D/20/3250468
20 Torquay Gardens, Ilford IG4 5PT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to grant approval required under Article 3(1) and Schedule 2, Part 1, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Ataur Rahman against the decision of London Borough of Redbridge.
 - The application Ref 0373/20, dated 3 February 2020, was refused by notice dated 6 March 2020.
 - The development proposed is described as single storey rear extension with a depth of 6.0 metres, highest point of 4.0 metres and height at the eaves of 3.0 metres.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I note that there is a difference between the description in the application form and that used by the Council in its decision notice. I have considered the appeal on the basis of the description shown in the Council's decision notice, as that is a more accurate description of the proposed development.
3. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, under Article 3(1) and Schedule 2, Part 1, Class A, Part A.4(7) require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining properties, taking into account any representations received. My determination of this appeal has been made on the same basis.
4. My determination is made on the basis of the only submitted drawing, a block plan/location plan 20-TG-01. This does not include any details such as building heights, position of glazing/openings, roof arrangements or materials.

Main Issue

5. I consider the main issue in this appeal to be the impact of the proposed development on the amenity of occupants of the adjoining premises at No 18.

Reasons

6. The appeal property is a two-storey semi-detached dwellinghouse. The dwellinghouse has previously been enlarged by virtue of a full width, single-storey extension and roof dormer, both to the rear. This extension projects beyond the original rear elevation by approximately 3 metres.
7. It is proposed to demolish the extension and an existing detached garage, then construct a further full width extension, resulting in an overall depth of 6m from the rear elevation of the dwellinghouse. It is stated on the application form that the overall height will be 4m, 3m to eaves: albeit no plans were submitted indicating this.
8. The Council considers that the scale of proposed development along the boundary with No. 18 would have an adverse impact on amenity in terms of outlook and sense of enclosure. There are additional concerns raised by the occupant(s) of No. 18 in relation to loss of light, overlooking and general lack of details.
9. The timber boundary fence is lower in height than the existing rear extension that extends 3m along the boundary. Together these already restrict views out from rear downstairs windows at No. 18.
10. Notwithstanding this, replacing this with a building facade, 4m in height, 6m in length, would create a greatly increased sense of enclosure. No. 18 is only approximately 7m wide and there is an outbuilding adjacent to/inside the boundary with No. 16. This results in enclosure from both sides, at a level of that leads to significant harm to the amenity of the occupants of No.18.
11. The appellant's agent states that 45-degree tests has been carried out, so as to assess impacts on No 18 in terms of daylight and sunlight. However, that evidence is not before me and I cannot conclude that there would be no significant harm in that regard.
12. Both No. 18 and the appeal property have upstairs windows and there is already mutual overlooking.
13. On receipt of the Notification, the Council appeared satisfied that it had sufficient information to make a determination. I see no reason to disagree.

Other Matters

14. The appellant's agent has referred to examples of other extensions in the area. I have taken these into account. Planning decisions are taken on individual merit and this does not alter my conclusions on the main issue.

Conclusion

15. For the reasons given above, I conclude that the appeal should be dismissed.

Euan FS Pearson

INSPECTOR