



Appeal Decision

Site visit made on 15 February 2023

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th August 2023

Appeal Ref: APP/W5780/D/22/3306346

324 Cranbrook Road, Ilford IG2 6EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr R Justine of DNK Construction against the decision of the Council of the London Borough of Redbridge.
 - The application Ref: 2020/22, dated 13 June 2022, was refused by notice dated 20 July 2022.
 - The development proposed is described as: Proposed rear extension.
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Decision

1. The appeal is allowed, and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 1, Class A, paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a proposed rear extension at 324 Cranbrook Road, Ilford IG2 6EP in accordance with the application Ref: 2020/22 made on 13 June 2022, and the details submitted with it, including drawing numbers GLA-01L Revision A; GLA-02L Revision A and GLA-03L Revision A.

Preliminary Matters

2. Under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), planning permission is granted for the enlargement of a dwellinghouse, subject to a number of limitations and conditions.
3. Where any objections are received to a proposal, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises. Paragraph A.4(7) to Part 1 requires the local planning authority to assess the impact of the proposed development on the amenity of all adjoining premises, taking into account any representations received. I have considered the appeal on the same basis.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the living conditions of the occupiers of adjoining dwellings, with particular regard to number 322 Cranbrook Road in respect of daylight/sunlight and outlook.

Reasons

5. The appeal building is a two storey, semi-detached, house which forms part of a similar group of houses fronting Cranbrook Road. The property has

previously been extended to the rear with a single storey addition which is partially a conservatory and partly a traditionally constructed, brick built extension under a tiled, sloping, roof. These previous additions cover the whole width of the ground floor on the rear elevation and project approximately 3.5 metres from the original rear wall. The appeal building is neither listed, nor situated in a conservation area or other area defined as Article 2(3) land in Schedule 1 of the GPDO.

6. The appeal scheme proposes the demolition of the existing rear additions and the construction of a new single-storey, full width, rear extension with a depth of 6 metres. This would have a pitched roof with an eaves height of 2.99 metres and a maximum height of 4 metres.
7. Schedule 2, Part 1, Class A at Paragraph A.1. sets out the limitations and circumstances where development is not permitted. At paragraph A.1.(g) it states that development is not permitted where the enlarged part of the dwellinghouse would have a single storey and extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or exceed 4 metres in height. From the submitted information, the proposal would comply with this limitation. It is not in dispute that the proposal also falls within the other limitations set out in Paragraph A.1. of Class A.
8. Two letters of representation were received in respect of the proposal from the occupiers of numbers 326 and 320 Cranbrook Road. These representations are essentially similar and raise questions regarding the title of the property, the depth of the proposed foundations, whether the works are retrospective, querying the accuracy of the existing plans, and whether there would be any effects on privacy. At the time of my site visit, no works had been undertaken and the remaining points raised in the representations, except for the potential effect on privacy to number 326, are not matters that are relevant to the determination of an application for prior approval.
9. Paragraph A.4.(7) of Schedule 2, Part 1, Class A sets out that where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises. The Council's principal concern relates to the effect on number 322 Cranbrook Road which is the adjoining semi-detached house. This property has a small rear addition covering slightly less than half the width of the house, located on the end of the elevation furthest from the common boundary with the appeal property. On the remaining section of the rear elevation of the house there is a glazed combination door and windows.
10. The appeal building is located to the north east of number 322 and due to the relative positions of the buildings, the proposed extension would not overshadow or result in a loss of light to number 322. The present extension to the rear of the appeal building will currently have an effect on outlook from the ground floor rear of number 322. This effect would be increased by a new extension projecting approximately 2.5 metres further than at present. Nonetheless, the properties on this section of Cranbrook Road have long rear gardens that back onto a large park, resulting in a very open and spacious aspect to the rear. Although the proposed extension would increase the sense of enclosure to the rear of number 322, within the overall open context, I do

not find that this would be perceived as excessively overbearing. I am also mindful that the occupier of this property has not objected to the appeal proposal.

11. I saw when I visited the site that the house at number 326 Cranbrook Road has been extended to the rear with a projection of approximately 6 metres. The submitted details do not show any windows in the side elevations of the proposed extension. Within this context the appeal proposal would not have any adverse effects on the living conditions of the occupiers of this property. Whilst representations were received from the occupiers of number 320 Cranbrook Road, none of these related to the potential effects of the proposal on this property. From my observations at the site visit, the degree of separation between this house and the appeal building is such that the proposed extension would not have any effects on the living conditions of the occupiers of 320 Cranbrook Road.
12. I therefore conclude that the proposed development would not cause harm to the living conditions of the occupiers of adjoining dwellings, with particular regard to number 322 Cranbrook Road in respect of daylight/sunlight and outlook.

Conditions

13. Paragraph A.3. of Part 1, Class A sets out the conditions subject to which development is permitted by Class A. Of these, only one is relevant, namely, that the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
14. Paragraph A.4.(11) further sets out that where prior approval is required the development must be carried out in accordance with the details approved by the local planning authority.

Conclusion

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

John Dowsett

INSPECTOR

