The Planning Inspectorate

Appeal Decision

Site visit made on 5 January 2017

by Peter D Biggers BSc Hons MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 January 2017

Appeal Ref: APP/W5780/D/16/3163143
43 Dover Road, Wanstead, London E12 5DZ

- 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 Simon Blake against the decision of the London Borough of Redbridge Council.
- The application Ref 4074/16, dated 25 August 2016, was refused by notice dated 20 October 2016.
- The development proposed is ground floor rear extension and loft conversion with rear dormerwindowandfrontskylights.

Decision

1. The appeal is dismissed in respect of the dormer extension.

2. The appeal is allowed and planning permission is granted for ground floor rear extension and frontage alterations at 43 Dover Road, Wanstead, London E12 5DZ in accordance with the terms of the application, Ref 4074/16, dated 25 August 2016 and the plans and documents submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:

    1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
    2) The development hereby permitted shall be carried out in strict accordance with the following approved plans so far as relevant to that part of the development hereby permitted: P00616/01; P00616/02; P00616/03; P00616/04; P00616/05; P00616/06; P00616/09; P00616/10
    3) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

Procedural Matters

3. The appellant's statement refers to a reduced scale of proposal being submitted to the Council on 10 October 2016 where the rear dormer was shown as not extending beyond the valley gutter between the front and rear roofs. However the Council has confirmed that this was not the basis on which the decision was taken. It is not clear the extent to which this material amendment was subject to formal consultation and as such, the interests of third parties could be prejudiced. Accordingly, I have not taken this amendment into account and have instead determined the appeal on the basis of the scheme which was before the Council.

Main Issues

4. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and on the Aldersbrook Conservation Area.

Reasons

5. Dover Road, lies in the Aldersbrook Conservation Area which is characterised by tree-lined streets of 2 storey, mainly terraced, houses in brick, render, stucco and tile with repeating gabled and flat roof 2 storey bay detailing giving an attractive uniform rhythm to the streetscape. Roof lights designed to light the roof space, as proposed in this case, are not uncommon on the front and rear roof slopes.

6. No 43 is a semi-detached dwelling within a group of 6 properties which have a double ridge or 'butterfly roof' having a front and rear roof parallel to the street and a central valley gutter.

7. Policy BD5 of *Redbridge Borough Wide Primary Policies* (RBWPP) regarding extensions to dwellings accepts the principle of using attic or loft space for conversion. However the associated guidance on roof dormers in conservation areas in *Care and Design Guide for Aldersbrook Conservation Area Supplementary Planning Document* (SPD) makes it clear that considerable care needs to be taken over the design of dormers. The policy and guidance set out criteria regarding the size and positioning of dormers to ensure that they do not have an adverse impact on the property's character and appearance.

8. I acknowledge that, in revising the proposals for the loft conversion from that previously refused, the appellant has reduced the size of the roof extension and the proposals observe some of the policy BD5 criteria, in particular the need to set the dormer in from both edges of the roof and not to extend above the ridge. However the dormer would cover 67% of the roof face (calculated by the council), significantly in excess of the policy BD5 guide figure of 40% coverage. The policy specifically refers to the "*roof face*" and it is self-evident from the plans that the dormer would cover more than 39.7% of the face as stated by the appellant. In respect of the SPD guidelines it would also have a flat roof rather than pitched, the dormer face would be rectangular rather than square and the width would be more than 1500mm. Most significantly the dormer would not be restricted to the front roof. Instead it is clearly shown on the plans that it would extend backwards over the valley gutter and onto the rear roof with its face positioned well up the inner slope of that roof. Thus many of the previous Inspector's concerns in appeal ref (APP/W5780/D/16/3150622), as summarised by the appellant, would remain.

9. The result would be a bulky dominant structure at roof level, out of keeping with the characteristic 'butterfly roof'. Its positioning onto the rear roof slope would mean the dormer would not be subordinate to the existing roofscape and the mass of the dormer would be visible over the lower rear roof and would significantly change the character and appearance of the house.

10. The impact of the box dormer would not be restricted to the property itself. I acknowledge that due to the close spacing of the houses and the proposed inset from the side gable of the property there would be little if any of the dormer visible from Dover Road itself and it would not therefore be intrusive in the streetscene. However there are inward views from the rear of properties in Harpenden Road. I accept that these would be private realm views. However, the impact of the development on character and appearance in these views is nevertheless important, as the character of an area is not solely dependent on what can be seen

from the public realm. From these properties the proposed dormer would appear unduly dominant and would significantly and adversely alter the attractive appearance of the roofscape along the rear elevation of properties in Dover Road.

