
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/22/3290726

53 Stanhope Gardens, Cranbrook, Ilford, IG1 3LQ

- 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 Kashif Masood Kazmi against the decision of the Council of the London Borough of Redbridge.
 - The application Ref. 3893/21, dated 11 September 2021, was refused by notice dated 22 October 2021.
 - The development proposed is erection of single storey rear extension to be used as a shower.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (1) the living conditions of occupants of 51 Stanhope Gardens (No.51), with particular reference to outlook and access to light; and (2) the character and appearance of the dwelling and the area.

Reasons

Living Conditions

3. The appeal property is a mid-terrace house with a single storey flat roofed rear extension that is inset from the boundary with the attached property, No.51. No.51 has its own single-storey projection on the opposite side of the house. This means that doors to a habitable room to No.51 are set back within a recess between these two projections.
4. Although the proposed extension would be slightly lower than the existing addition it would be built closer to the shared boundary. Whilst it would be reasonably modest in footprint, as an addition to the existing extension the proposed 2.5m depth would materially increase the effect of the development on the occupants of No.51. Despite its lower height, the submitted plans indicate that it would be 3m high above ground level, and therefore materially higher than the existing boundary treatment.
5. Amongst other criteria, Policies LP26 and LP30 of the Redbridge Local Plan 2018 (LP) seek to ensure that development does not result in an adverse impact upon the amenity of neighbouring occupiers in matters including

daylight/sunlight and outlook. To this end, the 'Housing Design Supplementary Planning Document 2019 (SPD)' suggests that the depth of single-storey rear extensions to terraced houses should be limited to 3.5m from the original house wall. Although the Council's delegated report refers to the proposal not complying with 'the 45-degree rule', the SPD appears to apply this rule to two-storey and first-floor rear extensions, rather than single-storey.

6. Nevertheless, given the depth and height of the proposed extension along the shared boundary, it would appear as an unacceptably dominant and visually intrusive feature to the outlook from the ground floor habitable room openings of No.51. The orientation would also mean that for a significant part of the day the proposal would be likely to reduce access to light and cause material overshadowing.
7. I therefore conclude that the proposal would diminish the outlook from No.51 and have the potential to cause material light loss and overshadowing to a degree that the living conditions of occupants would be harmed. This would be contrary to the aims of LP Policies LP26 and LP30, and advice in the SPD.

Character and Appearance

8. There are a mix of rear extensions to dwellings within the terrace of which the appeal property forms part. However, there appear to be few examples of single-storey rear additions that project as deeply as proposed in this case. No planning permissions have been identified for the examples nearby, and I cannot be sure that they required, or have been built in accordance with, planning permission, nor if they were assessed against the same planning policies now in place.
9. As an 'add-on' extension, the proposal would project significantly from the original rear wall of the dwelling. This combined with the proposed narrow width, the siting beyond the side wall of the existing extension, and the lowered height would create a disjointed addition to the property. The extension would not complement the character of the building in terms of the cumulative scale and form, as sought by LP Policy LP30.
10. I therefore conclude that the proposal would detract from the character and appearance of the dwelling, and in so doing, its contribution to the area. This would be contrary to the design aims of LP Policies LP30 and LP26, which promotes high quality design that makes a positive architectural and urban design contribution to its context and location, as supported by the SPD.

Other Matters

11. The appeal submission sets out a medical need for the extension, and this is a factor of some weight. However, this must be balanced against the external impacts of the proposal, and it is not evident that the facility could only be provided in an extension of the form and siting proposed. On the basis of the information supplied, the need for the proposal would not outweigh the harm identified.

Conclusion

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

H Lock INSPECTOR