



Appeal Decision

Site visit made on 12 January 2021

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18/02/2021

Appeal Ref: APP/W5780/D/20/3259569

55 Cambridge Road, Seven Kings, Ilford, London, IG3 8LX

- 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 Muhammad Qureshi against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 1966/20, dated 29 June 2020, was refused by notice dated 13 August 2020.
 - The development proposed is a rear infill extension.
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Decision

1. The appeal is dismissed.

Reasons

2. The main issue in this appeal is the effect of the proposed development on the living conditions of the neighbouring occupiers at no 57 Cambridge Road in terms of outlook. The most relevant policies in the development plan are policies LP26 and LP30 in the Redbridge Local Plan (2018) which seek to ensure that developments have no adverse impact on neighbouring occupiers in terms of outlook and maintain adequate space between buildings. The Council's Housing Design SPD (2018) seeks to ensure that rear extensions are no more than 2.4m in height along a side boundary.
3. The appeal dwelling is a mid-terraced house which has already been extended at the rear with two single storey extensions. The proposal is for a single storey rear extension that would connect to the existing rear extensions, infilling the side return. It would have a depth of 6.5m, a width of 2.8m and a height of 3m with a flat roof.
4. The adjoining dwelling at no 57 has not been extended on its rear and has glazed French doors in the rear elevation which abut the side boundary and a side window and glazed door in the side elevation of its outrigger which face towards the appeal site. The existing extension at the appeal dwelling projects along the side boundary for some 2.5m. The total depth of projection of both the new extension and the existing extension along the side boundary with no 57 would be 9.5m and the proposal would be 0.6m higher than allowed under the SPD.
5. I saw at my visit that there is currently no side boundary treatment and the proposal would improve the sense of privacy between the two properties. However, that could also be achieved by a fence or planting.

6. I have noted the appellant's references to what he considers are similar extensions nearby but from what I have seen, none of those have a rear projection comparable to what would be created by this proposal together with the existing extension and do not therefore set a precedent.
7. I have noted that the neighbouring occupiers are in support of the proposal. Even so, the neighbouring occupiers could change at some point in the future and the Council's policies seek to ensure that development remains acceptable in the longer term.
8. I find then that the proposal, by reason of its siting, depth and height, would create a substantial projection along the side boundary which would result in an unacceptable sense of enclosure and poor outlook when seen in such close proximity from the rear and side windows of no 57. This would significantly harm the living conditions of those occupiers and the proposal would be contrary to the development plan policies referred to earlier and to the Council's SPD.
9. In support of the proposal, the appellant has provided information with the application and the appeal regarding the medical and care needs of elderly family members. The Council's officer's report did not give any consideration to those needs but they are significant considerations which meet the 'relevant protected characteristics' under Section 149 of the Public Sector Equality Duty contained in the Equality Act 2010 to which I must have due regard.
10. I saw at my visit that those family members are currently sleeping in the family's only living room and the property does not have a ground floor bathroom. The proposed accommodation would provide a bedroom with a disabled wet room and would enable some of their needs to be met by the family and avoid the need for alternative care and accommodation in a different location. Although the existing layout does not currently provide for their needs, the ground floor area is a good size having been extended twice previously and it would be possible to achieve a separate bedroom and disabled wet room by altering the existing layout. I have also noted that the Council's officer has indicated that if the proposal were reduced to a height of 2.4m it would accord with the SPD and may be acceptable.
11. I conclude then that whilst these personal circumstances are an important material consideration, they do not outweigh the harm that would be caused by the proposal in terms of the neighbouring occupiers' outlook and the conflict with the development plan and the Council's SPD. The appeal is therefore dismissed.

Sarah Colebourne

Inspector