



Appeal Decision

Site visit made on 18 May 2021

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 June 2021

Appeal Ref: APP/W5780/W/20/3249621
575 Green Lane, Seven Kings, Ilford IG3 9RJ

- 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 PSD Estates Ltd (c/o Ken Judge & Associates Ltd) against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 1962/19, dated 1 May 2019, was refused by notice dated 28 November 2019.
 - The development proposed is redevelopment of site to provide 5 no self-contained flats.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposed development upon:
 - The character and appearance of the surrounding area;
 - The living conditions of occupiers of neighbouring properties, with particular regard to daylight / sunlight and outlook;
 - The living conditions of future occupiers of the proposed development, with particular regard to internal living space; and
 - Parking provision.

Reasons

Character and appearance

3. The appeal site is a former car-sales lot which, at the time of my visit to the site was vacant, except for a flat-roofed single storey building located at the rear of the plot. Although close to the Goodmayes local centre the appeal site lies within an area of predominantly residential character.
4. Whilst the scale and architectural style of properties along Green Lane varies, there is nevertheless a broadly consistent pattern of development along the street. Thus, properties are largely two storey in scale with prominent projecting two storey peaked-roof bays; there is a consistent building line along the street frontage with the rooflines of the projecting peaked bays breaking the consistent front roof pitches whilst the hipped roofs create a pleasing sense of spacing and rhythm along the street. There are, of course, exceptions, such as the bungalow a short distance to the east, or the three storey commercial and residential blocks a short distance to the west, but

these are the exceptions that prove the rule and serve to underline the predominant characteristics of the street.

5. The appeal site currently stands at odds with its surroundings. A now vacant car-sales lot, the open site and flat-roofed building at the rear contribute little to the area's prevailing character or appearance. Whilst the proposed building attempts to respond to certain key characteristics of the street, it would nevertheless result in an incongruous and obtrusive intervention into the street.
6. Thus, the proposed building's two storey bays, would have an awkward square plan form and overtly horizontal emphasis by comparison with the prevailing and oft-repeated bay form along this part of Green Lane. The absence of peaked gables atop the bays accentuate their horizontal emphasis and leave them looking incongruously unfinished against the typically suburban proportions of those on properties around the appeal site.
7. Although the proposed building would be largely consistent with the prevailing building line along this particular part of Green Lane, the steeply pitched 'mansard' style roof at the front, full height flat-topped flank elevations and dormer windows would be uncharacteristically strident, vertical forms at roof level. Together, they would be incongruously jarring features against the prevailing shallower roof pitches and distinctive peaked bay gables at the fronts of properties, and hipped roofs to the sides. Furthermore, because they would have a greater verticality than other features of neighbouring roof structures, the bulky, angular form of the 'mansard' style roof would be visible in longer views along the street frontage. This would harmfully disrupt the regular rhythm and spacing created by the predominant hipped roofs to the overall detriment of the character and appearance of the area.
8. At the rear, the third floor 'box' and the box-like two storey outrigger would be stark features of the building's rear elevation, compounded by the fenestration pattern of the box-like third floor, which would result in an ill-proportioned and top heavy rear elevation. Although not widely seen from street level, the rear elevations of properties nevertheless contribute to an area's character and appearance. Large two storey outriggers or large box-like roof structures were not obviously common features along the rear elevations of Green Lane and Castleton Road properties and, as such, the bulk, scale and massing of the proposed building's roof structure and cumbersome two storey outrigger would be incongruous and out of keeping with the more modest form and scale of largely single storey rear elements.
9. Redbridge Local Plan (RLP) policy LP26 sets out the Council's approach to seeking high quality design. Amongst other things, it seeks to ensure that proposals take available opportunities to improve an area's character and quality, is of high architectural quality, respects local character and makes a positive contribution and is well integrated with and has regard to the surrounding area in terms of layout, form, scale, massing and design. For the reasons I have set out, the proposal would fail to do so and would be contrary to RLP policy LP26 as a consequence.

Living conditions – occupiers of neighbouring properties

10. Both of the neighbouring properties (Nos. 573 and 577) feature modest rear ground floor 'build-outs'. The stepped two storey rear elevation of the

proposed building would extend beyond the rear of these build-outs, and beyond the first-floor rear elevations of those houses, where there are also windows.

