



Appeal Decision

Site visit made on 4 October 2022

by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2022

Appeal Ref: APP/W5780/D/22/3292652

14 Regents Drive, Woodford Green, Essex IG8 8RZ

- 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 J Vanner against the decision of London Borough of Redbridge.
 - The application Ref 3856/21, dated 7 September 2021, was refused by notice dated 10 December 2021.
 - The development proposed is basement under proposed ground floor side extension with rooms in the roof; proposed front porch and proposed single-storey rear extensions to house utility room and swimming pool.
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Decision

1. The appeal is allowed and planning permission is granted for basement under proposed ground floor side extension with rooms in the roof; proposed front porch and proposed single-storey rear extensions to house utility room and swimming pool at 14 Regents Drive, Woodford Green, Essex IG8 8RZ in accordance with the terms of the application, Ref 3856/21, dated 7 September 2021, and the plans submitted with it, subject to the following 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;
Location Plan
Site/Block Plan
Proposed Plans drawing number 14.RD.02A
Proposed Elevations drawing number 14.RD.03.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby approved shall match those used on the existing dwelling.
 - 4) The development hereby permitted shall be carried out in accordance with the Arboricultural Method Statement and drawing number TPP-01 contained within it.

Applications for costs

2. An application for costs was made by Mr J Vanner against the London Borough of Redbridge. This application is the subject of a separate decision and which is

the appropriate place for consideration of the appellant's concerns regarding the handling of the case.

Procedural Matters

3. The description of development is taken from the planning application form. The proposed side extension includes 2 floors but the upper floor is wholly contained within the roof space as set out within the description. I note the appellant's assertion that it is not intended to enlarge the side dormer window and balcony on the rear roof slope of the existing garage, and it is not included within the description of development. Nevertheless, the submitted plans show the dormer to be extended and altered. These were the plans that were determined by the Council. I have therefore considered the development as shown on the plans before me, and I have determined the appeal accordingly.

Main Issues

4. The main issues are the effect of the proposed development i) upon the character and appearance of the host dwelling and wider area, including the Claybury Conservation Area, and ii) the living conditions of the occupiers of 15 Regents Drive, with particular regard to privacy.

Reasons

Character and Appearance

5. The appeal site relates to a modern 2.5 storey dwelling constructed of red brick under a plain tiled roof with both flat and hipped roof dormer windows. It is 'L' shaped in plan form including a lower single storey garage projection to the front and side.
6. The site lies within the Claybury Conservation Area (CA), a predominantly residential area. In accordance with the duty imposed by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The significance of the CA lies in its evidence of distinct phases of development, originating as the Georgian country house estate of Claybury Hall with the later development of a Victorian asylum at Claybury Hospital. Residential development including that of the appeal dwelling, are recent additions within the parkland and semi-natural woodland setting of the historic buildings. Although modern, the dwellings are constructed from high quality materials and are framed by high quality public realm with extensive soft landscaping that adds to the pleasant appearance of the area. The appeal dwelling contributes positively to the character and appearance of the CA, within which such buildings are a key characteristic.
7. My attention has been drawn to the granting of a previous planning permission at the appeal property in 2020 (reference 4223/19) for the excavation of basement; two storey side extension; alterations to roof and fenestration. I am advised by both parties that this remains extant. Comparing the approved scheme with the proposal now before me, it is clear that the proposed side extension would be of a reduced scale overall, being largely single storey with accommodation in the roof, rather than the combination of single and 2 storey forms with rooms in the roof, as was previously approved.

