
Appeal Decision

Site visit made on 22 February 2022

by Mark Philpott BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 March 2022

Appeal Ref: APP/W5780/W/21/3284051

44 Hathaway Gardens, Chadwell Heath, Romford RM6 5TL

- 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 M Khan against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3238/21, dated 29 July 2021, was refused by notice dated 23 September 2021.
 - The development proposed is described as 'demolition of garage and erection of 1x3 bedroom dwelling (amendment to planning permission: 1372/20)'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal follows the approval of planning permission at the site for a scheme involving the erection of a dwelling that includes a 2 storey rear projection and pitched and hipped roof slopes¹. The appellant has explained that the approved development has been implemented. When I visited a building was under construction at the site. However, it appears to differ from the approved drawings as it features a partly gabled end, a rear projection with a flat roof, a roof dormer and altered fenestration. The building appears to reflect the drawings for the appeal proposal more closely, but it also features a double storey front bay and fenestration that do not accord with those drawings. The roof of the original house at No 44 has now also been altered and has a rear dormer. I have therefore determined the appeal based on the proposal shown on the drawings and not the development under construction.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The site is located adjacent to a junction between Hathaway Gardens and Tolworth Gardens. The drawings show that, prior to the commencement of the development on site, No 44 comprised an end of terrace property with a hipped roof. The property at the other end of the terrace retains a hipped roof. Setting aside the building under construction, each of the dwellings within the terrace have similar features, including double storey front bays and oriel style first

¹ Council references: 1372/20; 0543/21

floor windows, and have a consistent appearance. There are many properties in the vicinity with comparable features to the terrace. Notably, the majority of end of terrace properties also have hipped roofs. Other house types including modern development are evident nearby and properties have been altered such that there is some variety in the area but, overall, it has a cohesive character.

5. The proposed dwelling would be positioned close to the junction and be highly visible on approach from both Hathaway Gardens and Tolworth Gardens. The rear flat roofed projection would appear as a large and incongruous feature that would conflict with the pitched and hipped roof designs of the other properties in the terrace. It would also be discordant with nearby properties which have similar features to the terrace. The roof dormer would extend across most of the roof slope and appear cramped and awkward above the rear projection. Additionally, the partly gabled end of the development would contrast poorly with the hipped roof at the other end of the terrace. In combination, these elements would unbalance and detract from the consistent appearance of the rest of the terrace. Overall, the development would appear as an obvious and harmful addition to the terrace and have a dominating and negative impact on the streetscene.
6. The appellant contends that similar development has been constructed in the area, but no specific examples have been provided. Whilst I saw flat roofed 2 storey projections to the sides of properties in the locality, none project from the rear of a terrace in a comparable manner to the proposal or occupy such a prominent location. Although hip-to-gable extensions and gabled ends are evident in the vicinity, these are also not comparable with the proposal as the wall of its partly gabled end would be attached to the side wall of the flat roofed rear projection. Whilst rear dormers are also apparent nearby, the proposed one is an integral part of the scheme and would be harmful in combination with the other elements of the development as identified.
7. The proposal would harm the character and appearance of the area substantially. It conflicts with Policy LP26 of the Redbridge Local Plan, Policy D3 of the London Plan and Chapter 12 of the National Planning Policy Framework (Framework) which, amongst other things, require that development is of high quality design and respects local character.

Other Matters

8. The evidence indicates that the presumption in favour of sustainable development, as set out at paragraph 11(d) of the Framework, is applicable due to the Council's Housing Delivery Test results, but the latest results from 14 January 2022 show that the presumption no longer applies. However, the Greater London Authority has indicated that those results may have been influenced by data errors². Based on corrections made following the publication of the results, the Council's delivery of housing is currently substantially below its housing requirement in the terms of footnote 8 of the Framework. The corrected figures are similar to the previous results published on 19 January 2021. Additionally, it is not clear from the evidence whether the Council can demonstrate a 5 year supply of deliverable housing sites.
9. The proposal would contribute to the supply and delivery of housing in the borough. The appellant also puts forward that the site is in an accessible

² www.london.gov.uk/what-we-do/planning/digital-planning/housing-delivery-test-london-2020-21

location. Additionally, I note that the development plan and the Framework seek to significantly boost housing supply, highlight that small sites can make important contributions to housing requirements, and encourage the efficient use of land. Nevertheless, as a result of the small amount of housing proposed, the benefits indicating in favour of the development are modest. Conversely, the harm to the character and appearance of the area would be substantial.

10. Therefore, even if the Council's housing delivery is as indicated by the Greater London Authority and the presumption at paragraph 11(d) of the Framework were applicable due to housing supply or delivery issues, the adverse impacts of the development significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As such, the Framework does not indicate in favour of the development in any case.

Conclusion

11. For the above reasons, the proposal conflicts with the development plan as a whole. Material considerations do not outweigh the proposal's conflict with the development plan. Accordingly, the appeal should be dismissed.

Mark Philpott

INSPECTOR