



Appeal Decision

Site visit made on 4 December 2024

by Jennifer Wallace BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2024

Appeal Ref: APP/W5780/W/24/3347139

96 and 96A Queenborough Gardens, Ilford IG2 6YB

- 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 Pellumb Mazreku against the decision of the Council of the London Borough of Redbridge.
 - The application Ref is 0563/24.
 - The development proposed is retention of first floor rear extensions at 96-96a Queenborough Gardens, IG2 6YB.
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Decision

1. The appeal is allowed and planning permission is granted for first floor rear extensions at 96-96a Queenborough Gardens, Ilford, IG2 6YB in accordance with the terms of the application, Ref 0563/24, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with drawings site location plan; ZAAVIA/96QG/504 Rev A, ZAAVIA/96QG/505 Rev A, ZAAVIA/96QG/508 Rev B and ZAAVIA/96QG/510 Rev A only insofar as they relate to the first floor rear extensions. No permission is granted for any other works shown on these drawings.

Preliminary Matters

2. I have used the address on the appeal form as this more accurately describes the appeal site.
3. The Council's officer report sets out that the as-built plans are not consistent with those of a previous permission¹ for the site and that an enforcement investigation into that permission is ongoing. The appraisal of the proposed development and reasons for refusal refer to those inconsistent aspects. The description of development was not altered to reflect these inconsistencies. There is no evidence before me that permission was sought from the appellant to amend the description of development. Nor is there any evidence that consultation on the application reflected all the matters considered.
4. I have therefore dealt with this appeal on the basis of the development for which permission was sought, namely the first floor rear extensions at 96-96a Queensborough Gardens and none of the other matters referred to by the Council. The extensions were constructed at the time of my site visit. The Council has not raised any concerns regarding the consistency of those

¹ 3476/22 granted 18 January 2023

extensions with the plans, therefore I have assessed this proposal on the basis of both the plan and what I observed at my site visit.

5. In my decision, I have amended the description to remove extraneous wording that does not comprise development.

Background and Main Issue

6. The Council's officer report and appeal statement do not identify any specific concerns with the development for which permission was sought. I have therefore established the main issues from the representations from interested parties and my observations at my site visit.
7. The main issues in this appeal are the effect of the development on:
 - the character and appearance of the area; and
 - the living conditions of neighbouring occupiers.

Reasons

Character and Appearance

8. The rear elevations of the properties along Queensborough Gardens in the vicinity of the site have been subject to various extensions and alterations. This gives those elevations a varied appearance although all remain clearly of a type to be expected at residential properties. The surrounding alterations do not typically include first floor rear extensions, however that would not make the development automatically incompatible with the character and appearance of the surrounding area.
9. The extensions are proportionate to the host dwellings and subordinate in terms of size and scale, sharing a common eaves level and occupying slightly more than half the width of each from the boundary between Nos 96 and 96a. This provides adequate spacing from the neighbouring properties. The hipped roof is an appropriate design solution in this location given the limited visual relationship to the side elevations of the roof form and because it helps to limit the mass of the extensions. The materials used match the main body of the dwelling.
10. The development therefore has an acceptable effect on the character and appearance of the area. It complies with Redbridge Local Plan 2015 – 2030 (2018) (LP) Policies LP26 and LP30 which require good design which has respect and regard for the surrounding area in terms of layout, style and scale. This policy is consistent with the Framework which also seeks a high standard of design.

Living Conditions

11. Due to the distance of the extensions from the boundaries with the neighbouring properties, their limited length, and hipped roof, suitable outlook would be retained by the neighbouring properties. These factors also ensure there is not a material loss of light to those neighbours and the first floor extensions are not unduly dominant when viewed from the neighbouring properties.

12. The relatively short length of the extensions from the existing rear elevation and position of windows only on the rear elevation means there would not be any new relationship of overlooking arising from the development. As the neighbouring properties have single storey rear extensions, it is not necessary to remove permitted development rights with regard to side windows in the extensions to ensure there would not be a loss of privacy.
13. The development therefore has an acceptable effect on the living conditions of neighbouring occupiers. It complies with LP Policies LP26 and LP30 which require development to not have an adverse impact upon the amenity of neighbouring occupiers and respect the privacy of surrounding residents. These policies are consistent with the Framework which requires development to provide a high standard of amenity for existing users.

Other Matters

14. Issues with respect to the compliance with the previous permission do not form part of the appeal before me. Matters related to the effect of works on neighbouring properties are controlled through other legislation. As this proposal relates to extensions with a limited floorspace there would be no need for additional parking provision to be required. Concerns about the effect on the value of surrounding properties are private interests which are not addressed through the planning system.

Conditions

15. The Council has suggested conditions should I be minded to allow the appeal. I have had regard to these in light of the tests set out in paragraph 56 of the Framework. It is necessary for me to impose an approved plans condition to define the terms of the permission. It is not necessary for this to include the plans which do not show the development before me. However, it is also necessary for me to specify that the permission relates only to the development for which permission was sought.
16. It is not necessary for me to impose a time limit condition as the development has been carried out. It is also not necessary for me to impose the condition related to the materials of the dormer extensions as they do not form part of the proposal before me.

Conclusion

17. For the reasons given above the appeal should be allowed.

Jennifer Wallace

INSPECTOR