



Appeal Decision

Site visit made on 7 December 2020

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2021.

Appeal Ref: APP/W5780/D/20/3258416

8 Cavendish Gardens, Cranbrook, Ilford IG1 3EA.

- 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 I Wahid against the decision of the London Borough of Redbridge Council.
 - The application Ref 1656/20, dated 9 June 2020, was refused by notice dated 16 July 2020.
 - The development proposed is roof alterations to create an isolation room over the existing outbuilding.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposed development would harm:
 - the character and appearance of the host property and the surroundings of Cavendish Gardens; and
 - living conditions for present and future occupants of Nos 6 and 10 Cavendish Gardens in terms of proximity, overshadowing and outlook.

Reasons

3. The appeal property is located on the north west side of Cavendish Gardens, an attractive street of large, terraced houses to a traditional design. No 8 is at the end of a short terrace and has side access to the rear garden. The main house has been significantly extended to the rear and at the end of the garden there is an existing, large, flat roofed outbuilding in use as a gym, sauna, shower and spa which it is proposed to extend upwards under a pitched roof with projecting dormers facing back towards the house. The current outbuilding is slightly sunk below ground level with steps down to the entrance.
4. I acknowledge from the evidence supplied and from views into neighbouring properties that there are other outbuildings in the vicinity some with pitched roofs. It has been put to me that the existence of these justifies the appeal proposal. However, although Nos 10-16 do have pitched roof outbuildings these are generally smaller and none of these appeared to have an upper storey and thus do not have the same scale and mass as the proposal. I will therefore determine the appeal proposal on its own merits.
5. The proposal would add additional height and mass to an already large outbuilding with a footprint of almost 10 x 10 metres extending the full width of the plot. In the context of a property which has already been substantially extended to the

rear, with a consequently reduced garden area, the additional cumulative effect of the development would be excessive and out of keeping with the pattern of development in the area.

6. I accept that a simple pitched roof on a smaller outbuilding, as is the case with the outbuilding to No 10, might have constituted an improvement to the character and appearance of the area by replacing a flat roof. However, the proposed roof over this size of outbuilding complete with blind dormers would be detrimental to the character and appearance of both the property and surroundings. The blind dormers in particular would create an unattractive element to the elevation facing towards No 8 and its neighbours and now would appear to serve no useful purpose. Although I accept that the building would not be seen from Cavendish Gardens itself it would be visible and intrusive in private views from neighbouring properties.
7. The *National Planning Policy Framework* (the Framework) at paragraph 127 requires that developments must be visually attractive and sympathetic to local character to create high quality buildings and spaces amongst other things and in these respects the proposal fails. The *Redbridge Local Plan* (RLP) at Policy LP26 reflects the Framework in requiring development to respect local context and local character in terms of layout, form, style, massing and scale amongst other things. Although Policy LP30 of the RLP is entitled Household Extensions it clearly relates to all householder development and inasmuch as the outbuilding would act as a detached extension I am satisfied that it is relevant in this case. Policy LP30 requires proposals to complement the character of the existing building and be subordinate to it, retain satisfactory amenity space and maintain or improve the appearance of the locality amongst other things. For the above reasons the design of the proposed outbuilding would not achieve this and would conflict with these policies.
8. To assist in the implementation of these design policies the Council has produced the *Housing Design Supplementary Planning Document* (SPD) which provides guidance for householders considering outbuildings amongst other things. The guide makes it clear that outbuildings should not impact on the open character of the garden or the surrounding area. The guide goes on to state that the footprint size of the outbuilding should be subordinate to the original footprint of the house and rear garden area. Clearly the footprint of the outbuilding already exists and is already excessive. By creating the upper storey, the harm from the building on the character and appearance of the host dwelling would be intensified, further enclosing the already reduced garden area. The proposal would therefore fail to observe the guidelines.
9. For the reasons above, the design objectives of Policies LP26 and LP30 and the SPD would not be achieved by this proposal and it would be unacceptable in terms of the impacts on the character and appearance of No 8 itself as the host dwelling and of the surroundings on Cavendish Gardens.

Living Conditions

10. The extended outbuilding, given its additional scale and height and location close to side plot boundaries, would be overbearing on part of the garden to No. 6 used for sitting out. Moreover, because it would be located broadly west of the adjacent garden, the upper storey extension on the outbuilding would result in overshadowing particularly in the late afternoon/evening. I acknowledge that in respect of No 10, as the extended outbuilding would overlap with the site of No

10's own outbuilding and would be located north and east of No 10's garden, there would be little adverse impact on living conditions for No 10's occupants.

11. I note the revision to the proposal to remove the windows from the proposed dormers in the upper storey of the outbuilding which would resolve earlier third party concerns regarding overlooking of the rear elevations of Nos 6 and 10 and loss of privacy. However, the dormers themselves would remain with blank facades which, as noted above, would appear as an incongruous and unnecessary addition to the outbuilding.
12. Both RLP Policies LP26 and LP30 seek to ensure development would not result in an adverse impact on the amenity of neighbouring occupiers and, for the above reasons, the proposal would conflict with these policies.

Other Matters

13. I have had regard to the Public Sector Equality Duty contained in the Equality Act 2010 and understand the appellant's wish to provide accommodation isolated from the main house in the event of a family member becoming infected in the current pandemic. However, the outbuilding the subject of the appeal is already large with the space to offer an isolation room separate from the house without the necessity of extending upwards with the harm that this would entail in terms of character and appearance and living conditions for neighbouring occupants.
14. I acknowledge that making sustainable and effective use of an existing dwelling is an objective which is encouraged by the Framework in Section 11 and that this national policy objective makes the principle of extending existing houses acceptable. However, paragraph 122 in the same section of the Framework states that this should not be at the expense of maintaining an area's prevailing character and setting and in the following section at paragraph 127 the Framework requires development to create places with a high standard of amenity for existing and future users.
15. I am not therefore persuaded that either sustainable and effective use of the dwelling or the personal circumstances would outweigh the harm to the character and appearance and living conditions as a result of the proposal or justify an exception to policies and guidance in this case.

Conclusion

16. In reaching my decision I have had regard to the matters before me but for the reasons above the appeal should be dismissed.

P. D. Biggers

INSPECTOR