11. I have been referred to the box dormer in the roof valley on No 47 Dover Road and that at No 37 Woodlands Avenue which the appellant considers justify a similar approach at No 43. With respect to the dormer at No 47 this was reported to be permitted development before the designation of the Conservation Area in 2002. With regard to No 37 Woodlands Avenue, allowed on appeal, the roof involved reportedly was not a 'butterfly roof' and the Inspector concluded that the dormer was not significantly greater than 40% of the roof face. I am not therefore persuaded that these cases are sufficiently comparable to have a bearing in this case. I accept there are other examples of dormers on rear roof slopes but these remain the exception rather than the rule. It is certainly too small a number to suggest that these roof forms are part of the area's character or that a precedent has been set. As such I will determine the appeal case on its own merits.

12. The proposed roof extension does not meet the design criteria of policy BD5 particularly in respect of scale, extent and positioning. Whilst I acknowledge the SPD is only guidance, most of its guidelines are not met either as a result of the dormer extending onto the rear roof. As such the proposed roof conversion and rear dormer would be contrary to RBWPP policies BD1 and BD5.

13. There would be harm to the character and appearance of No 43 and its neighbours on Dover Road in inward views and the proposal would fail to preserve or enhance the character or appearance of the Aldersbrook Conservation Area. As such it would be contrary to Paragraph 131 in the *National Planning Policy Framework* (the Framework) and Strategic Policy 3 of the *Redbridge Core Strategy* (RCS) and RBWPP policy E3 which are consistent with the Framework in requiring new development to be designed to a high quality of design and to preserve and enhance the character or appearance of conservation areas. I accept that the harm to the significance of the heritage asset would be less than substantial and, in these cases, Paragraph 134 of the Framework requires that the harm is weighed against any public benefit. I am not persuaded that there would be any public benefit arising out of the proposal to outweigh the harm to the significance of the Conservation Area.

14. In terms of the ground floor rear extension, the proposal is a sensitively designed, appropriately scaled extension in a contemporary, style with the rear face principally comprised of glazed doors. The design complements the character and appearance of the host dwelling and is in accordance with policies. The Council and the Inspector in the previous appeal (APP/W5780/D/16/3150622) concluded that the rear extension was acceptable and I have no reason to disagree.

15. In terms of the proposed changes to the front elevation, although there is a common pattern of front doors and adjacent side windows in Nos 39-49 Dover Road, No 41 already has a similar pattern of central doorway and side panels to that now proposed at No 43. The changed format does not appear inappropriate and given the other changes in the front façade of these properties, notably removal of original fenestration in many of them, I am satisfied that the changes proposed at No 43 would not have a detrimental impact on the character and appearance of the host property.

16. Regarding the front rooflights proposed to light the loft extension, there is evidence of front rooflights elsewhere in the street. I am satisfied that, due to their modest size and siting, they would not have any significant adverse effect on the

property and streetscape.

17. As such the frontage alterations and rear extension would not harm the significance of the Conservation Area and the character and appearance of the Conservation Area would be at least preserved. The proposed rear extension and front elevational changes are clearly also severable both physically and functionally from the loft conversion works. However, the roof lights towards the front of the building are an integral part of the proposed loft conversion. I will, therefore, issue a split decision allowing the appeal insofar as it relates to the rear extension and front elevational changes but dismissing it in relation to the loft conversion, rear dormer and the two front roof lights.

Other Matters

18. I accept that the appellants, in proposing the roof extension, are seeking to make sustainable and effective use of their existing home, an objective which is encouraged by the Framework. However this social benefit does not outweigh the adverse impact the proposed roof extension would have on the character and appearance of the property and the Conservation Area.

Conditions and Conclusions

19. I have considered the conditions suggested by the Council against the advice in the *Planning Practice Guidance* and for their clarity. A condition requiring development to be carried out in accordance with the submitted plans is necessary as this provides certainty that the development would be carried out in the form proposed. The Council proposed a condition requiring matching materials to be used on the external surfaces of the building. However as it is the intention to change some of the external materials from the original it is more appropriate that I impose a condition requiring submission of details/samples of materials so that the character and appearance of the dwelling and of the surroundings is protected.

20. I have considered the matters before me and for the reasons given above I conclude that the appeal should be dismissed in relation to the loft conversion and rear dormer. However, in relation to the rear extension and frontage alterations, the appeal should succeed and planning permission be granted.

P. D. Biggers

INSPECTOR