
Appeal Decision

Site visit made on 20 March 2025 by J Kirkaldy BSc (Hons) PGDip MRTPI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 June 2025

Appeal Ref: APP/W5780/D/24/3355942

31 Brancaster Road, 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 2742/24
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the living conditions for the occupiers of the neighbouring property to the east at no 33 Brancaster Road, with particular regard to outlook.

Reasons for the Recommendation

4. The appeal site is a two storey, mid terraced dwelling situated within a residential area. Several of the dwellings along Brancaster Road have single storey rear extensions of varying depths and design. There is an existing staggered depth single storey extension on the rear elevation of the dwelling. The rear eastern boundary treatment with the no 33 Brancaster Road (no. 33) is a close boarded timber fence with a height of approximately 1.8m. No. 33 has not been extended on the rear elevation and possesses double doors which open onto a patio close to the common boundary.
5. The existing flat roof extension on the rear elevation is of a similar depth to that of the proposal, but currently steps in from the boundary with no 33 and therefore reduces the impact on the rear outlook of no.33. This would contrast with the proposed extension which would extend the full width of the plot and immediately adjoin the boundary for a depth of 9.5 metres, creating a significantly increased sense of enclosure and an adverse impact on outlook from the rear of no.33.
6. I have had regard to the recently dismissed appeal decision at the site (Appeal ref: APP/W5780/D/24/3338937), and that the proposed extension, although identical in

terms of width and depth, proposed a mostly flat roof with a height of 2.8 metres which then chamfered to a height of 2 metres on the boundary with no 33. The current scheme is for an entirely flat roof with an increased overall height of 3 metres. The proposal would be substantially higher than the existing boundary fence and would appear as an oppressive and overbearing addition when viewed from the rear doors and windows of no 33, and from its rear patio area.

7. Cumulatively, the proximity to the boundary, as well as the proposed height and depth of the extension, would significantly worsen the outlook from no 33. I therefore conclude that the proposal would have an unacceptable effect on the living conditions of the occupiers of no 33, having regard to outlook. The proposed development would conflict with Policies LP26 and LP30 of the Local Plan which seek to ensure the provision of good design and to reduce the adverse impact upon amenity of neighbouring occupiers in relation to outlook.

Other Matters

8. It is apparent from the plans submitted that the proposal would benefit a disabled person. The submitted floor plan proposes a kitchen, dining area, separate utility room, separate bathroom and bedroom to meet the needs of the individual. 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.
9. It has not been demonstrated that the scale of the proposal is specifically required by virtue of its design to meet the needs of the disabled person, or that these needs cannot be met in a different or less harmful way, including by the extant planning permission (LPA Ref. 3335/23). I am mindful that personal circumstances and occupants of a property can change, but the effect of the development would be permanent. Whilst I must attribute some limited weight to the specific needs, on the basis of the evidence submitted before me, the PSED considerations would not outweigh the significant harm that I have identified on the living conditions of the neighbouring occupiers. I am satisfied that the impact of dismissing this appeal is proportionate and justified and that the needs of the disabled person could be met through the implementation of the extant planning permission.
10. I have also had regard to the indication that the neighbour is awaiting the result of this appeal with a view to undertaking a similar extension. However, there is no certainty that this will happen, and it cannot therefore weigh in support of the proposed development. The absence of an objection from the neighbouring occupiers is ultimately a neutral factor and does not alter my conclusions on the planning merits of the proposal.

Conclusion and Recommendation

11. The proposal would be harmful to the living conditions of the occupants of no 33 Brancaster Road in terms of outlook and is therefore in conflict with the development plan taken as a whole. Material considerations, including the consideration against the PSED, do not indicate that the decision should be taken other than in accordance with the development plan.
12. For the reasons given above the appeal should be dismissed.

J Kirkaldy

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR