
Appeal Decision

Site visit made on 24 June 2025 by A Conteh

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th July 2025

Appeal Ref: APP/W5780/D/25/3360816

44 Latchingdon Gardens, Woodford Green IG8 8EA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) 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 Asif Hussain against the decision of the Council of the London Borough of Redbridge.
 - The application Ref is 3032/24.
 - The development proposed is creation of additional floor to property to create additional living accommodation with new roof on top.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. Under Article 3 and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), planning permission is granted for the enlargement of a dwellinghouse by the construction of additional storeys, subject to specific limitations and conditions and a requirement that the developer applies for prior approval to the Local Planning Authority.
4. There is no dispute between the parties that the proposal would comply with the limitations in paragraph AA.1 and the conditions in paragraph AA.2.(2) of Class AA. There is also no dispute with regard to the prior approval matters in paragraph AA.2.(3)(a)(i), (iii) or (iv). From the evidence before me I see no reason to disagree.
5. The Council's decision notice includes references to policies of the development plan. The principle of development is however established through the grant of permission by the GPDO, and I am required to assess the proposal as a prior approval application as set out within the parameters set out in the Order. Regard can be given to development plan policies insofar as they are material considerations; however, they are not in themselves determinative.
6. The GPDO requires that regard must be given to the National Planning Policy Framework (the Framework) in prior approval cases so far as relevant to the

subject matter of the prior approval, as if the application were a planning application.

7. I am also dealing with an appeal for an additional storey at 47 Latchingdon Gardens (APP/W5780/D/25/3360818). This is the subject of a separate decision, however as they are located close together there will be some similarities in elements of the reports.

Main Issue

8. The main issue is the effect of the proposal on the external appearance of the dwellinghouse.

Reasons for the Recommendation

9. The courts have held that external appearance is a matter of planning judgment and that building design and relationship with adjoining or nearby properties and street context may be considered if relevant.
10. The appeal site comprises one half of a pair of semi-detached dwellings in a cul-de-sac. The uphill gradient of the street means the ridge lines of the appeal site and its neighbouring properties steadily ascend up the slope. There are some variations in external material and colour in the street, but dwellings are consistent in scale and size. Properties in this cul-de-sac are different in appearance to those in the wider area, and this gives Latchingdon Gardens a distinct and enclosed pocket of character. While greater height differences between properties exist in some instances in the wider surrounding area, the stepped roof line of dwellings in Latchingdon Gardens is consistent and contributes to its distinctive character.
11. The proposed additional storey would create a highly noticeable increase in the height of the appeal dwelling, altering the symmetry with its semi-detached pair and interrupting the existing staggered roofscape. The non-attached neighbour No 45 has a lower ridge line than the appeal property, and the proposed change in height would create a much larger difference in ridge height than is characteristic in this street scene. The position of the appeal property in the middle of the street and opposite a junction would make it highly visible.
12. In this context, the proposed development would appear as a jarring and obtrusive disruption to the rhythm of the roofscape and the street scene. While the proposal would use matching materials and detailing, due to the increased height it would fail to maintain the strong sense of place in Latchingdon Gardens and would not add to the overall quality of the area or be sympathetic to local character.
13. The proposed upward extension would increase the appeal dwelling to a height that exists in the wider area but not within the immediate cul-de-sac, where the modest and consistent size of properties is a significant and distinctive characteristic of development. I also noted that comparable building heights nearby, particularly on Stoneycroft Road and Purleigh Avenue, were sited at one end of the street, rather than in the middle, so that the height difference did not appear as jarring as in the appeal scheme.
14. The appellant has drawn my attention to other upward extensions which have been granted by the Council or on appeal. However, these are located quite a distance from the appeal site, so understandably the nature of each property and its contextual surroundings will differ case to case. In those where the Council granted

prior approval, its assessment was limited to the appearance of the dwelling in isolation. These all pre-date the court judgement which clarifies that the wider context of the site can be considered, and therefore it is now possible to consider external appearance with a wider scope than at the time of those decisions.

15. In terms of the appeal decisions, the upward extension granted at 23A Frays Avenue was on a detached property screened by trees. The appeal decision for 9 Symington Mews factors in the property's end-terrace position and larger properties adjacent in its assessment of visual impact, a stark contrast to the appeal site where taller flats are. At 23 Burden Way the Inspector took into account large dormers on other properties and another upward extension nearby, neither of which is the case here. Consequently, these other examples are not comparable to the appeal proposal and do not justify granting prior approval.
16. The Framework supports upward extensions subject to development being consistent with the prevailing form of neighbouring properties and the overall street scene and being well designed. For the reasons above, the proposal would not achieve this. Consequently, the proposal would harm the external appearance of the dwellinghouse and would not comply with the Framework policies in relation to design, which are relevant to this prior approval matter.
17. I have taken into account Policies LP26 and LP30 of the Redbridge Local Plan 2015 – 2030 (adopted 2018) which promote improvements in keeping with local character and so are material in this case. Given I have concluded that the proposal would harm the external appearance of the dwellinghouse, it would conflict with these policies.

Other Matters

18. The appellant has referred to benefits of the scheme including optimising use of the site and modernising the property. These are not however matters I can consider in a prior approval appeal as there is no provision for any type of balancing exercise under this procedure. Furthermore, the absence of harm in other respects such as neighbouring amenity is a neutral matter which does not justify the harm identified above.

Conclusion and Recommendation

19. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

A Conteh

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and my representative's report and agree with the reasoning. On that basis the appeal is dismissed.

L McKay

INSPECTOR