

Appeal Decision

Site visit made on 1 August 2017

by H Lock BA(Hons) DipTP MRTPI

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

Decision date: 21st August 2017

Appeal Ref: APP/W5780/D/17/3176596

66 Fairview Drive, CHIGWELL, IG7 6HS

- 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 & Mrs Saleem & Nageena Choudhry against the decision of the Council of the London Borough of Redbridge.
 - The application Ref. 4835/16, dated 11 October 2016, was refused by notice dated 29 March 2017.
 - The development proposed is side and rear extension above existing single storey side and rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. During the consideration of this appeal the main parties were invited to comment on the specific matter of privacy in relation to 13 Rowland Crescent, and the submitted responses have been taken into account.

Main Issues

4. The main issues are the effect of the proposal on (1) the character and appearance of the appeal property and the street scene; and (2) the living conditions of occupants of neighbouring dwellings, with particular reference to outlook and privacy.

Reasons

Character and Appearance

5. The appeal property is a semi-detached house in a prominent position close to a junction of Fairview Drive and Rowland Crescent. The property is visible from a number of points in the street scene. Although it has previously been extended, the area contains a diverse mix of buildings in terms of size, scale and design.
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6. The proposed extension would be built above an existing ground floor element. Although the width of the dwelling would not increase, its perceived mass and scale would be much greater as a result of the proposal. I note that there are long terraces of dwellings in the vicinity, but semi-detached houses of the width and overall scale proposed are not prevalent. In contrast, taken cumulatively with previous extensions, the size of the proposal would appear disproportionate and out of scale on this semi-detached dwelling and in relation to surrounding dwellings.
7. In view of the prominent position of the appeal site close to a road junction, and in relation to Rowland Crescent to the side and rear, the proposal would appear unduly intrusive in the street scene. Given the cumulative size of existing and proposed extensions at the property, I do not share the appellants' view that the development would be clearly subservient to the host building. Whilst I accept that the design of the building would respect that of the main house, this would not mitigate the resultant scale. Furthermore, although the proposed extension in isolation may accord with elements of the 'Householder Design Guide' Supplementary Planning Document 2012 (HDG), in this case the application of these guidelines would not deliver development appropriate to the existing house and its context. The appellants' suggestion to introduce additional landscaping would not resolve the adverse visual impact.
8. I therefore conclude that the proposal would not be of a sufficiently high standard of design to accord with the relevant aspects of Strategic Policy 3 (SP3) of the Redbridge Core Strategy 2008 (CS). It would not be of a building style, massing, scale, density and design appropriate to the locality, as sought by Policy BD1 of the Borough Wide Primary Policies Development Plan Document 2008 (DPD). Contrary to DPD Policy BD5, the proposal would dominate the existing building in terms of size, scale and height, although I acknowledge that it would not create an unbroken or terraced appearance along the street frontage.

Living Conditions

9. There is some conflict between the Council's officer report, which indicates that the proposal would have no undue impact on the amenities of adjoining properties, and the reasons for refusal. However, I share the assessment set out in the formal decision, that the scale of the development would be an intrusive and unneighbourly addition that would have a serious and adverse effect on the visual amenities enjoyed by the occupants of neighbouring properties. The cumulative impact of existing and proposed extensions at the appeal property would result in a large building that would be unacceptably dominant and oppressive in the outlook from neighbouring properties, including garden areas.
10. The siting of buildings on this residential estate is not uniform and although there is no dwelling directly behind the appeal property, 13 Rowland Crescent (No.13) is obliquely positioned to the north-east at reasonably close quarters. Having regard to the comments of the occupants of No.13, I acknowledge that the proposal would introduce the perception of a reduced sense of privacy. However, having regard to the guidance in the HDG, I am persuaded by the views of the Council and the appellants' that the separation distance and positioning of the opposing windows would avoid any direct loss of privacy. I am

also mindful that the property is located on a residential estate where there is already a degree of overlooking between properties.

11. However, as a result of the scale and siting of the proposal I conclude that it would be an unneighbourly addition that would diminish the outlook of neighbouring residents to a degree that their living conditions would be harmed, contrary to an aim of CS Policy SP3, which requires all new development to respect the amenity of adjoining properties and the locality generally, and with DPD Policy BD1, which seeks to avoid prejudice to the amenity of neighbouring occupiers. I find no conflict on this matter with DPD Policy BD5, but that does not alter my overall conclusion.

Conclusion

12. The National Planning Policy Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting and enhancing the built environment. A core planning principle of the Framework is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. For the reasons given above the proposal would not comply with this principle and would not be sustainable development supported through the Framework. As a consequence, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR