The Planning Inspectorate

Appeal Decision

Site visit made on 29 September 2020

by K Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2020

Appeal Ref: APP/W5780/W/19/3242934
34a Chadwell Avenue, Chadwell Heath, Essex RM6 4QH

- 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 Jones against the decision of the Council of the London Borough of Redbridge.
- The application Ref 1067/19, dated 21 March 2019, was refused by notice dated 19 June 2019.
- The development proposed is 'demolition of workshop building, construction of detached four bedroom house.'

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect of the proposal on i) the character and appearance of the area, and ii) the living conditions of neighbouring occupants, with particular respect to light and outlook.

Reasons

Character and appearance

3. Planning permission has twice been granted on the site for development of a dwelling, firstly in March 2001 (Ref 2165/00) and again in January 2003 (Ref 2642/02). Neither permission appears to have been implemented. The Council does not oppose development of a dwelling in principle, and it recognises the existing workshop as a non-conforming use. Redevelopment of previously developed land for housing is supported under Policy LP2 of the Redbridge Local Plan 2015-2030 (March 2018) (the RLP).

4. The appeal site stands between 34 and 36 Chadwell Avenue and contains a large, disused workshop at the rear of the plot, with a deep paved area in front which has a fence dividing it between the appeal site and the grounds of No 34. The workshop is a substantial structure, roughly one and a half storeys in height with a brick façade heavily covered in ivy which extends to the very rear of the site, adjacent to the garden of No 34. No 36 on the opposite side has a small, triangular garden which extends only partly alongside the workshop.

5. The workshop, though evidently long established, is an anomaly within the street scene, standing well back from the front building line of neighbouring

properties and an exception to the prevailing residential character. It has been disused for a considerable period of time, though its recessed position and now ivy-covered frontage reduces its influence on the street scene.

6. There is variety to the layout of dwellings in the street, with detached, semi-detached and terraced dwellings, and purpose built blocks of flats. There is also variation in design. Roof pitches run both parallel and perpendicular to the street and hipped and gable ends are visible. Front elevations include single and double height bay windows, or no bays at all, and both brick and rendered finishes exist.

7. The narrow, deep shape of the site has influenced the proposed dwelling's design, with a long, slim gable projection to the front expanding to a broader, more substantial massing at the rear. The front building line would roughly align with the dwellings to either side and although the front gable would be narrower than other dwellings and would not match any nearby design, it would not appear discordant within what is a varied context and would infill the present gap between Nos 34 and 36 to provide more continuity to the street scene without appearing overly cramped from the street, given the driveway to No 34 would continue to provide a degree of separation.

8. The Council is critical of the lack of soft landscaping proposed to the front of the property; however, I saw several dwellings with hard landscaping to the front for off-street parking. The narrow width of the plot at the front constrains the possibility of providing both meaningful landscaping and off-street parking. Whilst soft landscaping would be a benefit, I do not regard its absence in this case as a drawback of the proposal.

9. The dwelling would extend at two storeys in height to some 18 metres in depth. The plans before me do not accurately reflect the layout of neighbouring properties, and they do not clearly show to where the rear elevation of the dwelling would extend relative to the adjoining dwellings. Based on my observations on site and interpretation of the plans, it seems that the rear wall would extend at least to the same depth as the single storey extension to No 34. A rear garden would be created beyond this.

10. The creation of a garden would increase the sense of openness at the rear of the site. However, the two storey massing would project well beyond the first floor building line of Nos 34 and 36 and would form a significantly more visible and imposing structure than the low, flat-roofed extension to No 34. Two tall, side gables would face Nos 34 and 36 at a greater height than the existing workshop. The plans show blank facades lacking any articulation which would result in a bland but imposing building which would appear dominant and incongruous in views from the neighbouring rear gardens.

11. By contrast, I note that in the 2001 scheme, the dwelling largely followed the front and rear building lines of No 34, as they were, whilst the 2003 scheme extended only marginally further to the rear. A factor in this is that they appear to have been proposed on a wider plot which included part of the present driveway to No 34. As such, whilst these permissions established the principle of residential development on the site, they differ materially in their design and do not set a precedent for the proposal now before me.

