



Appeal Decision

Site visit made on 28 February 2022

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 April 2022

Appeal Ref: APP/W5780/D/21/3289774
20 Abbotsford Road, Ilford IG3 9SL

- 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 and Mrs A Khan against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 4249/21, dated 14 October 2021, was refused by notice dated 3 December 2021.
 - The proposed development is a rear detached outbuilding.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on (a) the character and appearance of the host property and wider area and (b) trees.

Reasons

3. The appeal site comprises a semi-detached property, which at the time of my site visit was undergoing refurbishment and extension, located in a residential area characterised by similar properties laid out in a grid pattern. The proposed outbuilding would be sited at the far end of the rear garden, adjoining the boundary with the property to the rear (south) in Kilmartin Road and right up to both side boundaries with properties either side in Abbotsford Road. It would have a parapet roof to a height of around 3 metres on all boundaries with pitched roof set within and gable front feature.

Character and appearance

4. The Council's Housing Design SPD (2019) seeks to ensure that outbuildings do not impact on the open character of gardens and to that end states that outbuildings should have an eaves height of no more than 3 metres for flat roofs and 2.5 metres for pitched roofs and the footprint size of the outbuilding should be subordinate to the original footprint of the house and rear garden.
5. The appeal site has a fairly substantial rear garden such that the overall footprint size of the outbuilding, whilst substantial, would, in my view, remain proportionate. However, whilst there are a number of outbuildings within the garden areas of properties surrounding the appeal site, there did not appear to be any that incorporated both high eaves and pitched roof.
6. I consider that the overall height and design of the building, with the use of parapet roof and pitch roof within, would serve to emphasise the size and scale

of the building which would be readily seen above the boundary fences within this rear garden setting. Indeed, the fence between the appeal site and the adjoining property No. 18 is quite low and the proposed building would be readily apparent, being sited right up to the boundary to a depth of approximately 7.6 metres. For these reasons the building would not appear subordinate but would be a dominating feature in the otherwise open rear garden area of the property and within its surroundings.

7. The appellant explains that the high parapet roof would 'contain' roof rainwater so as to minimise the need to access neighbouring land for maintenance. However, access for maintenance could be achieved by setting the building in from the boundaries whilst still retaining a reasonable garden area. I am therefore not convinced that these factors provide justification for a building that, overall, would be unduly large and dominating.
8. I therefore find that the proposed outbuilding would have a harmful impact on the character and appearance of the host property and wider area, in conflict with Policies LP26 and LP30 of the Redbridge Local Plan 2015-2030 (2018) (RLP) which seek high quality design that respects local character, is well integrated with the local area and is subordinate to the existing dwelling. For these reasons the proposal would also fail to satisfy the guidance in the SPD.

Impact on trees

9. There are a number of trees within the garden area of the adjoining property to the rear of the appeal site close to the common boundary and the proposed siting of the outbuilding. The position, canopy spread and root protection areas of these trees is not indicated on the submitted plans. However, given their proximity to the boundary it is likely that the roots of the trees encroach within the area of the proposed outbuilding and I saw that some of the branches overhang the boundary, though recent pruning appeared to have taken place.
10. The Appellant has not provided any assessment of the impact of the development on these trees which although not covered by a Tree Preservation Order, nevertheless make a positive contribution to the area, contributing to amenity and providing valuable screening. As acknowledged by the Appellant, the building could potentially impact on the root systems, at least partly, albeit he suggests that suitable foundation detail could be agreed.
11. However, in the above circumstances, it is not possible to agree to the siting of the building as any risk to the trees cannot be properly assessed. I therefore find that, in the absence of such information, the proposal could result in further harm to the character of the area, in conflict with RLP Policy LP38 and Policy G7 of the London Plan which seek to ensure that trees that contribute to the amenity of an area are not adversely affected.

Conclusions

12. The Appellant has referred to the possibility of erecting a similar building under permitted development rights. However, in the absence of a formal certificate to confirm this I can give this matter only little weight. I therefore conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR