
Appeal Decision

Site visit made on 10 January, 2017

by S. J. Buckingham, BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 7th February, 2017

Appeal Ref: APP/W5780/W/16/3160283

2 Thornwood Close, Woodford, London, E18 1RH

- 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 Ms Anna Paprocka against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 1980/16, dated 29 April, 2016 was refused by notice dated 28 June, 2016.
 - The development proposed is a one-bedroom semi-detached house.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a new dwelling with new vehicular access onto Rose Avenue at 2 Thornwood Close, Woodford, London, E18 1RH in accordance with the terms of the application Ref 1980/16, dated 20 April, 2016 and the plans submitted with it, subject to the conditions set out in the schedule to this decision.

Preliminary Matter

2. The description of development used in the heading above has been taken from the planning application form. It has however been changed, and the change was agreed between the main parties. I have accordingly used the changed description in my decision.

Main Issues

3. The main issues are the effect on the character and appearance of the area and the effect on highway safety.

Reasons

The effect on the character and appearance of the area

4. No 2 Thornwood Close sits in an area of modest, simply detailed, early twentieth century houses. They are generally set in handed pairs in short terraces of four, with pitched and gabled or hipped roofs. The terraces are given a vertical rhythm through their double-height canted window bays. Side extensions in the area of the appeal site are generally single storey garages, although 25 Thornwood Close has a full height side extension. While the frontages of the terraced buildings are generally to a common building line, those of Nos 28 – 32 are stepped to address the curvature of the road.
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5. The appeal proposal is for a two storey, single bedroom house to the side of the host dwelling, with a single off-street parking space to the rear, accessed from Rose Avenue. The host dwelling sits on a generous corner plot, with space to the side adjoining Rose Avenue. It benefits from planning permission granted in 2015 for a two-storey side extension.
6. The proposed dwelling would have a pitched, gabled roof facing Rose Avenue, stepped down in height from the ridge line of the host building, and a lower, hipped two storey rear projection. The front elevation would be set back from the front building line of the host building.
7. The proposed dwelling, by virtue of its narrower width, set back and lower ridge line would appear as a subsidiary element to the main elevation of the host building and would therefore not visually compete with it or with key elements of its front elevation, such as the double height bay, which make a positive contribution to the character and appearance of the area. By stepping back from the main frontage, following the typical window size and using a semi-circular arch to the front door, the proposed dwelling would also reference features seen in the immediate area. Due to its width and vertical emphasis, it would also respect the vertical rhythm of the residential terraces around it. It would not therefore appear as an incongruous element, out of proportion or out of character with the area.
8. While the appeal dwelling would occupy part of the appeal site formerly taken up by a single storey garage, it would retain a front garden and space to the side adjoining Rose Avenue, as well as a reasonably large rear garden. Although narrow, the site would nonetheless appear sufficiently wide to accommodate a modest dwelling. I conclude therefore that it would not appear significantly cramped in its setting.
9. Although there are other houses set on corner plots and with space to their flanks, every case should be dealt with on its own merits, and I do not consider that this proposal would set a precedent for development adjoining other dwellings within the area.
10. I conclude therefore that the proposed new dwelling would not have a significantly harmful effect on the character and appearance of the locality, and that it would not as a result conflict with Policy SP3 of the Core Strategy Development Plan Policy (the CS) which seeks new development which respects the amenity of adjoining properties and the locality generally. Nor would it conflict with Policy BD1 of the Borough Wide Primary Policies Development Plan Document (the BWPP) which seeks development which is compatible with and contributes to the distinctive character and amenity of the area in which it is located; is of a building style massing, scale, density and design appropriate to the locality; and realises the potential of the land.

The effect on highway safety

11. A plan has been put before me as part of the appeal process, ref. 1624-21, which sets out an alternative parking layout to that considered as part of the original application. I have considered whether any party would be prejudiced by my taking it into account in reaching a decision, and have concluded that they would not. The plan shows details of a parking space set perpendicularly to the line of Rose Avenue, and with 45° pedestrian visibility splays.

12. I noted while on site that the proposed parking space would give on to a straight stretch of Rose Avenue with good visibility in either direction. Neither Rose Avenue nor Thornwood Close or Essex Road, which lead off it, are through roads, and they are likely, as indicated by neighbours commenting on the application, to be relatively quiet in terms of traffic movements. Rose Avenue also appears sufficiently broad to allow a car to manoeuvre into and out of the off-street space.
13. I consider therefore that the proposed amended parking layout would overcome concerns over careless manoeuvring created by the parking space being placed at an awkward angle, and would provide sufficient mutual visibility between drivers and pedestrians, and drivers and passing traffic to allow manoeuvring into and out of the space which would not, therefore be likely to harm highway or pedestrian safety.
14. As, therefore, the appeal proposal is capable of providing a single parking space, which does not exceed the maximum standard, and is not likely to give rise to harm to highway safety, it would not as a result conflict with Policy T5 of the BWPP which requires developments to provide parking spaces in accordance with the identified standards.

Other matters

15. The proposed accommodation would provide 66 m² of internal floor space. The Council have suggested that the proposed study could be used as a second bedroom. The nationally described space standards would require 70 m² of internal space for a two-bed, three-person, two-storey dwelling were that to occur. However, no evidence has been put before me to support this possibility, and the Council have not made it a reason for refusing the application.
16. It has been suggested that the loss of the garage space and driveway to the host dwelling would add to parking stress in the area. However the garage has already been demolished, and there remains sufficient forecourt area to the host dwelling to accommodate at least one car. Furthermore, while dwellings on other streets in the vicinity have only very small spaces to the front, houses along Thornwood Close have front gardens large enough to accommodate parking for one or two cars, and the majority are used for off-street parking. It is likely therefore that any increase in on-street parking along Thornwood Close as a result of changes affecting the host dwelling would not significantly add to parking stress along that road. Nor would the provision of a new, one bedroom dwelling with one off-street parking space be likely to add significantly to parking problems on the street.
17. I have taken account of concerns expressed by neighbours, but consider that the traffic movements arising from the creation of an additional dwelling would not be likely to add unacceptably to levels of traffic congestion or noise in Rose Avenue.
18. As the appeal proposal includes neither a garage nor accommodation for quad bikes, fears about the creation of such facilities are unfounded. Secure cycle parking is shown drawing 1624-05 and I consider that this is an issue capable of being secured by condition.

19. Neighbours have expressed concern at the effects of the proposal on their living conditions. I consider that the instances of lights shining into facing living rooms when the parking space is used at night would be limited and transient, and would not cause significant disturbance to occupiers of facing dwellings.
20. A single, small first floor bathroom window to the appeal dwelling would be sufficiently separated from facing properties across the width of Rose Avenue not to have a significantly harmful effect on the privacy of occupiers of those dwellings.
21. The additional pollution to be created by additional car use arising from the appeal proposal is not likely to be significant. Concerns over potential noise and disturbance arising from construction are understandable, but this would be for a temporary period only. This is in any case a matter which can be managed through a condition requiring a Construction Method Statement .

Conclusion

22. For the reasons given above, and taking into account matters raised, I conclude that the appeal should be allowed.

Conditions

23. I have taken into account the conditions put forward by the Council and the requirements of the Framework. In the interests of clarity a condition is added requiring implementation in accordance with the approved plans. A condition is added requiring details of external facing materials in the interests of protecting the character and appearance of the area
24. The details of hard and soft landscaping, boundary treatments and refuse storage facilities are required by condition in the interests of ensuring there are adequate facilities and to protect the character and appearance of the area. I do not consider that it is proportionate to add additional requirements relating to the management of any trees, plants or shrubs planted as part of the approved scheme, as no such requirements are placed on householders in the normal course of events, and I have not therefore done so.
25. A Construction Method Statement is required by condition in the interests of protecting the living conditions of the occupiers of dwellings adjacent to the site.
26. A condition is added in respect of sustainable drainage in the interests of preventing urban flooding.
27. A condition is added requiring the implementation of the car parking space in accordance with the relevant details in order to secure car parking facilities that are adequate and safe. The construction and retention of cycle parking spaces are required by condition in the interests of encouraging sustainable forms of transport
28. A condition is attached regarding water efficiency in order to minimise the environmental impact of the development through efficient use of water. Conditions seeking compliance with accessible and adaptable homes standards in the interests of protecting the living conditions of future occupiers of the approved dwellings.

29. Paragraph 200 of the Framework states that planning conditions should not be used to restrict national permitted development rights unless there is a clear justification to do so. As no such justification has been provided, I have not added a condition to that effect.

S J Buckingham

INSPECTOR

SCHEDULE OF 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 plan: 1624-05.
- 3) No development shall commence until details or samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details or samples.
- 4) No development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
 - i) boundary walls, fences or enclosures;
 - ii) hard surfacing materials;
 - iii) refuse storage units;
 - iv) an implementation programme.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme.

- 5) No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) construction traffic routes;
 - ii) construction traffic washing;
 - iii) public highway cleaning
 - iv) measures to control the emission of noise, dust and dirt during construction;
 - v) a scheme for recycling/disposing of waste resulting from construction works;
 - vi) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 6) Development shall not commence until drainage works for surface water shall have been carried out in accordance with details which shall have been submitted to and approved in writing by the local planning authority.
- 7) The development hereby permitted shall not be occupied until space has been laid out within the application site in accordance with details to be submitted to and approved in writing by the Council to provide pedestrian visibility splays for vehicular access. The approved space and splays shall be implemented and thereafter permanently maintained.
- 8) The approved dwelling shall not be occupied until space has been laid out within the site in accordance with the approved plan for 2 bicycles to be parked and that space shall thereafter be kept available for the parking of bicycles.
- 9) The dwelling shall not be occupied until the Building Regulations Optional Requirement G2 36(2)(b) in respect of water efficiency has been complied with. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.
- 10) The dwelling shall not be occupied until optional Building Regulation M4(2) Category 2: "accessible and adaptable dwellings" has been complied with, and details of the compliance provided to the local planning authority.