8. The form of the proposed side extension would reflect the existing lower garage section of the host dwelling, as well as the single storey part of the side extension approved in 2020. Due to its lower scale and set back position, it would clearly be read as a subservient addition such that the host dwelling would not be subsumed. Furthermore, the proposed side extension has been detailed to reflect the architectural style of the host property and neighbouring buildings including a half hipped roof, mid slope dormer windows, and timber panelled garage doors with contrasting brick lintels above the ground floor openings. Whilst the number of dormer windows is greater than those found on the smaller scale garage sections of the dwellings nearby, they are nevertheless modestly proportioned and with sufficient space around each dormer, such that they do not clutter the roof.
9. The proposed side extension would bring the dwelling closer to the road than the neighbouring dwellings, as is the case with the extant permission. Moreover, I saw that dwellings within this part of Regents Drive are sited at different angles and positions relative to the road, such that there is not an overriding, uniform building line. The proposed position, scale and form of the side extension would therefore be complementary to the existing dwelling and the established street scene.
10. The proposed enclosed porch would project at an angle from the corner of the existing dwelling, in place of the existing canopy porch. The roof would sit under the cill height of the first floor windows and include overhanging eaves, a feature of the host dwelling. Whilst big, the porch would be tucked into the corner, viewed against the backdrop of the dwelling which itself is large and set down from the road level. It would not be unduly prominent, nor have a detrimental effect on the appearance of the dwelling or the character of the CA.
11. The proposed rear extension would consist of a predominantly flat roof with a central projecting lantern, such that it would appear as an obviously modern addition. Within the rear garden it would be screened from public view by the garages to both the appeal dwelling and 15 Regents Drive. This extension would not therefore have a significant impact on the appearance of the dwelling, nor the wider CA.
12. The proposed extensions would therefore be sympathetic to the host dwelling and the wider street scene. Having given considerable importance and weight, and paid special attention, to the desirability of preserving or enhancing the character and appearance of the Conservation Area, it is considered that all of the proposed extensions would preserve the significance of the heritage asset.
13. The proposal would therefore pass the statutory test and would comply with Policies LP26, LP30 and LP33 of the Redbridge Local Plan 2015-2030 (2018) which seek, amongst other things, high quality household extensions that complement the character of the building in terms of scale, form and materials, respect the local character of the area and conserve and enhance the character and significance of the historic environment. The development would also comply with paragraphs 130 and 197 of the National Planning Policy Framework (the Framework), which amongst other things, promote good design, require development to be sympathetic to local character, and to conserve and enhance the historic environment.

Living Conditions

14. A dormer window exists on the rear roof slope of the existing garage facing into the rear garden. It has full height glazing beyond which is a balcony that extends forwards to the eaves line of the roof. The plans indicate the forwards extension of this dormer window so that the full height glazing would be repositioned in line with the edge of the roof. In effect the external balcony area would be covered over by the dormer extension and replaced by a Juliet balcony. This is a relatively minor alteration, with the position of the window moving only a matter of centimetres.
15. No 15 is the neighbouring dwelling to the east and located at a higher land level. A close boarded fence including trellising along the boundary is over 2m in height when viewed from within the appeal site. In addition, there are a number of semi-mature trees along the boundary within the neighbours' garden which albeit deciduous, provide a degree of filtering and screening of the neighbours' rear garden. Little discernible change to the privacy afforded to the rear garden of No 15 would occur from the alterations to the dormer. Overlooking of the rear living rooms of No 15 would not be possible, given the position and orientation of the rear elevations of both properties.
16. The proposed development would not result in a significant and adverse effect upon the living conditions of the occupiers of No 15, with particular regard to privacy. The proposal would comply with Policy LP30 of the Redbridge Local Plan 2015-2030 which amongst other things, seeks to ensure that householder development respects the privacy of surrounding residents.

Conditions

17. I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance and paragraph 56 of the Framework. Along with the standard time limit, conditions are imposed to require the use of matching materials in the interests of consistency of appearance, and to list the plans in the interest of certainty.
18. The Council have suggested a condition to prevent trees within the appeal site from being lopped or felled during construction. Such a condition is not necessary given that works to trees within a CA require consent anyway. A further condition requiring tree protection measures is imprecise as it does not clearly define which trees would be subject to the measures. Nevertheless, as there are trees within proximity to the proposed extensions that contribute positively to the character and appearance of the area, it is reasonable and necessary to attach a condition requiring the development to be carried out in accordance with the Arboricultural Method Statement including drawing number TTP-01 contained therein.

Conclusion

19. For the reasons identified above, there are no conflicts with the Development Plan when taken as a whole. The appeal is allowed.

M Clowes

INSPECTOR