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# Appeal Decision

Site visit made on 11 June 2024

**by Hannah Ellison BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25<sup>th</sup> June 2024**

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**Appeal Ref: APP/W5780/D/23/3333664**

**10 Hampton Road, Redbridge, Ilford IG1 1PS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required 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 appeal is made by Mr H Tahir against the decision of the Council of the London Borough of Redbridge.
  - The application Ref is 2170/23.
  - The development proposed is a single storey rear extension.
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## Decision

1. The appeal is dismissed.

## Procedural Matters and Background

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, improvement or other alteration of a dwellinghouse subject to limitations and conditions.
3. Where an application is made for a determination as to whether prior approval is required for development which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g) to Part 1, paragraph A.4(3) provides that the Local Planning Authority may refuse the application where it considers that the proposed development does not comply with the conditions, limitations or restrictions that are applicable to such permitted development.
4. Paragraph A.4 (7) of Class A requires that, where any owner or occupier of an adjoining premises objects to a larger rear extension, the Local Planning Authority must assess the impact of the proposal on the amenity of any adjoining premises.
5. In this case, an objection was received from neighbouring occupants thus the prior approval of the Local Planning Authority was required. The Council considers that the proposal would cause overshadowing and an adverse outlook to the occupiers of 12B Hampton Road and it is on this basis that the Council refused the application.

## Main Issue

6. The main issue is therefore whether prior approval should be granted having regard to the effect of the proposed development on the amenity of neighbouring occupiers at 12B Hampton Road, with particular regard to outlook and light.

## **Reasons**

7. The appeal property is a two storey mid-terraced dwelling located within a residential area comprised of similar properties.
8. The proposed extension would be single storey and project into the garden from the original rear elevation of the host dwelling. Its side elevation would form the shared boundary with 12 Hampton Road. The evidence suggests that No 12 is divided into flats, thus it is the ground floor flat, No 12B, which this proposal would have an impact on.
9. By virtue of its projection, height and very close positioning to the adjacent habitable room window and rear garden area of No 12B, along with its south facing positioning, the proposed extension would be an overly dominant and overbearing addition. It would significantly restrict the outlook from No 12B, create a harmful sense of enclosure and cause considerable overshadowing.
10. Accordingly, the proposed development would harm the amenities of occupiers of No 12B through the harm to outlook and the degree of overshadowing.

## **Other Matter**

11. The appellant has made reference to other decisions close to the appeal site however no details have been provided thus I cannot ascertain their relevance.

## **Conclusion**

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

*H Ellison*

INSPECTOR