11. Two storey outriggers and build-outs are not common features at the rear of properties within the residential block. Whilst the stepped projection of the rear two storey build-out would attempt to respect its relationship with the properties on either side, it remains the case that it would project comprehensively beyond the rears of both of those properties. The nature and form of this element of the building, together with its proximity to the plot boundaries with those properties, would result in an oppressive and overbearing form of development. This would be particularly evident, and particularly keenly felt by occupiers of the neighbouring properties, in the context of a residential block where structures of such scale are largely absent and there is a prevailing sense of spaciousness at the rears of properties.
12. I have noted that Green Lane runs in an east to west direction. As the appeal site is located on the northern side of the road, rear elevations here also face north. Thus, I accept the appellants' argument that the rear elevations of existing properties are already shaded to a large extent but that they will enjoy angled morning and afternoon / evening sun at certain times of the year.
13. Although the stepped two storey rear build-out seeks to minimise the extent of its projection close to the plot boundaries, its scale and overall depth would nevertheless significantly affect the extent to which sunlight would penetrate the rears, and rear garden areas, of the properties on either side. In the context of a north facing elevation this would, I conclude, result in an overbearing and oppressive form of development which would reduce the already limited exposure to direct sunlight and daylight at the rear of neighbouring properties. As a consequence, the proposal would fail to promote and exhibit the high quality of design sought by RLP policy LP26.
14. Although RLP policy LP29 is also referred to by the Council in this respect its provisions relate to amenity and internal space standards in respect of new development. It does not seek to secure or protect the living conditions of occupiers of existing properties and so it has not been determinative in my conclusions in this respect.

Living conditions – future occupiers

15. The Council's concern regarding the quality and quantity of living space provided relates principally to the first floor flat (as opposed to the first floor studio unit shown on Drwg No: 2490/3). Whilst I have noted the appellant's position that as bedroom 2 in this unit would be less than 2.55m wide it cannot be considered to be a double bedroom, its floor area would be sufficient to allow it to be considered a double bedroom under the provisions of the '*Technical housing standards – nationally described space standard*' (NDSS). As such, I am satisfied that that is how it should be considered and the first floor flat would fall short of the NDSS size threshold for a two bedroom / four person (2b4p) flat.
16. The proposal, particularly with regard to the proposed first floor flat, would therefore fail to provide an appropriate quality and quantity of residential accommodation, contrary to RLP policies LP26 and LP29, and the guidance and requirements set out in the Council's Housing Design Supplementary Planning

Document and the NDSS. I acknowledge that there is no dispute that the proposal would provide dual-aspect accommodation to all units and that there are no other objections to the sizes of the other units. However, whilst not determinative in their own right, the failings of the layout and accommodation of the first floor flat add weight to my conclusions in respect of the unsuitability of the proposal and the absence of harm in other respects does not alter my conclusions in this regard.

Parking provision

17. Two parking spaces would be provided within the site's frontage in a manner not dissimilar to provision at properties elsewhere along Green Lane in the vicinity of the appeal site. One of these would be reserved, should the need arise from occupancy of the proposed flats, for a disabled parking space.
18. There are only limited parking restrictions present on Green Lane, notably at and around junctions, or further east towards the nearby school. However, opportunities for on-street parking are constrained by extensive off-street forecourt parking. Notwithstanding the two proposed off-street parking spaces and the site's reasonably convenient access to public transport provision, the proposal would be likely to generate additional, albeit limited, demand for car parking. The on-street parking provision was very well used at the time of my visit to the site and whilst I recognise that these observations are only a 'snapshot' of such demand, it is likely that demand would not be materially lower at other times of the day, particularly evenings and weekends.
19. The site does not lie within a Controlled Parking Zone (CPZ) and the Council has confirmed that there is no imminent or intended plan to institute a CPZ. However, from my observations of the surrounding area there seems to be little capacity to accommodate additional demand for the parking of vehicles but I am also mindful of the site's previous commercial use which, particularly as a car sales premises, would have attracted both vehicle movements and vehicle parking. Nevertheless, I am not persuaded that the proposal would not give rise to additional parking pressure on Green Lane which, as a busy road, would be prejudicial to highway safety, contrary to RLP policy LP23

Conclusion

20. The proposed development would provide a boost to the supply of homes whilst also providing variety in the size and level of accommodation provided within them. These are factors which weigh modestly in support of the proposal in the context of the Framework's aims of significantly boosting the supply of homes. Five further homes would also provide economic and social benefits associated with their occupation and these matters would also weigh modestly in support of the proposal.
21. There are no objections to the proposal in terms of the outlook and daylight / sunlight that would be enjoyed by occupants of the proposed flats and studio, or in terms of their access to outdoor amenity space. Suitably worded conditions could also ensure that these provisions are retained, and that appropriate landscaping and refuse / cycle storage is provided and also retained. These are however neutral factors and as such weigh neither in support of nor against the proposal.

22. However, the proposal would cause harm to the character and appearance of the surrounding area with an incongruous and jarring form of development that would fail to respond positively to, or reflect the character and appearance of, neighbouring properties and the surrounding area. It would also be of a scale and massing, and proximity to neighbouring properties which would, in the context of the surrounding area, result in a cramped, overbearing and oppressive form of development. The shortfall in internal living space in relation to the first floor flat adds further weight to my conclusion that the proposal would not represent the high-quality design sought by the RLP.
23. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be refused.

Graeme Robbie

INSPECTOR