

## Appeal Decision

Site visit made on 6 September 2021

**by Andrew Dale BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 21 September 2021**

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### **Appeal Ref. APP/W5780/D/21/3274596**

#### **1 Couchmore Avenue, Clayhall, Ilford IG5 0PL**

- 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 Mrs Marion Rosenfeld against the decision of the Council of the London Borough of Redbridge.
  - The application ref. 1016/21, dated 9 March 2021, was refused by notice dated 26 April 2021.
  - The development proposed is described on the application form as "*Proposed side first floor extension and loft conversion with rear dormer*".
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### **Decision**

1. The appeal is allowed and planning permission is granted for "*Proposed side first floor extension and loft conversion with rear dormer*" at 1 Couchmore Avenue, Clayhall, Ilford IG5 0PL in accordance with the terms of the application ref. 1016/21, dated 9 March 2021, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans numbered or annotated: SITE LOCATION PLAN; BP/IG5 0PL/001; EP/IG5 0PL/001; EE/IG5 0PL/001; PP/IG5 0PL/001; PE/IG5 0PL/001 and SD/IG5 0PL/001.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  - 4) The development hereby permitted shall not be occupied until both first floor windows (each serving an en suite room) in the southern side elevation have been fitted with obscured glazing, and no part of either of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.

### **Procedural matters**

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2. In July 2021, after the submission of this appeal, a new version of the National Planning Policy Framework (the Framework) was published, replacing the 2019 edition. I have had regard to this document, but it is evident that the substance of the Framework, as it relates to the sole main issue in this case, has not changed. In such circumstances, I am satisfied that there is no requirement to seek the views of the parties on the revised Framework, and that in taking such an approach no prejudice to any party would arise.
3. The plans numbered PP/IG5 0PL/001 and PE/IG5 0PL/001, as the first pair of letters in each case would suggest, ought to have been given the titles "PROPOSED PLANS" and "PROPOSED ELEVATIONS" respectively, rather than "EXISTING PLANS" and "EXISTING ELEVATIONS". However, I am satisfied that this discrepancy is not a serious flaw as the plan drawings themselves are correctly annotated and any reader or builder should be left in no doubt about what the project entails.

### **Main issue**

4. The Council's decision notice offers 2 reasons for refusal. Even so, I consider that they cover similar ground such that the sole main issue in this appeal is the effect of the proposed development upon the character and appearance of the dwelling and its surroundings.

### **Reasons**

5. Couchmore Avenue, like some of the residential streets nearby, is primarily characterised by 2-storey, semi-detached houses with hipped roofs. The appeal property forms a semi-detached pair with no. 3. Across its opposite southern flank and dating from 1982, there is a ground floor side and rear extension laid out under a flat roof. It is proposed to add a first floor above this existing ground floor addition by extending across with a matching hipped roof. A loft floor would be created principally over the core of the original building by constructing a new flat-roofed rear dormer and inserting various roof lights.
6. The Council's Housing Design Supplementary Planning Document (SPD), adopted in September 2019, clearly carries weight as a material consideration in decision making but it should not be applied prescriptively to the exclusion of all other factors, including the physical circumstances and context of a site. Moreover, if it is going to be applied fairly, there needs to be at least some recognition about how closely an existing situation squares up to the guidelines in the document.
7. Given the degree to which the nearby properties on Couchmore Avenue have seen similar first floor or 2-storey extensions to their sides, notably at nos 3, 5 and 7 and nos 2, 4 and 6, the appeal property now appears left with a rather stunted appearance by comparison. Moreover, the flat roof profile of its existing ground floor side and rear addition is wholly at odds with the original hipped roof of the property and of course would be in full conflict with the guidance in the SPD concerning the roofs of single-storey side extensions, if it was being proposed now. These unsatisfactory visual outcomes are apparent to observers viewing the property face on from the road or on the approaches to the site, especially from the north.

8. The proposed first floor side extension would not quite meet every guideline dimension stipulated in the SPD for such extensions but it cannot be fairly described as being in full conflict with the guidance in the same way as the existing flat-roofed wing is. The width and depth of the proposed extension is constrained by the existing footprint below and it is entirely understandable that the appellant should wish to build above the existing flat roof in its entirety, rather than leave small and visually awkward sections of flat roof protruding just to meet the guidelines. Even so, from measurements I took on site, the width of the side extension across the front would be no more than 62% of the width of the host property. This is not a gross infringement of the 50% guideline in the SPD. The proposed extension would be well executed in terms of its hipped roof profile, style, form and spread and would be set back 0.5 m from the original front elevation in accordance with the SPD and set down from the main ridge (albeit by less than the 0.5 m dimension in the SPD).
9. Of great importance, in my view, is how the proposed addition would give rise to the earlier single-storey flat roof extension being better visually integrated with the host building, whilst the whole building would achieve a closer visual harmony with the nearby buildings on this street it is viewed against. The result overall would be a well-mannered and more aesthetically pleasing dwelling than the existing property as previously extended. I am satisfied that the first floor side extension would be part of what would remain as a subsidiary or subservient side wing of the host property. As there is no other dwelling immediately adjacent to the southern flank wall of no. 1, this extension would not be perceived as a visually cramped form of development. Observers in the host rear garden or in the neighbouring rear gardens would find it hard to detect any obvious or material difference between the 2-storey side and rear extension at no. 3 and the one proposed in the appeal scheme.
10. I have not found the first floor side extension to be disproportionate or unacceptable in itself and the rear dormer would only utilise a small portion of its roof area. Even though the rear dormer would be closer to the shared boundary with no. 3 than advised by the SPD, I am satisfied that overall, it would set sufficiently within the rear roof slope and not appear oversized or too dominant. This finding is aided by the proposed inclusion of smaller windows in the rear dormer than those below at first floor level.
11. Noting the proposed use of matching facing materials and fenestration details, I consider that the proposed development as a whole would represent a visually attractive solution, exhibit a high standard of design, be sufficiently complementary, sympathetic and subordinate to the parent building and be respectful of the established street scene along Couchmore Avenue.
12. I therefore conclude on the main issue that the proposed development would not result in harm to the character and appearance of the dwelling or its surroundings.
13. As the development would be an example of high-quality design, show sufficient respect for the SPD when viewing the case in the round and improve the character and appearance of the dwelling and the locality, there would be no conflict with the aims of Policies LP26 and LP30 of the Redbridge Local Plan 2015-2030 or with the Framework insofar as it relates to achieving well-designed places.

14. The scheme will enhance the quality of life for the occupiers of no. 1 by providing additional living accommodation for the appellant and her family. This is a further factor that weighs in favour of granting planning permission. The Council, correctly in my view, did not identify an excessive loss of amenity for neighbouring properties for any reason. Potential direct overlooking of the rear gardens of 69, 71 and 73 Ewellhurst Road can be addressed by the imposition of a planning condition as I discuss in more detail in paragraph 16 below.
15. In addition to a condition setting a time limit for the commencement of development, a condition requiring that the development is carried out in accordance with the relevant approved drawings is necessary as this provides certainty. I have also imposed the Council's other suggested condition on materials to ensure that the development would preserve the character and appearance of the dwelling.
16. In the interests of privacy, I have added a further condition, which should not come as a surprise to any party, concerning the 2 windows in the first floor side elevation facing south towards the rear gardens of the properties on Ewellhurst Road. They would serve 2 adjoining en suite rooms. Plan PE/IG5 OPL/001 is unclear in that only one of those windows is labelled as an obscured window, yet the shading on the drawing would seem to indicate that both would have obscured glazing, as I consider should be the case. Control over the height of the opening lights in the windows is also required. Condition 4 above addresses these matters in the round and allows the parties to agree the details of the obscured glazing.
17. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be allowed.

*Andrew Dale*

INSPECTOR