

Appeal Decision

Site visit made on 6 December 2021

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th December 2021

Appeal Ref: APP/W5780/D/21/3284102

55 Pulteney Road, South Woodford, London E18 1PR

- 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 Julian Howlett against the decision of the Council of the London Borough of Redbridge.
 - The application, Ref. 2994/21, dated 14 July 2021 was refused by notice dated 20 August 2021.
 - The development proposed is remodelling of the existing rear extension and erection of a new extension to the side of the rear wing.
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Decision

1. The appeal is allowed and planning permission is granted at 55 Pulteney Road, South Woodford, London E18 for the remodelling of the existing rear extension and the erection of a new extension to the side of the rear wing, in accordance with the terms of the application, Ref. 2994/21, dated 14 July 2021 and subject to the following conditions:
 - 1) The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this decision;
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. D001; D002; D003; D004;
 - 3) The external brickwork in the construction of the development hereby permitted shall match that used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the living conditions for the occupiers of No. 57 Pulteney Road in terms of outlook.

Reasons

3. The appeal proposal is to build a single storey side extension in the narrow gap between the existing rearward extension and the boundary fence to the adjoining terrace house at No. 57. The Council's concern is that at 3.2m the roof of the extension would be higher than the 2.4m allowed under the Council's Housing Design SPD 2019 ('the guidance'). This would result in a building that would unacceptably restrict the outlook from a ground floor reception room
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window in the original house of the neighbouring property, thereby resulting in an undue feeling of enclosure.

4. As there is currently no building in the gap between the houses it is correct to conclude that there would be some restriction in outlook from the window and, by definition, greater enclosure. However, the extension would be built with a gap nearest the main rear wall of the terrace, leaving an unroofed courtyard in front the existing kitchen / proposed study window. This gap would increase the distance to the extension in the outlook from the window at No. 57.
5. The grounds of appeal explain that the floor level of the reception room is 900mm higher than the external ground level and that the effect of this in outward views is to 'lower' the height of the proposed extension by the same figure. Applying the Council's guidance, this enables the elevation part of the 45-degree line rule in the outlook from the window to be met. And although the extension would fail the 'in plan form' element of that test, this is already the position with the existing rear extension at No. 55.
6. No. 57 also has a clear glazed secondary kitchen window in its own rear wing and although the flank wall of the appeal extension would move closer to this outlook it would not infringe the existing line of sight to the sky.
7. Moreover, the appellant has a 'fallback position' that would enable the construction of an extension under permitted rights ('PD') with a length just shorter than that proposed. I consider the comparative illustrative view diagram of the outlook from No. 57's reception room window demonstrates that this additional length to a PD development would at most have a minimal impact on outlook.
8. Overall, I conclude that the proposed extension would not noticeably worsen the outlook and perceived enclosure from No. 57. Accordingly there would be no harmful conflict with Policy LP26: 'Promoting High Quality Design' & Policy LP30: 'Household Extensions' of the Redbridge Local Plan 2015-2030 adopted in 2018; the Council's Housing Design SPD 2019, and paragraph 130f) of Government policy in the National Planning Policy Framework 2021.
9. I shall therefore allow the appeal. A condition requiring the development to be carried out is required for certainty and is in the interests of proper planning. A condition requiring the bricks to match those of the existing building will ensure the appearance of the house maintains visual amenity.

Martin Andrews

INSPECTOR