



Appeal Decision

Site visit made on 24 January 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2023

Appeal Ref: APP/W5780/D/22/3308252

47 Collinwood Gardens, Clayhall, Redbridge, Ilford, IG5 0AN

- 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 Mrs Bahar Ozice against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2238/22, dated 30 June 2022, was refused by notice dated 5 August 2022.
 - The development proposed is the erection of a single-storey ground floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on the character and appearance of the area, and upon the living conditions at 49 Collinwood Gardens with particular regard to visual impact and light.

Reasons

3. The appeal property is a two-storey, end of terrace dwelling occupying a corner location with a side return boundary to Hedgewood Gardens. The property has previously been extended and altered beyond its original form in a variety of ways including a lean-to, single-storey side projection that abuts the back edge of the pavement with a 3.8m deep single-storey, flat roof extension beyond and which spans approximately half the width of the property. Adjacent to this is a conservatory extension projecting around 5m and set slightly away from the side boundary shared with No 49. The proposal would replace the existing rear additions with a new, single-storey, flat roof extension that would span the full width of the property and to a depth of 6m.
4. The Council is concerned that the proposal would be openly seen from a public viewpoint and that it would block views of the back gardens of properties that are characteristic of the locality.
5. The extension would be seen from Hedgewood Gardens as an obvious addition. However, it would project beyond the rear of the original dwelling along the boundary of the site as a continuation of the existing side extension, and at an equivalent eaves height. It would appear as a typical residential adjunct that would complement the character of the dwelling. Although it would be deeper

than the existing addition, and taller than the existing boundary wall which would otherwise continue along the remaining depth of the property's side boundary, it would not significantly alter the perception of space that is observed from Hedgewood Gardens. This is derived from the deep rear gardens that separate the two-storey scale of the dwellings that back on to each other which would be largely unaltered by the proposal. As such, I am satisfied that the extension would not harm the character or appearance of the area.

6. Paragraph 3.2.2 of the Council's *Housing Design Supplementary Planning Document* (SPD), adopted in 2019, states that it is important for single-storey rear extensions to not dominate the host or original property, or to project too far into the garden from the original rear wall of the house. The reason given for this is to avoid an extension being overbearing and causing a significant loss of outlook, light, or an increased sense of enclosure to adjoining neighbours. The SPD goes on to state that, as a general rule of thumb, the maximum depth for a single-storey extension on a terraced house (including an end terrace) should be 3.5m.
7. I saw during my visit that the neighbouring attached property at No 49 is unextended to the rear, with a fence enclosure along the boundary between both properties of around 2m in height. The existing conservatory extension at the appeal property adjacent is a lightweight structure and is set away from the boundary, thereby having little visual impact of any significance when seen in the outlook from the rear of No 49. The circumstances and relationship between the appeal property and No 49 are routine and typical of those between most terraced houses.
8. The extension would project beyond the rear elevation of No 49, and along the common side boundary, to a depth of 6m, well beyond the maximum depth of 3.5m that is normally required by the SPD. At a height of 3m, it would also extend well above the height of the existing boundary fence. In my assessment, the extension would impose itself upon the outlook from the ground floor living space at No 49 as a visually dominant and intrusive addition that would noticeably alter the existing arrangement and which would create a significant and unacceptable sense of enclosure. I am not persuaded by any substantive evidence that levels of light within the neighbour's living space would be diminished by any significant degree, nevertheless the resulting impact of the proposed extension overall appears to me to be precisely those the SPD seeks to advise against.
9. During my visit it was put to me that the neighbouring property at No 49 has permission to build a 6m deep extension. However, I have no evidence as part of the formal appeal submissions to support this or any knowledge if any such extension is to be constructed. I also noted a fairly deep extension under construction to the rear of 45 Collinwood Gardens on the opposite side of Hedgewood Gardens. Again, I have no knowledge of the background or circumstances to that case, or the relationship with the attached neighbour at No 43.
10. My decision in this instance is based upon the evidence and information that is available to me as part of this appeal and the merits of the individual case. Notwithstanding my findings with regard to the effect of the proposal upon the character and appearance of the area, I find that, due to its size and position,

the proposal would be harmful to the living conditions at 49 Collinwood Gardens. As such, there would be conflict with Policies LP26 and LP30 of the Redbridge Local Plan 2015-2030, adopted in 2018, as far as they require, amongst other things, the design of development, including house extensions, to avoid any adverse impact upon the amenity of neighbouring occupiers in relation to outlook. The failure to create a high standard of amenity for existing and future users means that there would also be conflict with the National Planning Policy Framework's objectives for achieving well-designed places. The proposal would therefore not achieve a sustainable development.

11. I have noted that there was no objection to the proposal from the neighbouring occupier. However, this does not alter my conclusions insofar as they relate to the effect of the proposal upon the living conditions at No 49. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR