
Appeal Decision

Site visit made on 7 February 2017

by Richard McCoy BSc MSc DipTP MRTPI IHBC

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

Decision date: 06 March 2017

Appeal Ref: APP/W5780/D/16/3165602
74 Cheriton Avenue, Ilford IG5 0QL

- 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 Dr Donna Bryan against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 4533/16, dated 13 September 2016, was refused by notice dated 25 November 2016.
 - The development proposed is the erection of a rear outbuilding.
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Procedural matter

1. I observed that the development described above has already been carried out. I have dealt with the appeal on this basis.

Decision

2. I dismiss the appeal.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and on the living conditions of the occupiers of nearby dwellings in respect of any loss of outlook.

Reasons

4. No. 74 is a semi-detached house located on the south-eastern side of Cheriton Avenue, in a predominantly residential area. The single storey outbuilding stands at a higher level than the dwellinghouse, within the rear garden adjacent to the rear (south eastern) and side (south-western) boundaries of the appeal site. The Council estimates its size at around 8m deep, rising to a height of around 3m.
 5. I note that the outbuilding was originally proposed to be erected under Class E permitted development rights. The appellant pointed out however, that during the course of the build it was found that the height of the building was higher than 2.5m within 2m of the adjoining boundary line. The appellant also pointed out that the outbuilding was erected to serve the need for additional storage space/desire for a gym area and forms part of the ongoing refurbishment works to the dwelling.
 6. In my judgement, the depth and height of the outbuilding, allied to its proximity to shared boundaries make it a dominant and visually intrusive
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feature that is out of scale and character with the prevailing pattern of development in the area. In addition, notwithstanding the appellant's argument that only a very small proportion of the outbuilding would be located next to the usable garden area of the adjoining dwelling, I consider that the bulk and position of the development on the boundary with no. 72 means that it has harmfully changed the living conditions of the occupiers of that dwelling in respect of being oppressive in the outlook from its rear windows and garden.

7. Accordingly, the development conflicts with Policy SP3 of the adopted Core Strategy Development Plan Document, Policy BD1 of the adopted Borough Wide Primary Policies Development Plan Document and the Council's adopted *Householder Design Guide* Supplementary Planning Document 2012 which inter alia require all new development to: respect the amenity of adjoining properties and the locality generally, be of a building style, massing, scale, density and design appropriate to the locality and be carefully sited to ensure there is no adverse impact on neighbouring properties in terms of overlooking and overbearing.
8. While I note the appellant's argument that there are a number of existing outbuildings within the surrounding area such that they form part of the area's established character, this consideration would not outweigh the harm to the character and appearance of the area and the living conditions of the occupiers of an adjoining dwelling that I have identified.
9. For the reasons given above and noting the letter in support of the development, I conclude that the appeal should be dismissed.

Richard McCoy

INSPECTOR