
Appeal Decision

Site visit made on 13 September 2016

by Helen Cassini BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 September 2016

Appeal Ref: APP/W5780/W/16/3151038

Alpha Cottage, 177 Roding Lane North, Woodford Green, Redbridge IG8 8NA

- 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 S Bookatz against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 0733/16, dated 19 February 2016, was refused by notice dated 19 April 2016.
 - The development proposed is a change of use from the existing ancillary outbuilding to two residential dwellings.(Summary)
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Decision

1. The appeal is allowed and planning permission is granted for a change of use from the existing ancillary outbuilding to two residential dwellings.(Summary) at Alpha Cottage, 177 Roding Lane North, Woodford Green, Redbridge IG8 8NA in accordance with the terms of the application, Ref 0733/16, dated 19 February 2016, 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: Site Location Map, 140/EX/100 (Existing Drawing Block Plan), 140/EX/101 (Existing Drawing Site Plan), 140/EX/102 (Existing Drawing Ground Floor Plan), 140/EX/103 (Existing Drawing Roof Plan), 140/EX/104 (Existing Drawing Front & Rear Elevations), 140/EX/105 (Existing Drawing Side Elevations), 140/PA/200 (Proposed Drawing Block Plan), 140/PA/201 (Proposed Drawing Site Plan), 140/PA/202 (Proposed Drawing Ground Floor Plan), 140/PA/203 (Proposed Drawing Roof Plan), (140/PA/204) Proposed Drawing Front & Rear Elevations, 140/PA/205 (Proposed Drawing Side Elevations).

Procedural Matter

2. I have used the description of the proposal from the Council's decision notice. It adequately and simply describes the proposed development instead of the longer and detailed description given on the application form. I shall consider the appeal accordingly.
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Main Issues

3. I acknowledge that the appeal site is located within the Green Belt. I further note that the Council has confirmed that as the proposal does not involve new construction it would not result in the introduction of inappropriate development on the site. I concur with this view and am satisfied that the Council's conclusion in relation to the effect of the proposal on the Green Belt is consistent with paragraph 90 of the National Planning Policy Framework (the Framework). Accordingly, I consider that the main issues in the appeal are:
- (i) the effect of the proposal on the character and appearance of the surrounding area;
 - (ii) the effect of the proposal on the living conditions of nearby residents at 175 and 177 Roding Lane North, with particular regard to noise and disturbance;
 - (iii) whether or not the proposed development would provide adequate living conditions for future occupiers, with particular reference to access and outlook; and
 - (iv) the effect of the proposed development on highway safety.

Reasons

Character and Appearance

4. The appeal site is situated in a predominately residential area with properties that vary in age, style and type. The existing outbuilding is located to the rear of 175 and 177 Roding Lane North. A new housing development is located on the northeast boundary and open playing fields are adjacent to the southwest boundary.
5. The proposal consists of a change of use of the existing outbuilding, which is currently ancillary to No 177, to 2 self-contained residential dwellings. From the evidence before me, I am mindful of the fact that the site has been the subject of a previous planning application¹ for 4 self-contained residential dwellings which has yet to be determined but acknowledge that the appellant has stated that the Council has verbally confirmed that they are likely to refuse the application. Furthermore, I note that the appellant has aimed to address the issues for refusal within a subsequent planning application, which is the subject of this appeal.
6. The existing outbuilding is of a single storey design and no significant external changes are proposed. From my visit, I noted that the majority of both hard and soft landscaping works around the outbuilding had already been completed.
7. In terms of views from within the public realm, as a consequence of the single storey height, timber boundary fencing and location behind Nos 175 and 177, views are extremely limited. The only views afforded from Roding Lane North, Fitzherbert Close and Beckett Close consist of the metal clad eaves of the existing roof.

¹ Council reference 4377/15

8. I accept that the positioning of single storey dwellings directly to the rear of 2 storey dwellings is not a common feature within the immediate locality. However, as a result of the minimal scale and sympathetic design to Nos 175 and 177 in terms of rendering and colour, I find the proposal to be compatible with the setting and no material harm would result in terms of the character and appearance of the surrounding area. As such, the proposal complies with Policy SP3 of the London Borough of Redbridge Local Development Framework Core Strategy – Development Plan Document 2008 (the CS) and Policy BD1 of the London Borough of Redbridge Borough Wide Primary Policies – Development Plan Document 2008 (the DPD) which seek, amongst other things, to ensure that proposals for new development are of a high quality design and respect the urban environment.

