



Appeal Decision

Site visit made on 18 July 2017

by Katie McDonald MSc MRTPI

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

Decision date: 3 August 2017

Appeal Ref: APP/U5930/W/17/3173798

Land adjacent to 4 Cobham Road, London E17 4ED

- 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 Endip Rai against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 162780, dated 22 August 2016, was refused by notice dated 31 October 2016.
 - The development proposed is demolition of 2 disused garage/stores and construction of 1 new detached 2 bedroom dwelling with 50sqm amenity space.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be the effect of the development upon;
 - i) the character and appearance of the area; and
 - ii) the living conditions of nearby residents.

Reasons

Character and appearance

3. The site is a parcel of land adjacent to 4 Cobham Road and to the rear of 1 Guildford Road. It features a double garage and former garden space of 1 Guildford Road. The area has a residential, urban character being close to the railway line and just off the North Circular Road. Surrounding dwellings are generally set back from the road and pavement edge, featuring modest front gardens.
4. The proposal seeks consent to demolish the garages and erect a detached 2 storey, 2 bedroom dwelling. The property would front onto Cobham Road, having a side garden bordering the rear garden of 1 Guildford Road. The dwelling would be sited to adjoin the pavement edge.
5. I do not consider that the principle of siting a dwelling within the former rear garden of 1 Guildford Road would be necessarily harmful to the character and appearance of the area. Given the siting of 4 Cobham Road, the long rear garden which would have been an earlier feature of 1 Guildford Road has ceased to exist, and development between would continue an existing pattern

of growth and one that has been replicated further to the east on Cobham Road.

6. However, having the dwelling sited to abut the pavement edge would not fit in with the prevailing street pattern or built development, and this element of the proposal would be inconsistent with surrounding dwellings. Furthermore, the property would appear overly tall, in relation to both 4 Cobham Road and 1 Guildford Road, when taking account of the mild slope on the street and its siting.
7. I find that the property would appear as a dominant and incongruous addition within the street scene. Although its fenestration and roof design may be appropriate and in keeping with 4 Cobham Road, its siting and height would not demonstrate an understanding and analysis of local context or reinforce local character.
8. Therefore, I find that the proposal would have a harmful impact upon the character and appearance of the area, failing to comply with Policy DM29 of the London Borough of Waltham Forest Development Management Policies Local Plan (October 2013) (LP) and Policy CS15 of the Waltham Forest Local Plan Core Strategy (March 2012) (CS). These policies seek, amongst other things, positive, responsive and inclusive development that features a high standard of design, enhancing local character and distinctiveness. I also find conflict with the Urban Design Supplementary Planning Document (February 2010) (SPD).

Living conditions

9. The side elevations of the proposal would be in close proximity to both 4 Cobham Road and 1 Guildford Road, with separation distances being approximately 11.5m - 11.7m. The Urban Design SPD details that as a general rule, a minimum of 12m clearance between the window of a habitable room and the blank flank wall of an opposing two storey building should be provided. This proposal would be in conflict with the guidance.
10. I consider that the overall height and length of the side elevations would be substantial; and because of its bulk and closeness to the fenestration of both neighbouring properties the impact would be oppressive and overpowering, resulting in a sense of enclosure and some loss of daylight and sunlight. Although the side elevation facing 1 Guildford Road would be stepped and reduced in height with a rendered wall, I find the impact towards this property would still be particularly harmful, with the outlook from the rear elevation being impaired.
11. The proposal would have the effect of reducing the rear garden of 1 Guildford Road to a small area. However, during my site visit, I noted that this garden had already been subdivided and evidence presented details that the site is in separate ownership. Nothing turns on this matter and as such, I give it limited weight.
12. Consequently I find that the development would be harmful to the living conditions of nearby residents, contrary to Policy DM32 of the LP and Policy CS13 of the CS, which seek to ensure satisfactory amenity is provided for surrounding neighbours. I also find conflict with the Urban Design SPD.

Other matters

13. I acknowledge that the proposal is acceptable in so far that it would meet internal space requirements, offer adequate amenity space and have limited impact upon privacy levels. I note that it would provide an additional dwelling in the Borough, thereby contributing to the supply of housing. I also note that the appellant's agent details that the proposal would be an improvement to the existing situation and reduce the likelihood of anti-social behaviour. None of these other matters raised outweigh my conclusions on the main issues.

Conclusion

14. In considering the proposal in the context of sustainable development, the proposal would not meet the 'environmental' or 'social' dimensions due to my reasons given above. Having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Katie McDonald

INSPECTOR