



Appeal Decision

Site visit made on 4 May 2021

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2021

Appeal Ref: APP/W5780/W/20/3260919

Land at the rear of 71 Glenham Road, Gants Hill, IG2 6SF

- 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 S Jindal against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 1693/20, dated 14 June 2020, was refused by notice dated 7 August 2020.
 - The development proposed is demolition of garage and erection of one bedroom bungalow.
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Procedural Matters

1. The Council amended the description to "Demolish outbuilding and erection of one bedroomed detached bungalow with associated car parking, waste/refuse storage and amenity space." This more accurately describes the proposal.
2. Since the appeal was lodged the relevant policies of the development plan have changed in that The London Plan 2021 (LP2021) was adopted in March 2021. I therefore refer to the relevant policies of that new plan.

Decision

3. The appeal is dismissed.

Main Issues

4. The main issues are (a) the effect on the character and appearance of the area, (b) whether adequate private amenity space would be provided and maintained for future and existing occupants, (c) the effect on living conditions of the occupiers of the adjoining property, (d) the effect on highway safety, and (e) the impact on the Epping Forest Special Area of Conservation (SAC).

Reasons

5. The appeal site comprises an end of terrace residential property located on the corner of Glenham Road and Ashurst Drive. The side boundary of the rear garden runs along Ashurst Drive and at the far end is a single detached garage set back behind a pair of gates. The immediate area is characterised by rows of two storey terraced dwellings with 'back to back' rear garden areas.

Character and appearance

6. The proposed dwelling would be located at the end of the garden area of the host dwelling with a frontage onto Ashurst Drive. It would be sited within an area predominantly characterised by the open rear garden areas between the

rows of terraced properties along Glenham Drive and Icknield Drive to the north. There are a number of outbuildings sited within these garden areas. Number 72 Icknield Drive adjoins the appeal site to the north, with an electricity sub-station located between the two sites. It also has a large single storey outbuilding at the end of its garden, adjoining the sub-station, and with its side elevation abutting the pavement edge.

7. The proposed bungalow would occupy a similar location to other outbuildings in the locality, being at the end of the garden. However, whilst its overall height would also reflect those within the area, it would be noticeably larger, extending right up to all site boundaries, including a long blank elevation onto Ashurst Drive. The associated features such as the gate, parking area and small garden, would clearly identify its use as a separate independent dwelling.
8. Therefore, whilst it would have a subservient appearance in terms of its height I consider that it would appear as an incongruous building, as it would be clear that it was not an ancillary building to the main house. In addition, having regard to the nature of its use, its size and siting, it would be at odds with the general pattern of development in the immediate locality as described above.
9. I therefore find that it would not be sympathetic to the established character of the area and would thereby be contrary to LP2021 Policy D3 and policy LP26 of the Redbridge Local Plan 2015-2030 (2018) (LP) which whilst seeking to optimise the use of land through a design led approach to determine the most appropriate form of development, it should respond to site context and respect local character and the layout of buildings and surrounding streets.

Private amenity space

10. The proposed dwelling would have a usable amenity space of 32 sq.m. which is below the 50sq.m. required by LP policy LP29. The appellant suggests that it would be 51 sq.m. but this relates to the curtilage area which includes the parking and bin storage areas. It would also be overlooked from first floor windows of the host dwelling at relatively close proximity. Furthermore, the rear garden for the existing dwelling would be significantly reduced in size and I note that the submitted plans do not appear to show a rear extension that has been built at the property which I saw at the time of my site visit.
11. Therefore, overall I find that the private amenity space provided for the proposed residential unit and that remaining for the existing dwelling would be inadequate. As a result, the proposal would conflict with LP Policies LP26 and LP29 which seek high standards of quality for housing including adequate external amenity space for all dwellings.

Living conditions

12. The proposed new dwelling would be sited right on the side boundary with the rear garden of No. 69 Glenham Drive. This would introduce a relatively high wall on the boundary with hipped roof above, of significant scale though of an overall height that is similar to that which could be erected under permitted development rights. However, it would directly affect only the rearmost part of the garden. In addition, the proposed dwelling would be sited to the south-east therefore it would not affect sunlight for the majority of the day.
13. I therefore find that the proposal would not have a significantly harmful effect on the living conditions of the occupiers of this adjoining property and as such

would accord with LP2021 Policies D3 and D6 and LP Policy 26 which seek high quality development that optimises capacity through a design-led approach, responds to site context and respects the amenity of surrounding residents. For these reasons it also satisfies the London Plan Housing SPG.

Highway Safety

14. The proposed dwelling would be served by a single car parking space which would be accessed off Ashurst Drive. In my view this would be adequate to serve the modest one bed dwelling proposed. However, the proposed layout plan does not show the necessary pedestrian vision splays that would be required to provide minimum driver visibility and thus safety for pedestrians. However, it seems to me that the plan could be amended to provide for such necessary splays and this could be secured via suitable condition.
15. In these circumstances there would be no conflict with LP policy LP23 and the Framework which seeks to ensure that development is served by a safe access.

Impact on the Epping Forest SAC

16. The site lies within the Zone of Influence of the Epping Forest SAC and as such the proposed new residential unit has the potential to adversely impact on the area due to the influence of the new residents. A suitable enhancement scheme has been put in place by the Council towards which developments can contribute in order to offset the impacts that they have.
17. The proposal does not include any provision for such a contribution to be made and would not therefore secure suitable mitigation to offset its impacts. It would thereby be contrary to LP policy LP39 which seeks the protection and enhancement of existing sites of biodiversity value by supporting proposals that improve access, connectivity and the creation of new habitats.

Other Matters

18. The proposals would provide an additional small residential unit that would make a limited contribution to the supply of housing. The appellant has referred to the Council's failure to reach its targets in respect of the Housing Delivery Test and that policy in the National Planning Policy Framework (the Framework) also seeks to achieve optimum use of land. Whilst the provision of additional housing is encouraged by relevant policies of the LP2021 and LP, relevant policies also seek to ensure that such units are of high quality, particularly in terms of the living environments provided, and that they are sympathetic to local character. The appellant also refers to the proposal as being effective use of brownfield land. However, the definition within Annex 1 to the Framework states that residential garden land in built up areas does not fall within this definition.
19. Overall, I do not consider that the benefits arising in this regard are sufficient to outweigh the identified harms.

Conclusions

20. I therefore conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR