



Appeal Decision

Site visit made on 16 March 2020

by Gareth Wildgoose BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2020

Appeal Ref: APP/W5780/D/20/3247347

20 Lord Avenue, Clayhall, Ilford IG5 0HP

- 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 & Mrs Pervez against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 4087/19, dated 17 October 2019, was refused by notice dated 13 December 2019.
 - The development proposed is a loft extension with rear and side dormers and Juliette rear balconies.
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Decision

1. The appeal is allowed and planning permission is granted for a loft extension with rear and side dormers and Juliette rear balconies at 20 Lord Avenue, Clayhall, Ilford IG5 0HP in accordance with the terms of the application, Ref 4087/19, dated 17 October 2019, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plan: WPCL0349/19/PL02.

Procedural Matters

2. The Council's decision notice did not include a reason for refusal which appears to be an error when having regard to the 'Record of decision made under Delegated Powers' document. The main issues I have identified, therefore, reflect the matters to which the Council had expressed concerns in that latter document. I am satisfied that proceeding in such a manner would not prejudice the interests of the appellants or any interested parties.
3. At the time of my visit, the proposed development as set out in the submitted plans had commenced but was not completed. Accordingly, I determine the appeal on that basis.

Main Issues

4. The main issues of the appeal are:
 - the effect on the character and appearance of the host property and the area, and;
 - the effect on the living conditions of occupiers of neighbouring properties, with particular regard to matters of outlook and privacy.

Reasons

Character and appearance

5. No 20 Lord Avenue (No 20) comprises a two-storey detached property located within a grouping of similar properties on the southern side of Lord Avenue which have rear boundaries that adjoin Clayhall Park, a substantial public open space serving the surrounding residential area. It is evident that the two-storey detached properties that lie close to No 20 would originally have had a greater degree of consistency and rhythm in terms of materials, scale and hipped roof forms. However, based upon my observations, a significant number of the properties have been considerably extended and altered to the front, side and rear resulting in substantial differences in materials and roof forms visible in the Lord Avenue street scene, including a variety of side dormers with some examples exceeding the height of the main roofs.
6. The wide variation in style, form and proportions of the extended properties is also noticeable from various public vantage points within Clayhall Park where the upper parts of the rear elevations of the properties and their roofs are visible above the varied landscaping along the shared boundaries, particularly at distance. I observed from those perspectives that the properties along the southern side of Lord Avenue have rear elevations and roofs that have been individually altered to such an extent that the group consist of an eclectic mix of extensions and dormers which have subsumed a significant number of the original roof forms. The resultant effect is a mismatched roofscape with visual interest and character derived from the widespread variety of design, form, proportions and materials of its individual properties. Such a varied appearance within the rear roofscape of Lord Avenue as viewed from Clayhall Park is markedly different to the predominance of more traditional hipped roof forms with limited subordinate alterations as otherwise visible in the rear roofscapes of Abbotswood Gardens, Longwood Gardens and Lord Gardens.
7. To my mind, the visibility of such a variation of styles and forms of properties that face Lord Avenue, which can be observed as a more extensive group from Clayhall Park, provides an opportunity for appropriate alteration of the appearance of the appeal property without causing harm to its character and distinctiveness or that of the local area. In that respect, the side dormers would incorporate rooflights which are a common feature and they would be set down from the ridge of the main roof to ensure a degree of subservience of the new roof form when viewed from the front. Consequently, the proposed side dormers would not look out of place on the host property within a surrounding context in Lord Avenue where similar side dormers are prevalent.
8. The side dormers would wraparound the existing hipped roof at the rear with two full height windows with Juliette balconies. The large box style design of the rear dormer, visible above a part two storey and part single storey rear outrigger, would appear bulky and would largely subsume the existing hipped roof when viewed from vantage points at the rear. However, I observed that there are similar examples of large rear dormers at No 4, No 8 and No 30 in the wider rear roofscape visible from Clayhall Park which are intermittent presences within a broader mix of dormers and other alterations to the roofs. As a consequence, in the particular circumstances of No 20 and its surroundings, the proposal would assimilate with the varied character of the wider roofscape and therefore, would not appear unduly dominant, visually

intrusive or out of place relative to the host property and the rear elevations and roofs of those nearby.

9. In reaching the above findings, I have taken into account that the Householder Design Guide SPD 2019 (SPD) seeks to ensure that rear dormers and roof extensions are subordinate within the roof slope, including dormers with measurements of 1m above the eaves and 0.5m from the edge of hipped roofs, to which the proposal would not accord. The guidance in that respect would appear to be intended to assist the interpretation of Policy LP30 of the Redbridge Local Plan 2015 - 2030 (LP), adopted March 2018, insofar as criterion 1(b) seeks that householder development is subordinate to the existing building in terms of size, scale or height. However, the wording of Policy LP30 is permissive and therefore, to my mind, the shortfall against that particular criteria and others such as 1(c) insofar as it seeks a roof profile sympathetic to the existing dwelling, are capable of being outweighed in circumstances where there is no harm or conflict with Policy LP26 of the LP.
10. With regard to the above, I am satisfied that the proposal accords with Policy LP26 of the LP as it reflects a high quality design which respects the local character of the area, whilst making a positive architectural and urban design contribution to its context and location that is well integrated in terms of layout, form, style, massing, scale, design and materials. In the particular circumstances of the site and its surroundings, the proposed loft conversion with side and rear dormer, therefore, would not have an unacceptable impact on the character and appearance of the property or the group of properties of which it forms part. Consequently, the absence of harm justifies a departure from the guidance in the SPD in this case.
11. I conclude that the development would not harm the character and appearance of the host property and the area. It would not conflict, therefore, with Policy LP26 of the LP or Policies 7.4 and 7.6 of the London Plan, March 2016, which have similar aims in terms of high-quality design, local character and streetscapes. The policies are consistent with the design objectives of the National Planning Policy Framework (the Framework). The absence of conflict with the aforementioned development plan policies and the Framework outweighs the shortcomings relative to the permissive criteria of Policy LP30 of the LP. The associated conflict with and departure from the guidance in the SPD is, therefore, justified in the absence of harm for the reasons previously stated given the particular circumstances of the property and its surroundings.

Living conditions - neighbours

12. The proposed dormer would not project beyond the existing eaves line of the main roof. As a consequence, although it would involve additional built form and bulk and massing beyond the existing side and rear roof slopes, it would not have an adverse impact upon the outlook and light provision to the habitable windows in the main elevations of Nos 18 and 22 Lord Avenue at each side or the properties on the opposite side of Lord Avenue given the separation distances involved.
13. The proposed side dormer facing No 18 Lord Avenue would directly face an existing side dormer at that property. However, the submitted plans indicate that all upper floor side windows would be obscure glazed and non-openable below 1.7m from internal floor level. Those mitigation measures would ensure that there would be no unacceptable overlooking or loss of privacy to either

property and can be secured via a plans compliance condition. Although the extension would also be located around 1.75m from No 22, there are no existing side windows at loft level of that property and therefore, the proposal would not result in unacceptable overlooking or loss of privacy as there would be no direct views with other windows or toward the rear garden.

14. The rear dormer windows face towards Clayhall Park with only oblique views available of the neighbouring side gardens despite the use of Juliette balconies, and therefore, there would be no unacceptable overlooking or loss of privacy in those respects.
15. I conclude that the development would not harm the living conditions of occupiers of neighbouring properties. The proposal would not, therefore, conflict with Policies LP26 and LP30 of the LP, Policies 7.4 and 7.6 of the London Plan and the Framework in that respect.

Conditions

16. The Council has put forward a total of three conditions to be imposed should I be minded to allow the appeal, which I have considered against the tests of the Framework and advice provided by the Planning Practice Guidance. In that respect, a plans compliance condition is required in the interest of certainty of the permission granted. However, the time limit condition is not imposed as the development has already been commenced. Furthermore, it is also not necessary to impose a condition requiring matching materials as a submitted plan (ref: WPCL0349/19/PL02) indicates the use of external materials to match the appearance of the existing roof tiles which I observed to be acceptable during my visit.

Conclusion

17. For the reasons given above, I conclude that this appeal should be allowed and planning permission granted subject to a plans compliance condition.

Gareth Wildgoose

INSPECTOR