



Appeal Decision

Site visit made on 24 August 2022

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 August 2022

Appeal Ref: APP/W5780/D/21/3283293

40 Lexden Drive, Romford RM6 4TJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Mohammad Shoaib Khokar against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3088/21, dated 15 July 2021, was refused by notice dated 8 September 2021.
 - The development proposed is described on the application form as 'The proposal is 2nd floor addition.'
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has referred to development plan policies¹ within the reason for refusal. However, the principle of development has been established through the grant of permission by The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). Indeed, prior approval appeals are not determined on the basis of s38(6) of the Planning and Compulsory Purchase Act 2004. Notwithstanding this, I have taken the development plan policies into account only insofar as they are relevant to the prior approval matters under consideration.
3. Under Article 3(1) and Class AA of Part 1 of Schedule 2 of the GPDO, planning permission is granted for the enlargement of a dwellinghouse by construction of additional storeys. The Council refused to grant prior approval in relation to paragraph AA.2, and in particular the effect of the proposal on the external appearance of the dwellinghouse.

Main Issue

4. The main issue in this appeal is whether prior approval should be granted under Class AA of Part 1 of Schedule 2 of the GPDO, having particular regard to the effect of the proposal on the external appearance of the dwellinghouse.

¹ London Plan (2021) Policy D4 and Redbridge Local Plan 2015-2030 (2018) Policies LP26 and LP30

Reasons

5. 40 Lexden Drive (the Host Property) is a two-storey mid-terrace dwelling. No 44², at the end of the terrace, has recently been extended upwards such that it has a three-storey appearance. The neighbouring property at No 46 has also been extended in a similar manner. Again, this neighbouring property is an end-of-terrace dwelling. Despite these neighbouring extensions, the host property and those attached all comprise of two stories and these properties have a relatively uniform scale when viewed in the street scene.
6. Indeed, most of the properties in the surrounding area are a relatively consistent scale and have a fairly uniform appearance. As such, the fact that two nearby dwellings have been extended upwards does not override the prevailing uniform character of the area. In addition, unlike the properties which have been extended upwards, the Host Property comprises a mid-terrace dwelling.
7. As such, the significant increase in height and bulk proposed would jar significantly with the other mid-terraced dwelling and the attached end-of-terrace dwelling. This visual harm would be clearly apparent within the street scene and would be far more pronounced than the extensions at No 44 and 46, given that the host property is in the middle of the terrace.
8. The extent to which the development would not be harmful in other respects does not overcome the harm which the development would cause to the external appearance of the dwellinghouse.
9. I therefore find that the proposal would not comply with paragraph AA.2(3)(a)(ii) of Class AA of Part 1 of Schedule 2 of the GPDO, which relates to the impact on the external appearance of the dwellinghouse.

Conclusion

10. For the reasons given above, the appeal is dismissed.

Luke Simpson

INSPECTOR

² Prior approval Council Ref: 1073/21