
Appeal Decision

Site visit made on 3 October 2016

by Phillip J G Ware BSc(Hons) DipTP MRTPI

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

Decision date: 4 October 2016

Appeal Ref: APP/W5780/W/16/3148820

1 Robinia Close, Hainault IG6 3AJ

- 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 Kanagaratnam against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 0072/16, dated 6 January 2016, was refused by notice dated 1 March 2016.
 - The development proposed is a three storey side extension to form a new attached dwelling house.
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Decision

1. The appeal is dismissed.

Main issue

2. The Council has not objected to the detailing or layout of the proposal, and I have no reason to disagree with this position. The main issue in this case is the effect of the principle of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is the side garden of no.1, which is a three storey dwelling at the end of a terrace of similar properties. It is located in a prominent position at the corner of Robinia Close and Robinia Drive. The surrounding area is residential, largely in the form of terraced properties.
4. The proposal is a three storey side extension to the existing house, which would form a separate new dwelling. Vehicle access and parking would be off Robinia Close. The new development would occupy the great majority of the width of the site and the flank wall would extend very close to the boundary.
5. The development plan policy approach is that development should respect the amenity of the locality and make a contribution to its distinctive character¹.
6. As noted by the appellant and as I saw on my site visit, some of the ends of terraces have been extended towards or up to the flank boundary. However this is not a prevalent form of development in the area.

¹ Policy SP3 of Core Strategy DPD (2008), policy BD1 of Borough Wide Policies DPD (2008)

7. Particularly in this corner location, the proposal would not accord with the policy approach. The existence of open areas at the ends of terraces, where they still exist, is one of the characteristic features of the area and gives welcome relief in an otherwise densely developed neighbourhood. The proposal would effectively occupy the whole width of the site, and would replace the characteristic gap with a three storey building.
8. Although the detailing of the proposal would match that of the existing terrace, the principle of infilling the gap would harm the character and appearance of the area and conflict with the policies summarised above.
9. The appellant has noted that there are no objections from neighbours or from the highway authority. However this does not diminish the harm which would be caused to the area by the principle of the development.
10. I appreciate that the appellant is proposing to invest in new housing, and this weighs in favour of the proposal. However this is outweighed by the harm to the area. I also note that the appellant has stated a willingness to amend the proposal, but I have to deal with the scheme before me.
11. It appears that the Council has agreed to vary a restrictive covenant. However this is not relevant to the land use planning merits of the proposal.
12. For the reasons given above I conclude that the appeal should be dismissed.

P. J. G. Ware

Inspector