



Appeal Decision

Site visit made on 19 April 2017

by Peter D Biggers BSc Hons MRTPI

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

Decision date: 4 May 2017

Appeal Ref: APP/W5780/D/17/3167188

70 Malford Grove, South Woodford, London E18 2DY

- 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 Kunal Patel against the decision of the London Borough of Redbridge Council.
- The application Ref 5384/16, dated 10 November 2016, was refused by notice dated 11 January 2017.
- The development proposed is alteration to form side hip roof with dormer.

Appeal Ref: APP/W5780/D/17/3167243

70 Malford Grove, South Woodford, London E18 2DY

- 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 Kunal Patel against the decision of the London Borough of Redbridge Council.
 - The application Ref 5292/16, dated 8 November 2016, was refused by notice dated 11 January 2017.
 - The development proposed is hip to gable to existing side extension.
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Decision APP/W5780/D/17/3167188

1. The appeal is dismissed.

Decision APP/W5780/D/17/3167243

2. The appeal is dismissed

Preliminary Matters

3. As set out above there are two appeals which differ only in the proposed treatment of the roof over the side extension already permitted under ref 2733/16. Although I have considered each proposal on its individual merits, because they both raise very similar issues I have dealt with the two schemes together in this decision letter.
 4. The works, the subject of this application, are part of the wider scheme of front, side and rear extensions permitted under application reference 2733/16 and, at the time of my visit, construction was well under way with the roof structure in place. Rather than construct the extensions as permitted the appellant decided to construct accommodation in the loft space using permitted development rights to construct a box dormer and hip to gable loft extension. He subsequently applied for a certificate of lawful development for this work which was granted (ref 4489/16).
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5. The construction of this roof extension has meant that the hipped roof design for the originally approved side extension can no longer be constructed. Accordingly the appellant applied for two alternative roof schemes to the side extension now the subject of these appeals. However it was evident at the site visit that a different roof structure to either of the appeal schemes is in the course of construction where the appellant has opted for a lower hip without the proposed dormer. The Council has confirmed that this roof form has been permitted under a subsequent application (ref 5487/16). I am proceeding with the determination of these appeals on the basis that, as neither of the appeals has been withdrawn, the appellant would prefer one or other of the proposed roof designs rather than what has been constructed.
6. Virtually identical proposals under application references 4122/16 and 4637/16 were the subject of appeal decisions as recently as March 2017 when they were both dismissed (ref APP/W5780/D/17/3164644 and 3164735). No evidence is before me to suggest any change in circumstances since the 2 schemes were previously considered at appeal and these decisions are therefore an important material consideration.

Main Issue

7. The main issue in both these cases is the effect of the proposed roof designs on the character and appearance of the semi-detached pair of dwellings at Nos 68 and 70 and of the surroundings in Malford Grove.

Reasons

8. Malford Grove, where the appeal site is located, is comprised of a mix of semi-detached and detached, mainly 2 storey properties all finished in brick, render and tile. The characteristic roof form in the immediate area is one of hipped roofs with gabled detailing although other forms are also present. As discussed above the extensions, the subject of these appeals, are substantially underway at No 70.
9. I have been referred to examples of extensions elsewhere on Malford Grove and adjacent streets, including those to Nos 72-74 where hip to gable extensions or side dormers have been allowed on the boundary and which the appellant considers have changed the character of the area and justify allowing the appeal. Whilst it is true that there are some cases where these sorts of extensions have occurred, they have not changed the dominant characteristics of the area and the hipped roof form on main roofs remains prevalent. Moreover these extensions are not necessarily examples of good design, particularly where they are on only one end of a semi-detached pair and so do not provide examples which should inevitably be followed in this case. As such I have determined these appeals on their own merits.
10. In coming to a view on these proposals, I have had regard to the *National Planning Policy Framework* (the Framework) which promotes good design and visually attractive developments. At Paragraph 64 it states that “..*permission should be refused for development of poor design that fails to take the opportunities available to improve the character and quality of an area.*”
11. Policy SP3 of the *Redbridge Core Strategy* (RCS) in seeking development to be of a high quality and Policy BD1 of the *Borough Wide Primary Policies Development Plan Document* (PPDPD) in seeking to ensure development is of a style, massing, scale, density and design appropriate to the locality are consistent with the

Framework. Specifically in respect of extensions to existing dwellings, PPDPD Policy BD5 requires development to complement the character of the building particularly in terms of scale, style, form and materials and to incorporate a roof profile sympathetic to the existing building. To help control extensions and alterations the Council has also published the *Householder Design Guide Supplementary Planning Document* (SPD) to ensure such development is appropriately designed. The guide warns against changing the shape of the roof in order to avoid an adverse visual effect on the street scene.

12. I acknowledge that in taking up permitted development rights and constructing a hip to gable extension that the appellant has already introduced an asymmetric appearance to the semi-detached pair of houses where one end (No 68) retains its original hip roof form and the other No 70 has a gable-ended roof. However if I were to allow the appeal scheme with the gable end (ref 3167243) the effect would simply be to lengthen the gable element, compounding the unbalanced appearance to the property, with a detrimental impact on both the character and appearance of the semi-detached pair and the surroundings of Malford Grove.
13. The alternative hipped scheme (ref 3167188) would be no better as it would introduce a hip of a different, steeper pitch to that on No 68 and add mass at a high level in the form of the side dormer, further unbalancing the semi-detached pair.
14. Neither scheme would redress the effect of the hip to gable extension that has already taken place and would simply compound the detrimental impact on character and appearance both of the semi-detached pair and the street. Both alternative roof forms would fail to produce a design solution that would be compatible with and contribute to the distinctive character of the area in which it is located which is the test required by PPDPD policy BD1. Moreover the added mass and scale of either roof proposal would fail to achieve a roof profile sympathetic to the existing semi-detached dwellings or complement the character of those dwellings as required by PPDPD policy BD5.
15. It has been put to me that the Framework at paragraph 65 states that "*planning permission should not be refused for buildings... which promote high levels of sustainability because of concerns about incompatibility with an existing townscape*". However the paragraph goes on to say "*...where this is mitigated by good design*". As set out above this is not the case in these appeal proposals.
16. By contrast the approved scheme under construction (ref 5487/16) at least would see a hipped roof end to the side extension that would retain some side separation, would broadly reflect the pitch of the hip on No 68 and would be subordinate to the main house.

Other Matters

17. I have had regard to the Public Sector Equality Duty contained in the Equality Act 2010 and understand that the appellant is seeking to make sustainable and effective use of an existing home, an objective which is encouraged by the Framework. However permission already exists for a design solution for the roof to the side extension (ref 5487/16). This demonstrates that the appellant's need for additional space for his growing family can be met in other ways and that no unnecessary burden has been imposed on development, although I accept that this scheme would not allow the stair configuration to the loft which the appellant seeks to maximise floorspace. Nevertheless I am not persuaded that the benefits

which the alternative roof forms would bring in maximising floorspace outweigh the harm to the character and appearance of the semi-detached property and its surroundings that would be caused if I were to allow either appeal.

18. The Framework adopts a wide definition of sustainability. Indeed, it makes clear at paragraph 6 that regard must be had to the document as a whole in determining what the concept means in practice. Paragraph 8 of the Framework states that all economic, social and environmental gains should be sought jointly. In terms of paragraph 9 of the Framework, the proposed roofing schemes for the side extension would not be a positive improvement in the quality of the built environment. In this case, neither proposal would be sustainable development in the terms of the Framework and the presumption in favour should not apply.
19. It has been put to me that in terms of paragraph 14 of the Framework there are no significant adverse impacts that demonstrably outweigh the benefits and therefore the appeals should be allowed. However this test in paragraph 14 only applies where the development plan is absent, silent or out of date. None of these scenarios applies in these cases and as stated above the development plan policies remain consistent with the Framework.

Conclusion

20. I have considered the matters before me including the fact that there have been no third party objections and that the proposals are unlikely to give rise to any adverse impacts on living conditions. Nevertheless, for the reasons given above regarding the impact on character and appearance, both appeals should be dismissed.

P. D. Biggers

INSPECTOR