Living Conditions – nearby residents

9. The Council raised concern that the conversion of the outbuilding would result in noise and disturbance to the detriment of the current occupiers of Nos 175 and 177.
10. I acknowledge that such a proposal would result in a degree of additional noise and activity associated with the occupation of the dwellings due to future residents using the pedestrian accesses and parking vehicle.
11. However, to my mind, given the minimal increase in the number of extra cars using the parking spaces, the level of pedestrian footfall, together with the distances from Nos 175 and 177, the proposal would not give rise to a level of noise and disturbance that would detract from the living conditions currently enjoyed.
12. As such, I do not consider that the proposal would unacceptably detract from the living conditions of the nearby residents at Nos 175 and 177, with particular regard to noise and disturbance. Therefore the proposal would comply with Policies BD1 and BD4 of the DPD and Policy SP3 of the CS, which together require new dwellings to be of a high quality design and serve the long-term needs of all residents, amongst other matters.

Living Conditions – future occupiers

13. Two pedestrian access points are proposed, the first of which is located to the north of the site and would be approximately 2 metres in width. The second access would be to the south of the site, in proximity to the proposed bin storage area. I accept the concerns raised by the Council with regards to the width of the southern access point, as this would taper to approximately 1 metre in width. However, given the limited scale of development I do not consider that this access would be frequently used, other than when requiring access to the bin store. Furthermore the second, wider access point is proposed on the same elevation as the location of the proposed entrance doors of the 2 dwellings. As such, I do not consider that access and the free flow of movement within the site would be impeded for any future occupiers.
14. I accept that the outlook from the proposed living room and bedroom 1 of unit 2 would be of an approximately 2 metre close boarded fence, with bedroom 1 of unit 1 having a view of the rear boundary wall of Nos 175 and 177 and the proposed cycle stand. Whilst the outlook from these windows may be limited, I do not consider that the boundaries would be so close that the outlook would

be unacceptably oppressive or otherwise harmful to future occupiers' living conditions.

15. Accordingly I find that the design and configuration of the proposed dwellings would not, therefore, result in any material harm arising to the living conditions of future occupiers, with particular regard to access and outlook. The proposal would therefore not conflict with Policies BD1 and BD4 of the DPD and Policy SP3 of the CS which, amongst other matters, together require new dwellings to be of a high quality design and serve the long-term needs of all residents.

Highway Safety

16. Roding Lane North is a relatively wide road with a maximum speed limit of 30mph and has pavements on either side of the road. From my visit I saw no evidence of on road parking restrictions within the immediate locality of the site. As a result of the distance from public transport provision, the site has been allocated a Public Transport Accessibility rating of 0. As such, it is likely that future residents will be reliant on the car in order to access the services and facilities required to meet their daily living needs.
17. The Council, within their reasons for refusal, stated that the number of car parking spaces proposed would be contrary to Policy T5 of the DPD. However, within their appeal statement the Council stated that the number of parking spaces appeared to be sufficient and as such did not raise any concern regarding compliance with Policy T5, insofar as meeting car parking space standards as set out in Schedule 3 of the policy. I accept that, based on the higher number of spaces set out in Policy T5, a maximum of 6 spaces would be required. However, given the lack of parking restrictions in the immediate locality and the width of Roding Lane North, I do not consider a significant level of harm would result if on-street car parking was required from time to time.
18. Turning my attention to the safety of pedestrians and other road users, Roding Lane North is a relatively straight road with few visual obstructions. During my visit, I observed regular breaks in the traffic along Roding Lane North. I appreciate that my visit provides only a snapshot of vehicular movements and that traffic flow is likely to vary throughout the day. However, it was apparent that even if vehicles were parked on the road, vehicles be afforded a good level of sight along the road and pavement in both directions. Therefore vehicles would be able to access and depart from the site safely and without adverse impact on traffic flow or pedestrian movements.
19. Furthermore, no substantive evidence in the form of, for example accident or traffic flow data, has been provided to suggest that highway safety is an issue on this particular stretch of road or as a result of the existing parking provision in front of Nos 175 and 177. I further note that the Council's Highways Officer did not object to the development on the grounds of highway or pedestrian safety.
20. Taking the above matters into consideration, I find that the proposal will not have an adverse impact upon the safety of road users, pedestrians or the efficient operation of the highway network in the vicinity of the appeal site. It would not conflict, therefore, with the design aims of Policy BD1 of the DPD or the parking standards requirements of Policy T5 of the DPD.

Other Matters

21. Concern has been raised regarding a potential flooding issue, which has not been dealt with in the substantive issues above. I note that the appeal site is not within an identified flood risk area. Furthermore, I have no substantive evidence before me to support the assertion that either the proposed site or the area around the site floods.
22. Accordingly, whilst I do not underestimate the importance of the above matter to those involved, I give only minimal weight to it in my determination of this appeal.

Conditions

23. I have considered the conditions suggested by the Council against the tests in the Framework and advice within the Planning Policy Guidance. I find them all to be reasonable and necessary in the circumstances of this case.
24. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans in order to provide certainty.

Conclusion

25. I therefore conclude that, subject to appropriate conditions, the appeal should be allowed.

Helen Cassini

INSPECTOR