12. Policy LP26 states that development of poor design, that does not take available opportunities to improve an area's character and quality, and the way

it functions, will be refused planning permission. I accept that the removal of the workshop would be an improvement to the area's character and appearance. However, the policy requires development to be well integrated and have regard to and respect for the surrounding area, in terms of factors such as layout, form, style, massing, scale, density, orientation, materials and design. For the reasons set out, I find that the proposed dwelling would fail to respect the prevailing layout, form, massing and design of its surroundings, resulting in harm to the character and appearance of the area which would outweigh the benefit of the removal of the workshop.

13. Overall, therefore, I conclude that the proposal would conflict with the stated aims of Policy LP26 of the RLP, and with the aims of the National Planning Policy Framework (the Framework) to achieve high quality design.

Living Conditions

14. The existing workshop forms an imposing structure along the side boundary of No 34, and to the rear of No 36 which angles toward it. The submitted plans do not accurately reflect this relationship, showing the garden of No 34 running parallel to the appeal site. Despite the size of the workshop, it stands beyond the main rear walls of the adjoining properties, providing a degree of physical separation, and views are possible to left and right from the rear first floor windows of Nos 34 and 36.

15. The proposal would reduce the sense of enclosure to the side of the rear garden of No 34, though I saw the garden to be relatively open to the other side and to the rear, which face to the south and east respectively, and the existing structure, despite its scale, does not have a significant effect on the garden of No 34 in terms of shadowing or loss of sunlight, given it stands to the north.

16. However, the benefit of opening up part of the common boundary with the appeal site would be countered by the dominant scale of the dwelling itself where it would extend significantly beyond the existing rear first floor building line, creating a different but no less significant form of enclosure. Notably, the proposal would remove the gap between the neighbouring dwellings and the workshop which provides some separation and relief. Instead, the tall, blank side walls would form intrusive and enclosing features close to the first floor rear windows which would severely reduce the extent of outlook for occupants.

17. No 36, standing to the north of the site and angled towards it, would suffer a similar enclosing effect to No 34, but with the added harm from increased shadowing to the rear garden and windows from the greater height and closer position of the side elevation of the dwelling relative to the existing workshop.

18. Reference is also made to a loss of outlook from, and light to, side windows of No 34. I saw these windows serve a hallway and landing and provide additional light into an open plan living space. In terms of outlook, neither window serves a habitable room and both face to the north and views are limited to the immediate driveway/forecourt shared with the appeal site. The proposed dwelling would be separated from these windows by the driveway of No 34 and a setback from the common boundary. Given these factors, some loss of light and outlook may occur to these windows, but it would be modest and would not significantly affect neighbours' living conditions, given the light and outlook retained to the front and rear.

19. Taking these considerations together, I find that the benefits of reduced enclosure to the rear of the site would be outweighed by the increased enclosure, loss of outlook and increased overshadowing which would occur to neighbouring occupants at Nos 34 and 36. The proposal would therefore harm neighbours' living conditions, in conflict with Policy LP26 of the RLP, which requires that developments do not have an adverse impact upon the amenity of neighbouring occupiers in relation to, among other things, daylight/sunlight and outlook. There would also be conflict with the Framework which states that development should create places with a high standard of amenity for existing and future users.

20. The Council also cites conflict with Policy LP29; however, this relates to standards for external and internal space for new developments, rather than living conditions of neighbours, and so is not directly relevant to this issue.

Other Matters

21. The Council did not oppose the proposal in terms of the quality of the proposed accommodation, highway safety, cycle or refuse storage. On the evidence before me, I have no reasons to disagree, but an absence of harm in these respects is a neutral factor in the planning balance.

Planning Balance

22. There is policy support in principle for redevelopment of the site for residential use; however, I have found that the proposal would cause harm to the character and appearance of the area and to neighbours' living conditions resulting in conflict with the development plan, taken as a whole, to which I afford significant weight.

23. The proposal would deliver the benefit of an additional dwelling to the Borough's housing stock, along with economic benefits from construction and future expenditure by occupants in the local area. However, given the small scale of the proposal, such benefits would attract limited weight and, taken together, would not amount to material considerations which would outweigh the harm I have identified and consequent conflict with the development plan.

Conclusion

24. Therefore, having regard to all matters raised, the appeal is dismissed.

K Savage

INSPECTOR