



Appeal Decision

Site visit made on 8 August 2023

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 September 2023

Appeal Ref: APP/W5780/W/23/3314471

100A Swancrest Court, Horn Lane, Woodford Green, Redbridge IG8 9AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Cavendish Portman Ltd against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3637/22, dated 8 November 2022, was refused by notice dated 14 December 2022.
 - The development proposed is two-storey upward extension above the existing three storey building to create four new residential self-contained flats.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) permits development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the existing topmost residential storey on a building which is a purpose-built, detached block of flats.
3. Development is not permitted by Class A if there is conflict with any of the limitations set out in paragraph A.1, or if it fails to comply with the conditions set out at paragraph A.2. No conflict with paragraph A.1 was identified by the Council, and I see no reason to disagree with this conclusion. The Council refused prior approval only in respect of one matter set out at paragraph A.2, that is (e), the external appearance of the building. As before, I have no substantive evidence to dispute the Council's conclusions in respect of the other sub-sections of paragraph A.2.
4. Therefore, the main issue is whether prior approval should be granted having regard to the effect of the proposal on the character and appearance of the area, including the appeal property.

Reasons

5. The appeal site accommodates a relatively modern detached three storey block of flats, located at the junction of Horn Lane with Shenfield Road. The surrounding area is characterised by mainly two-storey terraced and semi-detached dwellings, albeit nearby the appeal site on Shenfield Road is a shop with accommodation above and a three-storey modern development. The general consistency of comparable eaves and ridge lines of the dwellings is

obvious in views along Horn Lane and Shenfield Road from both directions. There is therefore an overall regularity of size and scale which contributes to a harmonious character and appearance.

6. Although three storeys, the appeal property has a flat roof and its set back position within the appeal site ensures it is not prominent within the more traditional and regular pattern of development along the surrounding streets. The proposed increase in height to five storeys would make the appeal property much taller than any other building in the street scene which would be particularly apparent next to the neighbouring dwellings.
7. The proposed development would create a jarring and discordant change in height which would be harmfully at odds with the appearance of neighbouring dwellings and its immediate surroundings. Furthermore, the additional storeys would result in a bulky, imposing development in this prominent corner location. The proposed development would replicate the external appearance of the existing block with matching external materials and glazing. However, this would not be sufficient to offset the greater height of the building and its incongruous scale in this setting.
8. The appellant has drawn my attention to taller buildings elsewhere in Redbridge in support of their appeal as 'standouts' in their own context. However, I have been provided with little information about their setting and context, including when they were granted permission and from the information that has been provided the immediate areas appear to differ from the generally suburban, intimate scale of development around the appeal site. I therefore give limited weight to these examples. Moreover, case law has confirmed that the control of the external appearance of buildings through the prior approval process is not limited to impact on the subject property itself, but also includes impact on neighbouring premises and the locality.
9. To conclude, the proposed development would not be consistent with the prevailing height and form of the specific street scene and would be unduly harmful to the character and appearance of the area and appeal property, so would fail to comply with Condition A.2.(1)(e) of Part 20, Class A of the GPDO.
10. The proposal would conflict with Policy LP26 of the Redbridge Local Plan 2015-2030 in so far as it is material to my considerations, which requires high quality design in all development that is well integrated, respects the local character of the area and has regard to and respect for the surrounding area in terms of scale and massing. This further supports my conclusion that the external appearance of the proposed development on the character and appearance of the area and the appeal property would not be acceptable. I also find that the proposal would be contrary to guidance within the National Planning Policy Framework, which seeks to achieve well-designed places.

Other Matters

11. The proposed development would make efficient use of the site in proximity to an investment and growth area, would deliver high quality homes which are needed in the area, and includes sustainable urban drainage features. I also acknowledge that the proposal has sought to address the Council's concerns regarding a previous application at the site. Nevertheless, I have found the proposal would be unacceptable and do not consider the harm would be outweighed by these other considerations.

12. Similarly, the proposal would meet national space standards, would not have an unacceptable effect on neighbouring occupiers living conditions and has been designed to maximise solar gain and passive cooling. However, policy compliance on these matters and compliance with other conditions set out at paragraph A.2 of the GDPO would be a neutral factor and would weigh neither for, nor against the development.

Conclusion

13. For the above reasons, and taking account of all other matters raised, I conclude that the appeal is dismissed.

F Harrison

INSPECTOR