

Appeal Decision

Site visit made on 17 December 2019

by Ian Harrison BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2020

Appeal Ref: APP/W5780/W/19/3238546

16 Fyfield Road, Woodford Green IG8 7JU

- 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 Saimir Salihu against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3179/19, dated 23 July 2019, was refused by notice dated 24 September 2019.
 - The development proposed is the erection of a new dwelling on land rear of 16 Fyfield Road, IG8 7JU with altered parking for the host property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
 - the character and appearance of the site and the surrounding area;
 - the living conditions of future occupiers, with particular regard to the provision of garden space; and
 - highway safety, with particular regard to the provision of parking.

Reasons

Character and Appearance

3. The appeal site sits within a residential area that is characterised by the presence of pairs of semi-detached dwellings. The built form of the area is consistently setback from the road, with gaps between pairs of dwellings that results in there being a spaciousness to the layout of development that contributes positively to the character of the area. The dwellings are mostly 2 storey in scale and, although there is variation to the appearance of the dwellings, they appear to be of similar age and include architectural features from a consistent palette.
4. The appeal site is located at a bend within Fyfield Road with the existing dwelling at the site presenting its side and front elevations to the road. The rear garden of the dwelling continues towards the side elevation of 18 Fyfield Road. Due to the positioning of the plot relative to the road and the height of some of the boundary treatments, the rear garden is visible from the road and contributes to the sense of spaciousness that is identified above.
5. The proposed development would see the erection of a dwelling at the rearmost part of the existing garden, with the side elevation of the dwelling following the

rear boundary of the plot and the rear elevation being very close to the boundary that is shared with 14 Fyfield Road.

6. The proximity of the dwelling to the boundaries of the plot and the positioning of its garden to the side of the dwelling would result in the dwelling appearing contrived and cramped at the site. The plots that would be provided to serve the existing and proposed dwellings would be markedly smaller than any other plots within the vicinity of the site and, therefore, the proposal would be at odds with the prevailing pattern of development. Accordingly, the development would appear incongruous in the context of the surrounding area and would significantly reduce the sense of spaciousness that currently exists.
7. In addition, by being detached and of a design that is substantially different to the appearance of any other dwelling within the vicinity of the site, the proposal would fail to harmonise with its surroundings and would be a discordant addition to the street.
8. The suitable height of the dwelling relative to the surrounding built form, the alignment of its front elevation with neighbouring buildings and the use of matching materials would not mitigate or reduce for the effect of the development.
9. For these reasons, the proposal would have an unacceptable effect on the character and appearance of the site and the surrounding area. The development would, therefore, be contrary to policy LP26 of the Redbridge Local Plan 2015-2030 (RLP) which requires that development respects the local character of the area, reflects the existing layout of buildings and has regard to the surrounding area in terms of layout, form, style, scale, density and design. The proposal would also conflict with policy 7.6 of the London Plan (LP), adopted 2016, which states that development should make a positive contribution to the streetscape, should be of the highest architectural quality and should comprise of details that complement local architectural character.

Living Conditions of Future Occupiers

10. The proposed two bedroom dwelling would be served by a side garden that would be of sufficient size to comply with the garden standards that are contained within policy LP29 of the RLP. However, this garden would be within close proximity to the rear elevation of the existing, neighbouring dwellings and, as such, residents looking out of the first floor windows and dormers at both 14 and 16 Fyfield Road would have views into the garden area that would not be restricted by the proposed fence. The amenity space would therefore lack privacy and, as such, the usability of this space would be restricted to an extent that would undermine the living conditions of future occupiers.
11. The proposal would therefore have an unacceptable effect on the living conditions of future occupiers, with particular regard to the provision of garden space. The development would therefore be contrary to policy LP29 of the RLP which states that garden space should be compatible with the prevailing pattern of the area, be of a functional and practical configuration to enable a range of reasonable activities and be fit for purpose in terms of the building it serves.

Highway Safety

12. The appeal site is currently served by a gated vehicle access at the rear, which is adjacent to an access at 18 Fyfield Road. Accesses of this type, leading to parking areas in front of dwellings, are a common feature of the street. Due to the number of properties served by Fyfield Road, traffic appears to be light. The proposal

- would see the creation of an additional access onto Fyfield Road with a total of 2 parking spaces being provided to serve the existing and proposed dwellings.
13. Policy LP23 of the RLP states that parking should be provided at a rate that falls between the minimum and maximum parking standards that are part of the LP. However, the Council's Officer Report has identified that less than 1 car parking space should be provided for the proposed 1 bedroom dwelling. As such, the level of parking provided is adequate. No evidence has been provided to support the Council's case that the loss of an on-street parking space caused by the provision of a new access would cause additional parking stress or that the area is currently affected by parking stress to an extent that effects highway safety.
 14. Contrary to the appellant's suggestion, it appears that a car would not be able to turn within the site. However, this is not unusual in the locality or at other roads of comparable traffic intensity. Furthermore, although no details have been provided of the visibility splays that the Council would expect to be achieved, I see no reason to conclude that the proposed accesses would be any less safe or usable than the other similar accesses that exist within the locality. The Council's Officer Report has identified that a condition could be used to ensure the provision of suitable visibility splays and, in this case, I would agree.
 15. The proposal would therefore be acceptable in terms of the effect of the development on highway safety, with particular regard to the provision of parking. The development would therefore comply with policy LP23 and LP26 of the RLP which requires the provision of adequate parking and the creation of an accessible environment.

Other Matters

16. The Council's appeal submissions raise concerns with respect to the effect of the development on the living conditions of 18 Fyfield Road, the intervisibility between the proposed dwelling and the existing dwelling of 16 Fyfield Road and the potential effect on the outlook from within the proposed dwelling that might be caused if obscured glazing is used in the proposed side facing windows. These matters were not, however, raised as a reason for the refusal of the application and as such, given my findings in respect of the main issues, I do not consider it necessary to assess these matters any further.
17. The appellant has identified that the proposal would represent an increase of housing supply. Whilst this is a benefit of the proposal, as the development only relates to one dwelling, the weight I afford to this benefit is limited and does not outweigh the harm that has been identified in relation to the main issues.

Conclusion

18. Bringing together my conclusions on the main issues, whilst I have found the development acceptable in terms of parking provision and highway safety, the proposal would have an unacceptable effect on the character and appearance of the site and the surrounding area and the occupiers of the proposed dwelling would be served by inadequate living conditions due to the absence of adequate garden space. The harm that would arise in these respects is not outweighed by any benefits of the proposal.
19. I therefore conclude that the appeal should be dismissed.

Ian Harrison

INSPECTOR