



Appeal Decision

Site visit made on 25 March 2021

by Cullum J A Parker BA(Hons) MA MRTPI MCMI IHBC

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

Decision date: 30 March 2021

Appeal Ref: APP/W5780/D/19/3243481

1 Chapel Mews, Woodford Green, IG8 8GP

- 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 Tain Dobson against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3898/19, dated 4 October 2019, was refused by notice dated 27 November 2019.
 - The development proposed is described as '*single storey rear extension, 3 (no.) Velux roof lights (one per elevation), replace garage door with 2 (no.) sliding sash windows to match existing*'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council have provided a map of the Claybury Conservation Area dated September 2011. This indicates that the area in which the appeal site lies is contained within a 'Listed group of buildings of former Claybury Hospital'. The Appellant's Appeal Statement (paragraph 7.17) indicates that Chapel Mews is not listed.
3. I have not been provided with any list description for Chapel Mews and the Council's officer report only refers to s72(1) of the *Planning Listed Buildings and Conservation Areas Act 1990*, as amended, which concerns conservation areas, rather than s66(1) that deals with listed buildings. Moreover, the Local Planning Authority's reason for refusal and the case presented by both main parties do not refer to the appeal building being listed nor that the proposal would necessarily result in harm to the setting of nearby listed buildings. Whilst mindful of my statutory duties, I see no reason to disagree with such approaches in this instance.

Main Issues

4. The main issues are:
 - Whether the proposed development would preserve or enhance the character or appearance of the Claybury Conservation Area and of the street scene more generally, and;
 - The effect of the proposal on the living conditions of neighbouring occupiers with specific regard to outlook.

Reasons

Character and appearance

5. The appeal building is a two-storey end of terrace dwelling with integrated garage that is located in a gated court situated within the Repton Park estate. To the rear of the building is a walled garden backing onto Clarence Gate. The garden at No 2 Chapel Mews is located to the south of No 1, and the submitted block plans suggest that this amenity space is significantly smaller than that at No 1 owing to the roundabout serving Clarence Gate/The Boulevard.
6. The surrounding area is characterised by a mix of terraced, semi-detached and detached dwellings with styles dating from the late Victorian/Edwardian period surrounding the former Claybury Hospital buildings. The site is located within the Claybury Conservation Area, which derives its significance from the late Victorian period styles of dwellings with a fairly uniform appearance.
7. Permission is sought for a single storey rear extension, insertion of rooflights and replacement of garage door with two sliding sash windows. During my site inspection it was clear that although there had been some minor alterations in the wider residential estate (such as the insertion of roof lights) in the main these were the exception rather than the norm. Moreover, I did not see, nor have I been directed to, any examples of extensions or alterations the size of that proposed here.
8. Policy LP30 of the *Redbridge Local Plan 2015-2030* (RLP) indicates that the Council will support householder development that is subordinate to the existing building in terms of size, scale or height and respects the Council's householder design guidance. The Local Planning Authority's *Housing Design SPD Supplementary Planning Document 2019* (SPD) indicates, at paragraph 3.2.2, that *'It is important that single-storey rear extensions do not dominate the host or original property or project too far into the garden from the original rear wall of the house. This is to avoid the extension being overbearing and causing a significant loss of outlook, light, or an increased sense of enclosure. The following measurements are maximum depths and a general rule of thumb for household extensions. • Terraced house (including end terrace) = 3.5m'.*
9. The proposed single storey extension would be about four metres in depth and span across the entire width of the rear elevation of No 1 Chapel Mews (around 10 metres according to the Council's officer report), and a height of roughly 3.15 metres at its tallest. The depth proposed would not, therefore, accord with the requirements of the SPD.
10. Importantly, the effect visually would be a rear extension that dominates the end of the terrace. Whilst I note that visibility of this part of the proposal in the wider street scene would be limited in part by the boundary wall and planting alongside the boundary with No 2, it is likely that the extension would be visible on Clarence Gate and from the roundabout. Moreover the plant landscaping along the close-boarded timber fence with No 2 is within that garden and not the garden at No 1. Therefore I cannot be certain that the screening this provides at present would do so in the future.
11. The proposal would introduce a significantly large box like rear extension onto what is a compact two-bedroom mews building. This would not only be discordant to the appeal building itself, but also introduce a large extension to

the host building out of keeping with the character and appearance of the wider mews. For similar reasons, the proposal would fail to preserve or enhance the character or appearance of the Claybury Conservation Area.

12. In terms of the garage conversion, this seeks the removal of the existing up-and-over garage door and its replacement with two matching sliding sash windows with the existing segmental brick arch retained and the surrounds using matching brick work. I saw at my site inspection that the garage area remains as such internally. The Appellant has drawn my attention to a Certificate of Lawfulness (ref 2805/10) for conversion into a habitable room; though I have not been provided with detailed information on that scheme. Be that as it may, the garage area continues to be used as such.
13. Nevertheless, the proposal in this case would introduce a visually contrasting insertion into the front elevation of the building. For example, at present No 1 benefits from simple two over two windows with stone styled arches, and where two on the ground floor are replicated at first floor in terms of placement (albeit with diminishing sizes at first floor). To the contrary, the appeal scheme introduces two windows at ground floor with a singular window above.
14. When considered in the context of the wider mews court, the proposal introduces an incongruent design feature at odds with the prevailing pattern of development. Whilst I agree that visibility of this alteration is limited from the wider public realm owing to the gated nature of the court area, it would nonetheless fail to preserve or enhance the character or appearance of this part of the Claybury Conservation Area.
15. I note that the proposed rooflights would not be dissimilar to those found at the other end of this stretch of the terrace. However, it is unclear as to how the internal changes sought the entire building (including changes to the dimensions of rooms and creation of new rooms) would be readily separable from the proposal as a whole. Accordingly, this does not justify the harm identified in respect of the other two main elements proposed in character and appearance or heritage terms.
16. I therefore find that the proposal would result in less than substantial harm to the heritage asset in the form of the Claybury Conservation Area. I note the benefits of the proposal in providing space to convert the building into a four-bedroom dwelling. However, even if these are public benefits I do not find that they outweigh the less than substantial harm I have identified.
17. I therefore conclude that the proposal would be contrary to Policies LP26, LP30 and LP33 of the RLP, as supported by the SPD, insofar as they apply to design, heritage, character and appearance matters, which seek the aforesaid aims.

Living conditions

18. The boundary treatment between Nos 1 and 2 is formed by an approximately 2 metres high close boarded fence. Beyond this, on the ground floor level of No 2 there appears to be a single door serving the garage of No 2, with windows beyond.
19. I note the depth and height of the proposed single storey extension element. However, this needs to be considered in the context that no openings are proposed to be situated in the flanks and that this would be sited on the northern side of No 2. In terms of outlook from within No 2, this would be

mitigated in part by the close boarded fence, with the proposed rear extension jutting around a metre above this at its highest point. Whether viewed from within No 2 or in its garden, the proposed extension would not look visually overly dominant.

20. Taken in the round, I do not consider that the proposed single storey rear extension, nor any of the other works proposed, would have an adverse impact on the living conditions of neighbouring occupiers with specific regard to outlook. It would therefore accord with Policies LP26 and LP30 of the RLP insofar as they apply to living condition matters.

Conclusion

21. Whilst I have found in favour of the appellant in respect of the second main issue, this does not justify the harm I have found with regard to the first main issue. Accordingly, the proposal would not accord with the adopted development plan when considered as a whole and there are no material considerations indicating a decision otherwise than in accordance with it.
22. For the reasons given above, I conclude that the appeal should be dismissed.

Cullum J A Parker

INSPECTOR