
Appeal Decision

Site visit made on 19 April 2022

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th May 2022

Appeal Ref: APP/W5780/D/22/3290523

24 Haigville Gardens, Barkingside, Ilford, IG6 1JL

- 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 Joynul Ahmed against the decision of the Council of the London Borough of Redbridge.
 - The application Ref. 3932/21, dated 14 September 2021, was refused by notice dated 27 October 2021.
 - The development proposed is first floor rear extension and front roof dormer.
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Decision

1. The appeal is allowed and planning permission is granted for first floor rear extension and front roof dormer at 24 Haigville Gardens, Barkingside, Ilford, IG6 1JL, in accordance with the terms of the application, Ref. 3932/21, dated 14 September 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1852_P01 Rev A; 1852_P02; and 1853_P04 Rev A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The Council's decision notice includes drawing no. 1852 P04 in the list of determined plans, but the planning application form titles this plan as 1853_P04A. As Revision A of drawing no. P04 was supplied by the Council with its questionnaire I have assessed this appeal on the basis of that plan.

Main Issue

3. The main issue is the effect of the proposed first-floor rear extension on the living conditions of occupants of 22 and 26 Haigville gardens (Nos. 22 and 26), with particular reference to outlook.

Reasons

4. The appeal property is part of a distinctive terrace of two-storey houses. All of the dwellings appear to have single-storey rear sections, but they vary in terms of height, depth and design.

5. The proposed first-floor extension would be built above the existing ground floor element that matches the depth of those of the attached properties. The submitted plans indicate a depth of 2672 mm, and this would be in the line of sight from the neighbouring first-floor windows of Nos. 22 and 26.
6. Policy LP26 of the Redbridge Local Plan 2018 (LP) seeks to ensure that development does not have an adverse impact on the amenity of neighbouring occupiers in matters including outlook. In support of the policy, the 'Housing Design' Supplementary Planning Document 2019 (SPD) confirms that the depth of a first-floor extension should generally be kept to a maximum of 3m and be no more than half the width of the original rear elevation to ensure that it is proportionate and subordinate to the host property and minimises its impact on the amenity of adjoining neighbours. Reference to a '45-degree rule' serves to evaluate the impact on daylight and sunlight rather than outlook.
7. The proposed extension would be more than half the width of the original rear elevation, but the Council has not opposed this in terms of design and proportion. Given the modest depth of the proposal at less than 2.7m, I do not consider that the impact on the outlook from the neighbouring rooms would be so significant as to warrant refusal of the proposal. The effect would further be minimised by the fully hipped pitched roof.
8. The Council raises no concerns regarding the proposed front dormer window and I share its assessment.
9. I therefore conclude that the proposal would not affect the outlook of occupants of 22 and 26 Haigville Gardens to a degree that their living conditions would be harmed. This would accord with the aims of LP Policy 26, and LP Policy LP30, which seeks to avoid adverse impacts on neighbouring properties.

Other Matters

10. The submitted plans indicate that the extension would be built over the shared boundaries with the attached properties, and the appellant served notice on these parties in the submission of the application and appeal. For the avoidance of doubt, the grant of planning permission would not override any private land ownership matters.

Conditions

11. In addition to the standard time limit, I have attached a condition specifying the approved drawings as this provides certainty. It is also appropriate to control materials to match the existing dwelling, in order to safeguard the character and appearance of the development and the area.

Conclusion

12. For the above reasons, I conclude that the appeal should be allowed.

H Lock

INSPECTOR