



Appeal Decision

Site visit made on 10 May 2022

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 26 July 2022

Appeal Ref: APP/W5780/W/22/3290455

2 Betchworth Road, Seven Kings, Ilford IG3 9JG

- 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 Amit Rayrella against the decision of London Borough of Redbridge.
 - The application Ref 3738/21, dated 27 August 2021, was refused by notice dated 4 November 2021.
 - The development proposed is a loft conversion with rear dormer incorporating Juliet balcony, first floor part rear extension, two front rooflights and conversion of two studio flats to two one-bedroom flats.
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Decision

1. The appeal is allowed and planning permission is granted for the loft conversion with rear dormer incorporating Juliet balcony, first floor part rear extension, two front rooflights and conversion of two studio flats to two one-bedroom flats at 2 Betchworth Road, Seven Kings, Ilford, IG3 9JG in accordance with the terms of the application, Ref 3738/21, dated 27 August 2021 subject to the conditions below.

Preliminary Matters

2. I have used the description of the proposal from the Council's decision notice with minor changes in the above heading. This describes the proposed development more clearly than the description given on the application form.

Main Issues

3. The main issues are the effect of the development on:
 - character and appearance of the area; and
 - living conditions of future occupiers in respect of internal and external space.

Reasons

Character and appearance

4. No 2 is a two-storey end terrace property set back from the road behind an area of hardstanding used for off-street parking. It has a rear ground floor extension, a moderate sized rear paved yard and single storey outbuilding. The roof is tiled and pitched. It is in a predominantly residential area although, there is a rear service access to a neighbouring large three-storey commercial/office block facing Green Lane. The property benefits from being close to Smith Park which is a large public greenspace area.

5. The proposal would involve adding floor space to the existing two studio flats through the addition of a first storey rear extension with flat roof, a loft conversion with rear dormer incorporating a Juliet balcony and the inclusion of two front rooflights within the roof-slope.
6. Properties here, whilst likely consistent originally, have been modified incrementally over time (to the rear in particular). In that context, given its modest form the rear first floor extension would be subordinate and proportionate to the host property. Effects on adjoining neighbours would be minimised by virtue of it being located on the opposite side. In terms of its proposed flat roof, there are many examples of flat roofs in the surroundings, making them a fairly common feature.
7. While the rear first floor extension would be raised above many of these roofs, the flat roof would not look unattractive or out of place, especially when viewed in conjunction with the adjacent business centre. Overall, the rear first floor extension with flat roof would not constitute poor design or harm the character and appearance of the area, and thus its potential to create an adverse precedent is highly limited.
8. In terms of the proposed rear dormer, as acknowledged by the Council, there is a mix of small and large rear dormers within the roofscape of the area. There are an estimated seven dormers along the western side of Betchworth Road and four of these are to a similar scale, albeit differing design, as the proposal. These dormers are located on similar sized buildings and, in many cases, in more prominent locations than the proposal.
9. Understandably in that context, the general principle of adding rear dormers in the area is accepted by the Council. While they note that large dormers were constructed under permitted development rights, which do not apply here, it is evident that large dormers have become somewhat characteristic. Again, therefore the proposal would not be visually out of keeping with other dormers in the area or out of place when viewed with the adjacent business centre.
10. The proposed dormer would add a new side elevation into the roofscape which would be viewed from the rear windows of 310 Green Lane. However, when considered in the context of its relatively small size in the roofscape, end terrace location, reasonable separation, and wide views available, the dormer end's visual impact would be negligible.
11. I appreciate that the Council has produced a Housing Design Supplementary Planning Document (SPD, 2019) which sets out design guidance and standards for development, including the addition of extensions and dormers. However, it is guidance and inevitably does not account for each and every scenario. The policies in the development plan expect new development to have regard to its context and as detailed above, and as I have assessed above, the scheme would meet that expectation.
12. In conclusion, the proposal would not adversely affect the character and appearance of the area and thereby accord with the relevant provision of Policies LP26 and LP30 of the Redbridge Local Plan 2015-2030 (Local Plan) and paragraph 126 of the National Planning Policy Framework (the Framework). These policies seek, amongst other matters, for extensions to promote high quality design, respect the local character of the area, be subordinate to the existing building and incorporate sympathetic roof profiles and materials.

Living conditions

13. It is acknowledged that the use of the property as three flats has become immune to enforcement over time, rather than by virtue of securing permission. It is also noted that the existing two first floor flats do not provide internal or external standards as is sought of new development (via policy LP29 of the Local Plan).
14. Nonetheless, the proposal would significantly improve levels of internal space and no new dwellings would be created. Although access to private outside space would not be created, that is no different from the lawful circumstances at present. I saw that there was a large public park within a short walk, and in that context, given the close-knit urban environment here, I am not of the view that the lack thereof is determinative. Furthermore, given the site constraints, including in respect of development that may be acceptable in terms of character and appearance, I acknowledge that there are limitations as to what is feasible here.
15. In that context I acknowledge that the proposal would conflict with Local Plan Policy LP26, and that the standard of amenity would not be 'high' as sought by the Framework paragraph 130. Nonetheless given the specific circumstances here and the benefits of the scheme relative to that, on balance I conclude that the proposal would not be unacceptable in terms of the provision of internal and external living space.

Conditions

16. I have specified the standard timescale and approved plans conditions as this provides certainty. A condition for external materials to match the existing building is included to ensure satisfactory appearance. A condition to prevent the use of the flat roofs as living space is included to protect neighbours living conditions. Conditions to provide refuse storage, recycling facilities and dedicated cycle storage are included to secure suitable facilities and promote cycling as a mode of transport. In the interest of fire and building safety and water consumption requirements, I have included conditions to ensure the proposal would meet the requirements set out in the London Plan 2021. In imposing conditions, I have had regard to the approach in the Framework and Planning Practice Guidance and have accordingly amended the phrasing of certain conditions, without altering their aims.

Conclusion

17. For the reasons given above, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions set out in the attached schedule.

J Symmons

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Existing Plan – Drawing: BR-01
 - Proposed Plan – Drawing: BR-02
 - Sections – Drawing: BR-03
 - Existing Elevations & Sections – Drawing: BR-04
 - Proposed Elevations & Section – Drawing: BR-05
 - OS Map & Block Map – Drawing: BR-06
- 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 must:
 - 1) Identify suitably positioned and unobstructed outside space: a) for fire appliances to be positioned on; and b) appropriate for use as an evacuation assembly point.
 - 2) Be designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire, including appropriate fire alarm systems and passive and active fire safety measures.
 - 3) Be constructed in an appropriate way to minimise the risk of fire spread.
 - 4) Provide suitable and convenient means of escape, and associated evacuation strategy for all building users.
 - 5) Develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in.
 - 6) Provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.
- 5) No existing roofed area at No 2 Betchworth Road, nor any created by virtue of the development hereby permitted, shall be used other than for maintenance or emergency, and at no time shall be used as a balcony, roof garden or similar external amenity area.
- 6) The development hereby permitted shall be designed, implemented and thereafter maintained to meet a water consumption target of 105 litres per person per day, with additional 5 litres per person per day for external water use.
- 7) Prior to the first occupation of the flats hereby permitted, details of the proposed refuse storage, recycling facilities and secure and sheltered bicycle storage to be provided for the dwellings shall be submitted to and approved in writing by the local planning authority. The facilities as approved shall be implemented before any of the flats hereby permitted is first occupied and shall be retained thereafter.