



Appeal Decision

Site visit made on 6 August 2024

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th August 2024

Appeal Ref: APP/W5780/D/24/3338937

31 Brancaster Road, Newbury Park, Redbridge, Ilford IG2 7EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S Adam against the decision of the Council of the London Borough of Redbridge.
 - The application Ref is 3338/23.
 - The development proposed is a single-storey rear extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect on the living conditions of the neighbouring occupants of 29 and 33 Brancaster Road with particular regard to outlook;
 - The effect on the character and appearance of the host building and surrounding area.

Reasons

Living conditions

3. The appeal site is a two-storey, mid-terrace property in an established residential area. It currently has a stepped-in flat roof extension at the rear and an outbuilding at the bottom of the garden. The rear boundary treatments with Nos 29 & 33 are approximately 1.6m in height.
4. The proposal is for a 9.5m long, full width, rear extension to replace the existing extension. The extension would be mostly flat roofed with a height of around 2.85m, although this would slope down to 2m in height along the boundary with No 33 and would contain glazing panels on that side. From the information before me, the Council has previously granted planning permission for a replacement 6m long extension of similar design to the proposal.
5. The Council's Housing Design Supplementary Planning Document 2019 (SPD) states that a flat roof, single-storey, rear extension on a terraced house should be no more than 3.5m in length and 3m in height, although greater depths may be acceptable where this would be consistent with adjoining properties.
6. No 29 currently has a 3.8m rear extension. Clearly, the length of the proposed extension would exceed the SPD guidance in relation to this neighbour's

extension. Nevertheless, as the existing extension at the appeal site already projects a similar length and height along this boundary, the effect on the rear outlook of No 29 would be largely unchanged. Consequently, there are specific site circumstances which would warrant a departure from the SPD in relation to this neighbour.

7. However, No 33 has not been previously extended and contains large patio doors close to the boundary. The manner in which the existing extension at the appeal site steps away from the boundary on that side means that it has only a limited effect on the rear outlook of No 33. Despite the attempts to reduce the height and solidity of the proposed extension on this side, it would still rise notably above the boundary fence. The combination of its height, considerable length, and proximity to the boundary, would undoubtedly have an excessively dominant impact on the rear outlook from No 33, even when judged against the baseline of the previously approved 6m long extension.
8. The appellant has highlighted another appeal decision at 34 Waverley Gardens (APP/W5780/D/15/3136737). However, the extension in that case had a much shorter length and it appears that both adjoining neighbours also had rear extensions at the time. These notable differences mean that the decision has little bearing on my assessment of the scheme before me.
9. In conclusion, I find that the proposed extension would unacceptably harm the living conditions of the occupiers of 33 Brancaster Road in terms of outlook. As such, there is conflict with Policies LP26 and LP30 of the Redbridge Local Plan 2018 (the RLP), which both seek to ensure that development does not adversely affect the outlook of neighbouring occupiers. There is also conflict with the underlying aims of the SPD in this regard.

Character and appearance

10. As set out above, the size of the proposed extension far exceeds the SPD guidance. However, its depth would be similar to the existing extension, and although wider, would retain a reasonable amount of garden space at the rear. Moreover, the number and variety of rear extensions and outbuildings that already exist results in a varied character at the rear. In this context, and given the limited private vantage points from which it would be seen, the proposed extension would have minimal impact on the character and appearance of the host building and its established residential surroundings.
11. I therefore conclude that the proposed extension would not unacceptably harm the character or appearance of the host building and its surroundings. As such, there is no significant conflict with the general design aims of Policies LP26 and LP30 of the RLP, and the SPD.

Other Matters

12. Although not advanced in any detail in the appellant's grounds of appeal, it is apparent from the plans that the proposal would benefit a disabled person. I have therefore had regard to the Public Sector Equality Duty (PSED) contained in s149 of the Equalities Act 2010. The duty includes having regard to the need to eliminate discrimination, harassment, and advance equality of opportunity between those sharing relevant protected characteristics and those who do not.
13. However, it has not been demonstrated that the scale of the proposal is specific to the disabled person's needs, or that their needs cannot be met in a less

harmful way, including by the extant planning permission. I am also mindful that both personal circumstances and occupants can change, but the effect of the development would be permanent. Thus, on the basis of the evidence before me, the PSED considerations do not outweigh the significant harm that I have identified, and following careful consideration of these particular matters I am satisfied that the impact of dismissing this appeal is proportionate and justified.

Conclusion

14. The proposal would be harmful to the living conditions of the occupants of 33 Brancaster Road in terms of outlook, and is therefore in conflict with the development plan as a whole. Material considerations do not indicate that the decision should be taken other than in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

A Caines

INSPECTOR