

Appeal Decision

Site visit made on 27 February 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th March 2024

Appeal Ref: APP/W5780/D/23/3334830

1 Leyswood Drive, Newbury Park, Redbridge, Ilford, IG2 7JE

- 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 D Jagatia against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2830/23, dated 26 September 2023, was refused by notice dated 16 November 2023.
 - The development proposed is a single storey 6m rear end to end and part double storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. There is one main issue which is the effect of the proposed single storey rear extension on the living conditions of occupiers of 3 Leyswood Drive with respect to outlook and enclosure.

Reasons

3. The host dwelling is a traditional semi-detached house on a generous plot. It has been extended in the past through a two storey side extension and a single storey rear extension set well off the shared boundary with the attached dwelling, No 3. No 3 appears to be unextended.
 4. The proposed extensions comprise a 6m deep single storey addition across the full width of the rear elevation and a two storey element some 3m deep and set away from the shared boundary. I agree with the Council that in terms of character and appearance both extensions would be acceptable.
 5. The two storey extension, owing to its limited depth and stand off from the shared boundary with No 3 would also have no material effect on the living conditions of occupiers of that dwelling. I shall therefore restrict my further consideration to the single storey rear extension.
 6. The two dwellings have their main living rooms close to the shared boundary. Large glazed patio doors illuminate these rooms. The gardens of both dwellings fall away on a gentle slope from the rear elevations. At the appeal dwelling, a
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rear patio has been created over about the same depth as the proposed single storey extension. This is in the region of 0.4m above the original ground level at the furthest point from the dwellings.

7. The proposed single storey rear extension would have a floor level equal to that of the main dwelling. This would mean that although the eaves height on the shared boundary and close to the original rear elevations would be some 2m, rising to 3m away from the boundary, this would increase to approaching 2.5m on the boundary at the furthest extent from the dwellings due to the fall in garden level at No 3.
8. When seen from No 3, the proposed extension would therefore appear as a deep and intrusive addition, abutting the shared boundary. The combination of its depth and height would result in an overbearing sense of enclosure and loss of outlook, particularly since it would lie close to the patio windows serving a main living room and adjacent to a sitting out area. I note that there is an existing boundary fence some 1.8m high. However, this gives way to open space beyond, rather than the proposed roof that would rise up from the boundary.
9. The appellant draws my attention to an extant planning permission which allows a stepped extension, some 3m deep at the shared boundary, increasing to some 6m deep about 3m from the boundary. However, this would preserve the outlook and openness enjoyed by occupiers of No 3 and is thus not comparable with and would not justify the appeal proposal. The appellant also refers to another appeal decision elsewhere in the Borough. However, no details have been submitted and in any case, each appeal should be judged on its own merits which is what I have done. These other matters do not therefore add any weight in favour of the appeal proposal.
10. It is concluded on the main issue that the proposed single storey rear extension would have a materially detrimental effect on the living conditions of occupiers of 3 Leyswood Drive with respect to outlook and enclosure. In consequence, it would conflict with Policies LP26 and LP30 of the Redbridge Local Plan 2015-2030, adopted 2018, and with the Council's Housing Design Supplementary Planning Document (SPD), adopted 2019. Taken together and amongst other things, these expect household extensions to be of a good design which maintains outlook from surrounding dwellings. It would also conflict with the National Planning Policy Framework which expects new development to create places with a high standard of amenity for existing and future users.
11. Notwithstanding my findings with regard to character and appearance, this would not alter or outweigh the identified harm to living conditions. For the reasons set out above and having regard to all other matters raised, including the representations of a third party, I therefore conclude that the appeal should be dismissed.

KE Down
INSPECTOR