



Appeal Decision

Site Visit made on 2 November 2021

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2021

Appeal Ref: APP/W5780/W/21/3267985

855 Cranbrook Road, Ilford IG6 1JE

- 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 Singh, AKAL (LDN) Ltd against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 1238/20, dated 22 April 2020, was refused by notice dated 31 July 2020.
 - The development proposed is demolition of existing property and construction of 6 new dwelling houses, with associated landscaping and car parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Although expressed differently within the Council's evidence, neither of the main parties has provided written confirmation that a revised description of development from that entered on the original application form has been agreed. I have therefore used this description in the banner heading above.
3. Since the determination of the planning application, the London Plan 2021 was published. Neither party referred me to any of its policies as an emerging plan, although Policy 3.5 of the previous version of the London Plan from 2016 is cited in the Council's second reason for refusal. This Policy has now been superseded. However, it is not critical to my decision, and therefore I have not found it necessary to refer to this policy further.

Main Issues

4. The main issues are (i) the effect of the proposal on the character and appearance of the area; and (ii) whether or not living conditions for future occupiers of the development would be acceptable with particular regard to outlook, light and the provision of external private amenity space.

Reasons

Character and Appearance

5. The appeal site is in a prominent corner position at the junction of Brandville Gardens with Cranbrook Road. It includes a detached dwelling on a large plot that the appeal proposes would be replaced by a terrace of 4 dwellings fronting Cranbrook Road ('Houses 1-4'), and a semi-detached pair of dwellings fronting Brandville Gardens ('Houses A and B').

6. Brandville Gardens is predominantly characterised by similar semi-detached and terraced dwellings which are arranged on strong building lines, set back from the street and with reasonably long gardens to their rear that are appreciable in views between buildings. There is more variety in the form, scale and appearance of buildings on Cranbrook Road with a mix of flats, semi-detached and detached properties as well as some non residential buildings in the vicinity of the site. Nevertheless, these buildings generally sit on relatively large plots commensurate to their size. As a result, there is a fairly spacious setting to the buildings on both Brandville Gardens and Cranbrook Road which I consider contributes positively to the character and appearance of the area.
7. The proposed dwellings would each have a garden to the rear, but these would be of limited depth relative to the buildings, and would be particularly shallow in the case of Houses A and B. The appellant suggests that there are similarly-sized gardens to other properties in the area, but I have not been provided with any detailed assessment of comparative sizes to substantiate this assertion. In any event, while I accept that there is some variation in the size and shape of gardens nearby, the proposed gardens would still be of uncharacteristically limited depth, and I have not been directed to examples of dwellings with similarly tight relationships with their boundaries, especially those to their rear. The subdivision of space to the rear of the dwellings into discrete plots would additionally distinguish the development from nearby buildings served by communal space where I saw that relatively large unbroken open areas offer a notably more spacious environment overall to balance the buildings than would be the case on the appeal site.
8. The scale and layout of the tight plots against the relatively large size of the dwellings would be clearly apparent from the street scene, and in my view would give rise to an unduly cramped appearance at odds with the prevailing generous settings of the nearby properties. This would undermine the spacious character of the surrounding area.
9. The Council's assessment indicates that the design of the dwellings would be acceptable having regard to their height, building lines, elevations and fenestration in relation to the existing dwelling and nearby properties. From my visit and the evidence before me, I see no reason to take a different view. Nevertheless, for the reasons above, I conclude on this main issue that the proposal would be unsympathetic and unacceptably harmful to the established character and appearance of the area. It would therefore conflict with Policy LP26 of the Redbridge Local Plan 2018 which requires, amongst other things, good design and 'development that respects the local character of the area and the existing layout of buildings, open spaces and patterns of development.

Living Conditions

10. In quantitative terms, the Council advises that Houses A and B would have private amenity spaces of around 31.3 and 33sqm respectively, and that Houses 1-4 would have spaces of around 52.5 - 65.3sqm. The appellant has not challenged these figures which would all fall some way below the requirements of 50sqm for Houses A and B and 70sqm for Houses 1-4 indicated by Policy LP29 of the Local Plan. For most of the dwellings, the shortfall would be significant, and I find it would result in insufficient private

amenity space to allow for reasonable use by future occupiers for a range of activities.

