

Appeal Decision

Site visit made on 9 December 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 December 2022

Appeal Ref: APP/W5780/D/22/3306132

6 Little Heath, Chadwell Heath, Romford, RM6 4XX

- 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 Sukhjinder Singh against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2125/22, dated 30 June 2022, was refused by notice dated 23 August 2022.
 - The development proposed is a proposed dropped kerb at 5 & 6 Little Heath and remove boundary wall.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The site address is taken from the application form. The Council's decision notice notes that the location of the proposed development is at "5 and 6 Little Heath" and the description of development, taken from the application form, also notes the location of the proposed development. Further, the relevant site plan shows that the proposal relates to Numbers 5 and 6 Little Heath.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of Little Heath Conservation Area, including its effect on trees.

Reasons

4. Numbers 5 and 6 Little Heath comprise two two-storey semi-detached dwellings, each attached to other dwellings and separated from one another by narrow pathways and shared boundaries.
 5. Nos 5 and 6 are located in a largely residential area, albeit close to a college, along Little Heath, a short street of two-storey detached and semi-detached dwellings. Like other dwellings along the street, Nos 5 and 6 are set back behind short garden areas, but whilst some dwellings along Little Heath have driveways with vehicular access to the road, Nos 5 and 6 are separated from the road by a footpath and a large grass verge containing trees.
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6. Little Heath is located within Little Heath Conservation Area, which in this location reflects the early rural character of the area through the presence of a large village green, located beyond the grass verge fronting Nos 5 and 6, and by the presence of a number of period, cottage-type dwellings.
7. The grass verge, trees, the village green and the presence of garden-fronted cottages with larger gardens to the rear contributes a significant sense of greenery, openness and spaciousness to Little Heath Conservation Area. Period features, including remnant low garden walls, attractive brickwork, chimneys and occasional sash windows provide for a distinct sense of history.
8. The proposed development would involve the partial demolition of a low wall in front of Number 6 Little Heath and the creation of a driveway, cutting directly across the grass verge fronting the two dwellings. The proposed driveway would be located directly between existing trees within the grass verge.
9. During my site visit, I noted that the presence of low walls to the front of No 6 and its adjoining neighbour, Number 7 Little Heath, appear as attractive and distinctive features. Further, their location behind an expanse of grass verge leads them to appear widely visible in their surroundings.
10. The proposed partial demolition of the low wall to the front of No 6 would drastically reduce the totality of the remaining low walls along Little Heath, to the detriment of the distinctive character of Little Heath Conservation Area.
11. The grass verge in front of Nos 5 and 6 comprises a highly attractive feature, contributing a strong sense of greenery and openness and providing an attractive and characterful setting to the dwellings beyond. During my site visit, I observed that disruption to the continuity of the verge by existing driveways detracts considerably from the verge's positive contribution to the Little Heath Conservation Area.
12. The proposed driveway would cut a swathe across the grass verge and would connect a new parking area in front of Nos 5 and 6 with the road located to the other side of the grass verge. In so doing, the proposal would severely erode the grass verge's green and characterful qualities. An attractive area of greenery would be reduced in size and the pleasant green and historic setting of the adjacent cottages would be lost and replaced by a long driveway.
13. In addition to the above, the proposed driveway would be located between and close to a number of trees within the grass verge. The proposed driveway appears to be located directly above areas where the roots of the trees are likely to be located. No substantive information has been provided to demonstrate where the roots of trees are located, or how they would – or whether they could – be protected as part of the proposed development. Consequently, I am unable to conclude that the proposed development would provide for the ongoing protection of the trees.
14. As noted above, trees make an important contribution to the Little Heath Conservation Area and I am mindful that the loss of trees within the grass verge would result in significant harm to local character.
15. Taking all of the above into account, I conclude that the proposed development would fail to conserve the appearance of Little Heath Conservation Area.

16. Having regard to paragraph 202 of the National Planning Policy Framework (the Framework) and to Planning Practice Guidance, I consider that the harm to the character and appearance of Little Heath Conservation Area would be less than substantial. This needs to be balanced against any public benefits the development may bring.
17. In this respect, whilst I recognise that the proposal would provide for off-road parking to the benefit of the occupiers of Nos 5 and 6, there is no evidence to demonstrate that there are any benefits that would amount to such public benefits that they would outweigh the harm identified.
18. The proposal would fail to conserve the character and appearance of Little Heath Conservation Area contrary to the National Planning Policy Framework; to London Plan (2021) Policy HC1; and to Local Plan¹ Policies LP33 and LP38, which together amongst other things, seek to protect local character.

Conclusion

19. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

¹ Reference: Redbridge Local Plan 2015-2030 (2018).