
Appeal Decision

Site visit made on 8 July 2020

by Stephen Wilkinson BA BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st July 2020

Appeal Ref: APP/W5780/W/20/3245695

98 Snakes Lane East, Woodford Green, IG8 7HX

- 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. R. Hopkins against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 4282/19, dated 5 November 2019, was refused by notice dated 8 January 2020.
 - The development proposed is erection of structure in rear yard to facilitate office unit.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant submitted an additional plan, S220A, with the appeal, as a revision to the plans of the first floor to the appeal site. This indicates that there is no window serving a habitable room in the rear elevation of the rear 2 storey outrigger to the host property. Instead, the plan shows a small window and a door leading to the roof above a small ground floor extension which is served by stairs leading to the yard. Whilst the drawing, more accurately depicts this part of the rear elevation, I have not accepted it because the Council and consultees have not been able to consider it and it is inconsistent with other plans included in the suite of plans on which the Council made its decision. Accordingly, my decision is based on the submitted plans on which the Council made its decision.

Main Issues

3. The effect of the proposal on:
 - the living conditions of occupants of the first floor flat, and
 - arrangements for the storage and collection of refuse.

Reasons

Living conditions

4. The appeal site forms the rear yard to a terraced property which comprises a shop on the ground floor with its upper floor in residential use. The yard is flanked by the walls of extensions to the ground floors of the neighbouring commercial units and includes an external stair which allows for access to the

flat on the first floor of the host property. The yard is accessed from a short service road.

5. The proposed building would cover a large part of the rear yard and would have a height to broadly match the neighbouring extensions. This is despite it being set partially into the ground. Whilst I acknowledge that the proposed scheme would be lower than that which was recently dismissed at appeal for a 2 storey dwelling on this site, it would still result in an unacceptable degree of enclosure to the first floor flat of the host property. Although the appellant acknowledges that the outlook to the bedroom window is already restricted due to its long light well, the proposals would result in further enclosure exacerbating what is already an unsatisfactory situation.
6. Although there is a dispute between the parties on the function of the room in the rear outrigger served by the rear window, the proximity of the proposal would result in an unacceptable degree of enclosure. Whilst not as acute as the previous scheme, the proposed height and proximity to this window would still be sufficient to diminish the living conditions of occupiers of the first floor.
7. On this main issue, I conclude that the proposed scheme would adversely impact on the living conditions of occupiers of the first floor flat through unacceptable enclosure. For these reasons the proposals would not be in accordance with policies 7.4 and 7.6 of the London Plan 2016 and policy LP26 of the Redbridge Local Plan 2015-2030 which seek to promote high quality design in new development and to ensure that it does not result in adverse impacts on the living conditions of occupiers.

Servicing arrangements

8. The scheme includes bin storage to the rear of the proposed office building which would allow direct access to the rear access road to enable collection. This area would be of an insufficient size to allow the storage of paladin containers with sufficient capacity to meet the Council's trade waste requirements. Furthermore, due to the set down of the proposed building the level change from the access road would hinder bin collection.
9. For this reason on this main issue I conclude that the proposed scheme would be contrary to policies LP23 and LP26 of the Redbridge Local Plan 2015-2031, which require appropriate arrangements for the storage and collection of refuse.

Conclusion

10. For the above reasons I dismiss this appeal.

Stephen Wilkinson

INSPECTOR