



Appeal Decision

Site visit made on 4 April 2022

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24TH May 2022

Appeal Ref: APP/W5780/D/21/3284617
75 Forest Road, Ilford IG6 3HA

- 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 Pellumb Mazreku against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2094/21, dated 18 May 2021, was refused by notice dated 6 August 2021.
 - The proposed development is the erection of a first floor side extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the living conditions of the occupiers of the adjoining property, No. 73 Forest Road.

Reasons

3. The appeal site comprises a modern two storey detached dwelling located on the corner of Forest Road and the access road into the local leisure centre. Forest Road is predominantly characterised by older terraced dwellings that are sited close to the road and which generally form a continuous built frontage either side of the appeal site and adjoining access road, though the dwelling immediately to the east is detached.
4. In contrast to this prevailing pattern, the dwelling on the appeal site is set back some distance from the main road. As a result, it is sited behind the nearest adjoining dwelling to the west, No 73 Forest Road, adjacent to the rear part of its garden area.
5. The proposed extension would be above an existing single-storey side extension which is set back from the main front elevation of the appeal dwelling with a path between the side elevation and the side boundary fence with No. 73. The proposed first floor would create a high gable end facing towards the rear part of the garden of the above adjoining dwelling. However, whilst it would be clearly visible above the existing garden fence, it would be set back from it, albeit by a small gap, but nevertheless sufficient to ensure that the side elevation whilst clearly visible would not be unacceptably dominant.
6. The proposed extension would extend just beyond the rear boundary of the adjoining property and would be less than half the depth of the adjoining garden area, with the remaining depth of garden nearest to the dwelling being

largely unaffected. In addition, due to the orientation of the two properties, the dwelling on the appeal site being to the north-east of No. 73, it would not significantly affect the amount of sunlight enjoyed by the rear part of the garden area of the property or the wider garden area.

7. However, the extension would include a first floor window in the front elevation which faces towards the rear elevation of the adjoining dwelling at No. 73 and the garden area immediately to the rear, albeit at an oblique angle. I consider that the proposed window, by reason of its close proximity to the boundary and relative position, would result overlooking and loss of privacy to these private areas of the adjoining dwelling. I acknowledge that there are already first floor windows in the front elevation of the dwelling on the appeal site but the different relative position and proximity to the adjoining dwelling and boundary would result in a materially different and harmful impact.
8. I therefore find that the proposal would have a harmful impact on the living conditions of the occupiers of No. 73 Forest Road in respect of overlooking and loss of privacy. This would be in conflict with Policies LP26 and LP30 of the Redbridge Local Plan 2015-2030 (2018) and Policy D4 of the London Plan which seek development that is of high quality design, that respects local character, is well integrated with the local area and safeguards the amenity of nearby dwellings.

Conclusions

9. I have had regard to the National Planning Policy Framework 2021 and find that, overall, it would not accord with policies that seek well-designed places as although it would be complementary to the host dwelling, it would not achieve a good standard of amenity for adjoining occupiers.
10. I therefore conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR