

Appeal Decision

Site visit made on 7 February 2017

by Richard McCoy BSc MSc DipTP MRTPI IHBC

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

Decision date: 06 March 2017

Appeal Ref: APP/W5780/D/16/3164828
218 Tomswood Hill, Ilford IG6 2QS

- 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 M Malak against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 4129/16, dated 30 August 2016, was refused by notice dated 1 November 2016.
 - The development proposed is the erection of a single storey rear extension, part first floor rear extension and loft conversion with rear dormer.
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Procedural matters

1. This appeal was scheduled for an access required site visit. However, after the appellant failed to attend to facilitate access, I completed the visit unaccompanied as I could satisfactorily see the site from public view points. The appellant has been contacted and has not expressed any objection to the appeal proceeding on this basis.
2. I observed that the development described above has already been carried out. I have dealt with the appeal on this basis.
3. The parties dispute whether or not the loft area dormer has been built under permitted development rights and the appellant referred to the rear ground floor extension being the subject of a prior approval application. I note however that the planning application made to the Council included in the description "loft conversion with rear dormer and single storey rear extension". Moreover the description of development which is the subject of this appeal also refers to these matters. I have therefore dealt with the appeal on this basis.

Decision

4. I dismiss the appeal.

Main Issues

5. The main issues are the effect of the development on the living conditions of the occupiers of the adjoining dwelling in respect of any loss of outlook and on the character and appearance of the area.
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Reasons

6. The appeal site contains an end of terrace dwelling located on a busy road in a predominantly residential area. The completed development has added a large amount of new built form to the rear of the dwelling from ground floor to roof level.
7. From my assessment, given the portion of the development that abuts the boundary with the adjoining neighbour rises to around 3.6m in height and extends for around 6m, I consider it would appear overbearing when viewed from the rear windows and garden of this property. Accordingly, the development has harmfully changed the living conditions of the occupiers and in this respect conflicts with Policy SP3 of the adopted Core Strategy Development Plan Document and Policies BD1 & BD5 of the adopted Borough Wide Primary Policies Development Plan Document.
8. With regard to the rear dormer window, the Council points to a breach of Policy BD5 of the adopted Borough Wide Primary Policies Development Plan Document 2008 (DPD). This states that planning permission will only be granted for extensions to existing residential properties where dormer windows do not dominate the existing roof profile (rear dormers do not occupy more than 40% and side dormers 25% of the roof face), nor rise above or break the existing ridgeline or hip of the roof, are set in approximately one metre from each boundary and the eaves are finished in materials to match the existing roof.
9. In this case the dormer that has been erected occupies a greater proportion of the "roof face" than 40% and is not set in from the boundaries by at least 1m. Rather it spans across the roof and rises to the ridge. Consequently, it is out of scale and character with the host and neighbouring dwellings, to the detriment of the character and appearance of the area. It thereby conflicts with Policy SP3 of the adopted Core Strategy Development Plan Document and Policies BD1 & BD5 of the adopted Borough Wide Primary Policies Development Plan Document.
10. In respect of the rear extension (the ground and first floor elements of which the Council estimates as measuring around 6m deep, 3.6m high and spanning the width of the dwelling, and 3.85m deep and 5.05m wide respectively) given the scale and cumulative impact when considered with the rear dormer, it fails to be subservient to the host. Instead it is a visually intrusive feature that detracts from the character of the host in particular and the surrounding area in general.
11. Accordingly, it conflicts with Policy SP3 of the adopted Core Strategy Development Plan Document and Policies BD1 & BD5 of the adopted Borough Wide Primary Policies Development Plan Document.

Conclusion

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

Richard McCoy

INSPECTOR