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## 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.

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**Appeal Ref: APP/W5780/D/20/3257860**

**92 Gaysham Avenue, Gants Hill, Ilford IG2 6TA.**

- 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 N Suenthiran against the decision of the London Borough of Redbridge Council.
  - The application Ref 1334/20, dated 6 May 2020, was refused by notice dated 19 June 2020.
  - The development proposed is construction of an outbuilding in the rear garden.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The appellant has raised procedural concerns regarding how the Council has dealt with the proposal. However, in determining the appeal, I will only deal with the planning merits of the case and any procedural concerns the appellant may have regarding the application stage should be taken up with the Council.

### Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

### Reasons

4. Gaysham Avenue, where the appeal site is located, is a mainly residential road of two storey, semi-detached properties built in brick, render and tile on the east side of the road with the Redbridge Institute on the west side. No 92 already has a deep, single storey extension extending 6 metres to the rear onto which a timber and corrugated PVC shelter has been attached.
5. There is an existing small timber shed towards the rear of the garden which would be demolished to make way for the proposed outbuilding.
6. It has been put to me that other properties in the vicinity have large outbuildings in their rear gardens and that these justify the appeal proposal. I noted on the site visit that there were a number of outbuildings particularly in the gardens to the rear of Cranbrook Road which runs parallel with Gaysham Avenue. However none of those visible from the appeal site appeared to be pitch roofed nor are they necessarily in gardens where there are existing large rear extensions as at No 92. I have been referred to an existing permission at No 94 for a pitched roof outbuilding but No 94 has a more generous rear garden than No 92 and no large rear extension. I am not therefore persuaded that these examples are sufficiently comparable with what is proposed at No 92 to justify the appeal proposal and I will

consider the appeal proposal on its own merits.

7. The outbuilding to No 92 would extend the whole width of the plot and adjoin the rear plot boundary and extend towards the main house approximately as far as the front edge of the existing shed. This scale of building and its significant mass, as a result of the pitched roof, would be located in a garden already significantly restricted in size by the large rear extension and would result in a cramped form of development. Moreover, cumulatively with the existing rear extension, the outbuilding would result in a scale of development disproportionate to the original house and, with over half the garden being covered with buildings, it would be over-development of the plot.
8. I have been invited to conclude that because there is also a front garden that this combined with the remaining rear garden would maintain sufficient garden space for the property. However, the front garden does not provide private amenity space and would not compensate for an over-intensive scale of development to the rear which would result in minimal usable garden space.
9. It has been put to me that the reduction in height since the initial proposal and the design and choice of materials would ensure the outbuilding blends with its surroundings and that it would be extended to the boundaries to avoid risk of vermin frequenting narrow gaps. However, the proposed overhanging canopy and parapet gutters would not necessarily be characteristic of the area and a building of a smaller, more appropriate footprint could have avoided narrow gaps around the plot margins thus avoiding the risk of vermin. I am not therefore persuaded that these matters would outweigh the harm to the character of the area resulting from the loss of garden space and overdevelopment of the plot.
10. 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 not persuaded by the appellant's argument that it is not relevant in this case. The Policy 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 extension would not achieve this and would conflict with these policies.
11. 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. The proposal would fail to abide by these guidelines.
12. 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 92 itself as the host dwelling and of the surroundings on Gaysham Avenue.

### *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 extended indoor leisure space for the property and that in doing so he is seeking to make sustainable and effective use of an existing dwelling, an objective which is encouraged by the Framework in Section 11. I acknowledge 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 including residential gardens. Sustainable and effective use of the dwelling would not therefore outweigh the harm to the character and appearance as a result of overdevelopment of the plot and loss of outdoor garden space nor justify an exception to policies and guidance in this case.

### **Conclusion**

14. 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