



Appeal Decision

Site visit made on 17 November 2020

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th December 2020

Appeal Ref: APP/W5780/W/20/3246489

779 Eastern Avenue, Ilford IG2 7RX

- 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 H Patel against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 4440/19, dated 15 November 2019, was refused by notice dated 16 January 2020.
 - The development proposed is described as a "new dwelling to the rear of 779 Eastern Avenue".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposed development on:
 - the character and appearance of the area and the living conditions of adjoining occupiers with particular regard to outlook and overlooking to the host property and 775 and 777 Eastern Avenue; and,
 - the availability of parking in the area.

Reasons

Character and Appearance

3. The appeal site lies on the junction of Eastern Avenue and Stapleford Avenue and currently forms part of the garden of the host property which contains a single storey garage. It is proposed to demolish the existing garage building on the site and erect a two storey dwelling, severing part of the garden from the host property to create an amenity area for the new dwelling. As a result of its location, the proposed dwelling would relate better to those properties that exist along Stapleford Avenue which are mainly arranged in a linear manner facing the road.
4. The area has a pleasing sense of rhythm and a degree of uniformity which is reinforced by the similar layout and appearance of dwellings. The garden area of the host property contributes to the open character of the area, which is reflected in similar rear garden spaces on corner plots in the vicinity. On the whole, gardens to the rear of dwellings are undeveloped and contain single storey structures such as domestic sheds, outbuildings and garages.

5. The introduction of a detached dwelling on the site would adversely affect the sense of space and openness that one experiences in the area. The subdivision of the existing plot would intensify the built development in this pleasant suburban location, significantly diminishing the visual gap between the existing dwelling and its neighbour on Stapleford Avenue. This would result in a cramped form of development which would reduce the space at the site, eroding the openness at this part of Stapleford Avenue. In addition, the proposal would interrupt the uniformity of the street scene and would be out of keeping with the prevailing form of development, especially that which exists on the corner plots throughout the area.
6. The Council state that the positioning of the dwelling would also cause an overbearing development that would result in unacceptable levels of loss of outlook and overlooking to the occupants of the host property and 775 and 777 Eastern Avenue. Nevertheless, given the distance of some 18m from the rear elevations of these properties, I am not persuaded that significant overlooking to habitable rooms or a loss of outlook would occur as a result of the development. However, given the proximity of the proposed dwelling to the rear gardens of the host property and 775 and 77 Eastern Avenue, the proposed dwelling would allow direct overlooking to these areas, resulting in harm to the living conditions they currently enjoy.
7. Thus, the development would result in harm to the character and appearance of the area and the living conditions of adjoining occupiers. It would be in conflict with Policy LP26 of the London Borough of Redbridge Local Plan 2015-2030 adopted March 2018 (the Local Plan) and Policy 7.4 of the London Plan 2016 which seek, amongst other things, to ensure that developments have regard to the pattern and grain of existing spaces and streets and does not result in an adverse impact on the amenities of adjoining occupiers.

Parking

8. The entrance into Stapleford Avenue off Eastern Avenue is a red route where parking is prohibited. Stapleford Avenue also contains a single yellow line and is the subject of parking restrictions. Parking in the area is further constrained by dropped kerbs that serve off-street parking to private dwellings. However, there are a limited number of bays that are marked with a broken white line which allow on-street parking.
9. The Council confirm in its written statement that the provision of a single parking space would comply with Policy LP23 of the Local Plan and that a new crossover into the site would not require planning permission. However, the Council argue that the appellant has failed to demonstrate suitable and safe visibility splays into the site which may not be achieved without widening the access. Furthermore, the development would result in the loss of an on street parking space which is likely to give rise to indiscriminate parking in the vicinity of the site.
10. Whilst I accept that the site may not provide adequate visibility splays, this has to be reconciled against the quantum of development proposed. The provision of a two bedroom dwelling is not likely to generate a great deal of vehicular activity and any movements into and out of the site would be at very low speeds so as not to represent a danger to pedestrians or other road users.

11. Moreover, 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 such stress to an extent that highway safety is affected.
12. Thus, 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 of the Local Plan which requires the provision of adequate parking

Other Matters

13. I acknowledge that, despite its spatial limitations, the design of the dwelling is acceptable and suitable materials could be employed. I also note that the development is close to public transport links and other facilities and services. The proposed dwelling could also provide accommodation as a starter home, adding to the Council's overall housing supply. However, notwithstanding the benefits of the development, I do not consider that either individually or cumulatively they outweigh the harm identified above.

Conclusion

14. For the reasons given above, and having regard to the development plan when read as a whole, the appeal is dismissed.

Graham Wyatt

INSPECTOR