



Appeal Decision

Site Visit made on 7 September 2021

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 OCTOBER 2021

Appeal Ref: APP/W5780/W/21/3267128

14 Purley Close, Clayhall, Ilford IG5 0TP

- 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 Michael Burns (Franklie Properties Ltd) against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2080/20, dated 21 July 2020, was refused by notice dated 25 September 2020.
 - The development proposed was originally described as 'Demolition of garage, erection of a new dwelling and alterations to existing dwelling at 14 Purley Close, Clayhall, Ilford IG5 0TP.'
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since determination of the application, the new London Plan was adopted on 2 March 2021 and the revised National Planning Policy Framework (the Framework) was published on 20 July 2021. The main parties have been provided with the opportunity to comment on the relevance to their respective cases of these revisions to local and national policy.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the area;
 - The effect on living conditions of neighbouring occupants, with respect to privacy, noise and disturbance;
 - Whether the proposal would provide satisfactory living conditions for occupants of the proposed dwelling in terms of the standard of internal space, and occupants of the existing dwelling at No 14 in terms of the provision of private external space;
 - Whether the proposal would provide acceptable levels of off-street parking and cycle storage.

Reasons

Character and appearance

4. The appeal site is a semi-detached dwelling. It stands at the end of a residential cul-de-sac which has three similar pairs surrounding the turning head. These dwellings have been subject to various extensions to the side, some substantial in size, which have altered the scale and symmetry of the

pairs. Within this context, the proposed extension would be similar in scale and form to the extension at No 14. It would sit behind the existing front building line which would preserve the form and primacy of the main front gable, which forms the main remaining element of symmetry within each pair.

5. However, unlike the other pairs, the proposal would sub-divide the dwelling into two residential units. The split nature of the site would be apparent from the additional front door that would be side-facing towards No 16 but would still be visible from the cul-de-sac. Moreover, the front drive would be split into two narrow spaces which would need to accommodate parking demand for two separate dwellings and may result in an increase in cars being parked on or in front of the site. The rear garden would also be sub-divided, leaving the original dwelling at No 14 with a garden markedly smaller in size relative to neighbouring properties. These factors together would create an impression of development being squeezed onto the site in a cramped and contrived manner, at odds with the spacious plot sizes and dwellings which characterise the head of the cul-de-sac and surrounding area.
6. For these reasons, I find that the proposal would fail to preserve the character and appearance of the area, and would conflict with Policy LP26 of the Redbridge Local Plan 2015-2030 (March 2018) (the Local Plan) which requires development of the highest architectural quality which is well integrated and has regard to the local character of the area, in terms of layout, form, style, massing, scale, density, orientation, materials and design.

Neighbours' Living Conditions

7. The extension would replace an existing single storey garage which stands adjacent to No 16, which itself has extended significantly to the side and has a large, detached garage on the common boundary. The extension would be visible from the front windows of No 16, but would be offset to the side of the vista down the cul-de-sac, and would not significantly affect the outlook enjoyed by neighbouring occupants to the front. Moreover, the physical separation provided by the neighbouring garage means the extension would have little effect on the outlook from the rear garden of No 16.
8. The Council accepts that the proposal would not have a significant adverse effect on neighbours in terms of light, and given the orientation of the buildings, and the existing massing of No 14, I would agree.
9. For these reasons, I conclude that the proposal would not lead to harm in respect of neighbours' living conditions, and no conflict would arise with Policies LP26 and LP29 of the Local Plan which together seek to deliver appropriate outlook, privacy and amenity for neighbours.

Standard of Accommodation

10. The additional dwelling would be a two-bedroom, four-person unit, which at 85 sqm would meet the London Plan standard of 79 sqm for such a dwelling. The bedrooms would also meet the relevant size standard. The Council points out that the plans do not show whether the floor-to-ceiling heights would meet the London Plan standard of 2.5m across 75% of the internal floor space. The appellant has subsequently stated that the ceilings would be 2.3 metres high. This would accord with the requirements of Policy LP29 which refers to the Nationally Described Space Standards, but not the new London Plan standard.

As the more recently adopted policy, I afford more weight to the London Plan requirement. However, the shortfall in this case would be modest, and likely influenced by the existing floor-to-ceiling heights of the dwelling. I am satisfied that the ceiling heights would not be so low as to lead to oppressive internal spaces for future occupants.

11. The garden of the existing dwelling would be sub-divided. The proposed dwelling would have the larger garden at some 106 sqm, well above the required 50 sqm for a 1-2 bedroom dwelling set out under Policy LP29. However, the existing dwelling would have a reduced garden of just 32.5 sqm, based on the Council's figures which are not disputed by the appellant. This would be a significant shortfall against the policy requirement and would result in a cramped garden space considerably smaller than neighbouring properties which would fail to provide adequate external space for the retained dwelling. Whilst the appellant points to the accessibility of public open space nearby, this would not mitigate for a lack of sufficient private space which is valuable for occupants as a place for private relaxation, storage, clothes drying and as a secure space for children.
12. Therefore, I conclude that the proposal would fail to provide satisfactory living conditions for future occupants of No 14, in conflict with Policies LP26 and LP29 of the Local Plan, which require housing developments to be of the highest quality internally and externally, to provide sufficient external private space and to meet relevant internal space standards.

Parking and Cycle Storage Provision

13. The appeal site has a very low PTAL rating of 1b, indicating poor access to public transport. Consequently, Policy LP23 of the Local Plan requires that 1 parking space per dwelling is provided. The Council indicates that the space that would be created for the retained dwelling at No 14 would be too short and would fail to meet the relevant size requirements for a parking space.
14. The appellant argues that the existing driveway is long established as a parking space and the site is not in a controlled parking zone which indicates parking stress is not an issue. I accept that parking did not appear heavy at my visit, albeit that was a snapshot on a single day. However, this appeared to be mainly due to the fact that dwellings on Purley Close have generous front drives capable of accommodating two or more vehicles, thus reducing the need for on-street parking.
15. Despite the short depth of the drive in front of the bow window, the existing dwelling appeared to me capable of accommodating two vehicles if parked at angles. The separation of the drive, if achieved by a physical barrier, would negate the possibility of parking at an angle to overcome the short depth of the drive. As a result, the space would only accommodate small vehicles or would result in longer vehicles overhanging the footway. I accept, however, that at the head of the cul-de-sac traffic would be confined to vehicles parking on or leaving neighbouring drives or turning round. Either way, the open layout of the property frontages around the turning head provides good visibility and I am satisfied that any small overhang of a vehicle would not cause significant hazard to other vehicles or pedestrians. The drive to the proposed dwelling would be longer and appears capable of providing a standard parking space.

16. Consequently, I am satisfied that the proposal would be capable of providing off-street parking in line with the requirements of Policy LP23, and no adverse effect on parking or highway safety would result.
17. The other matter raised relates to the provision of secure cycle storage, as required by Policy T5 of the London Plan (formerly Policy 6.9). I am not provided with details of the required amount of cycle parking, but there would be ample space within the site of the proposed dwelling to accommodate secure cycle storage. Were the appeal to succeed, this is a matter that could adequately be dealt with by condition. Therefore, I find no conflict with Policy T5 of the London Plan or Policies LP22 and LP23 of the Local Plan, which together seek to promote sustainable transport through provision of suitable cycle parking facilities within new development.

Other Matters

Effect on Epping Forest SAC

18. The appeal site falls within the 'Zone of Influence' for the Epping Forest Special Area of Conservation (SAC). The SAC is designated for the presence of several qualifying habitats and species. The conservation objectives of the SAC are to ensure that the integrity of the site is maintained or restored as appropriate and that the site contributes to achieving the favourable conservation status of its qualifying features. As the competent authority at the appeal stage, I have a statutory duty to ensure that the integrity of this area is not harmed.
19. The limited evidence before me indicates that the Council, on the advice of Natural England (NE), has in place a scheme for mitigating the impacts on the integrity of the SAC by securing financial contributions in the amount of £30 per dwelling, plus a monitoring fee of £90. However, details of this scheme or the NE advice are not before me and thus I am unable to determine whether this would be satisfactory to mitigate any adverse impacts on the integrity of the SAC. Moreover, no mechanism, such as a planning obligation, has been put forward by the appellant to secure any mitigation.
20. However, my findings on the other main issues suggest that the circumstances that could have led to the granting of planning permission are not present. Therefore, it is not necessary for me to ascertain the appropriateness and delivery of the mitigation within an Appropriate Assessment. Consequently, I have not taken this matter further.

Other Nearby Development

21. The appellant requested that I observe a nearby development as part of the site visit. However, whilst my visit took in adjacent streets, I have not been provided with any detailed evidence of another development to enable me to compare it to the appeal scheme before me. Moreover, I saw the built form to differ on other streets and was not directly comparable to that surrounding the appeal site. Therefore, I afford limited weight to these considerations and have determined this appeal on its own merits.

Planning Balance

22. I have found that the proposal would cause harm to the character and appearance of the area, and would have adverse effects on future occupants'

living conditions, resulting in conflict with the development plan, taken as a whole, to which I afford significant weight.

23. The proposal would deliver the benefit of an additional dwelling to the Borough's housing stock, along with economic benefits from construction and future expenditure by occupants in the local area. However, given the small scale of the proposal, such benefits would be limited and taken together would not amount to material considerations which would outweigh the harm I have identified and consequent conflict with the development plan.

Conclusion

24. Therefore, for the reasons given, the appeal is dismissed.

K. Savage

INSPECTOR