11. The appellant refers to additional provision on-site of communal amenity space. However, the standards within Policy LP29 for houses are for private amenity space. In any event, the position of the indicated areas immediately adjacent to windows within the development and in direct view of passers-by on the adjacent footways, as well as their fairly limited size, would in my view significantly constrain their attractiveness and practical use such that I consider the value to future occupiers would be limited. Accordingly, I am not persuaded that these spaces would offer meaningful amenity space to supplement the private amenity space provision.
12. I note that the site is very close to Barkingside Recreation Ground, and this would enable convenient access for occupiers to alternative outdoor space in addition to that on the site. Nevertheless, as public open space, this would not provide a direct substitute for private amenity space for the exclusive enjoyment of occupiers of the dwellings to meet the needs that Policy LP29 sets out to address.
13. In addition, the kitchen and open plan living space to Houses 1-4 would be accommodated within part basement levels served by glazing at the rear that would face onto small courtyards. I acknowledge that the glazing would be double height with a void over the rear part of the kitchen/living room, but I am concerned that the orientation of the site and level of the basement partly below ground would still act to restrict light. I have had regard to the appellant's evidence including a letter referring to 'BRE Site Layout Planning for Daylight & Sunlight, 2011' guidance which suggests on the basis of a Room Depth Criteria analysis that the dimensions of the rooms and windows would not indicate concern over levels of daylight. However, there is little objective assessment to substantiate the assertion that there would be an acceptable level of sunlight, and the letter further acknowledges that detailed modelling of the site has not been undertaken. Given my concerns above, and in the absence of a detailed assessment, I am not satisfied that there is a suitably robust basis for me to be able to conclude that daylight and sunlight for Houses 1-4 would be adequate.
14. Moreover, while there can be a relationship with factors which also affect light levels, outlook is a distinct concept. Separation between the basement glazing and the facing retaining wall to the courtyard would be modest, and further retaining structures to the sides of the courtyards would be close to the edges of the glazing. The walls would not extend to the full height of the basement, but the submitted sections illustrate that they would project above a significant proportion of the basement-level glazing. In my judgement, the height and proximity of the walls would combine to substantially obscure outlook from the basement glazing, and irrespective of landscaping, painting or other treatment to the courtyards, there would be an unwelcome degree of enclosure.
15. I appreciate that the void and ground-floor glazing would allow for some views upwards, but this would be largely restricted to the rear part of the dwellings, and would not offer alternative outlook for the remainder of the kitchen/living rooms. I therefore consider that outlook for these rooms would fall short of what could reasonably be expected by future occupiers of Houses 1-4, and

given the important role of this space in the overall living accommodation, this would cause detriment to their quality of life.

16. Taking the above into account, I conclude on this main issue that living conditions for future occupiers of the development would be unacceptably harmed by the shortfall in external private amenity space, and additionally in the cases of Houses 1-4 by the lack of suitable outlook. It has further not been demonstrated that there would be adequate light for occupiers of Houses 1-4. The proposal would therefore conflict with Policies LP26 and LP29 of the Local Plan which broadly seek high standards of accommodation including through provision of internal space and external amenity space to meet the needs of occupants. It would also be contrary to the National Planning Policy Framework (the Framework) insofar as it requires a high standard of amenity for future users of development.

Other Matters

17. The Framework outlines the Government's objective to significantly boost the supply of housing, and the proposal would provide a net gain of 5 dwellings suitable for families on a previously developed site with access to local services and public transport links nearby. It would contribute to meeting targets for new housing within the Barkingside Investment and Growth Area, as well as in the borough more generally, and the increased density of development on the site would accord with recognition in both national and local planning policy of the need to make efficient use of available land.
18. However, while I give great weight to the delivery of new housing, the small scale of the proposal means that the extent of the benefit would be modest. Moreover, support for new housing within the Framework and the development plan is not unconditional and is balanced against requirements for development that integrates appropriately with its surroundings and provides suitable living conditions for future occupiers. The proposal would not achieve these objectives, and I attach significant weight to the clear harm that would result which I consider would outweigh the modest benefits of the development.
19. The Council's officer report refers to a requirement for residential development to make payment towards avoidance and mitigation of recreational impacts on the Epping Forest Special Area of Conservation. However, given the harm that I identified above and that I am dismissing the appeal for other reasons, it is not necessary for me to consider this matter any further as it could not alter my decision.

Conclusion

20. For the reasons given above, I find that the proposal would conflict with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR