
Appeal Decision

Site visit made on 25 June 2019

by K Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 July 2019

Appeal Ref: APP/B5480/W/19/3225950

Rear of 1 & 1A Aveley Road, Romford, Essex

- 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 R Kingsley against the decision of the Council of the London Borough of Havering.
 - The application Ref P1193.18, dated 30 July 2018, was refused by notice dated 5 December 2018.
 - The development proposed is described as '1 bedroom, 2 person detached house built at the rear of 1 & 1A Aveley Road and fronting Ingrave Road.'
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The site address postcode given on the application form is incorrect as it relates to a separate street in Romford over one mile away. I have therefore omitted it from the address in the header above.
3. On 19 February 2019, the Government published an update to the National Planning Policy Framework (the Framework). This update does not materially alter the national policy approach in respect of the issues raised in this appeal and therefore the main parties have not been prejudiced by its publication.

Main Issues

4. The main issues in this case are the effect of the proposal on the character and appearance of the area and the effect of the proposal on the living conditions of neighbouring occupants, in particular with respect to outlook and enclosure.

Reasons

Character and appearance

5. The Council does not oppose the design or materials of the proposed dwelling, which are simple and reflect the surroundings, but objects to the siting of the dwelling within the rear gardens of existing properties and the resulting effect on the layout and character of the area.
6. The properties at 1 and 1A Aveley Road form the end properties of a uniform terrace, modest in scale with short rear gardens. The site of the proposed dwelling would be taken from the rear gardens of both properties. At present,

part of this area is fenced off from the rear gardens and contains mature trees, which would need to be removed to facilitate the development.

7. The proposed dwelling would stand by itself between the linear rows of properties on Aveley Road and North Street. I saw that, with the exception of the Christian Centre between Aveley Road and Dunton Road, no properties directly address Ingrave Road. As a result, the proposal would appear as an isolated and conspicuous building in the street, creating a frontage where there presently is none. The tall, narrow shape of the dwelling itself, and visibility of its side elevations from both sides, would add to its discordant presence in the street scene. Moreover, the dwelling would stand close to the neighbouring properties, further shortening their already modest rear gardens, resulting in an unduly cramped form of development at odds with the surroundings.
8. For these reasons, the proposal would harm the character and appearance of the area. There would be conflict with Policies CP17 and DC61 of the Core Strategy and Development Control Policies Development Plan Document (2008) (the Core Strategy) which require development to maintain, enhance or improved the character and appearance of the local area. There would also be conflict with the Framework which states at Paragraph 127 that development should function well and add to the overall quality of the area, and be sympathetic to local character, including the surrounding built environment.

Living Conditions

9. The unrelieved side elevation of the proposed dwelling would face the rear elevation of 1A Aveley Road. Although the rear garden is well enclosed at present by mature trees and hedging, this is a natural form of enclosure which light can penetrate, particularly in winter, and can be managed to improve outlook or reduce the sense of enclosure. This would be replaced by a solid, blank wall of between 4.65m and 7.125m high directly facing the rear doors and windows of 1A Aveley Road, which would permanently and unduly restrict the outlook of neighbouring occupants and create an overbearing and enclosing effect within the rear garden.
10. Although the direct rearward views from within 1 Aveley Road would mainly take in the proposed rear garden, the massing of the proposed dwelling would be no less prominent from within this property or its garden due to its proximity, resulting in a similarly harmful overbearing and enclosing effect.
11. Therefore, the proposal would harm the living conditions of neighbouring occupants, contrary to Policy DC61 of the Core Strategy, which resists proposals which result in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties. The Council also cites conflict with Policy CP17; however, this policy relates to character and appearance, accessibility and security of design and so I find it is not directly relevant to this issue.
12. The proposal would also conflict with the Framework as Paragraph 127 further states that development should create places with a high standard of amenity for existing and future users.

Other Matters

13. The Council did not refuse permission in respect of highway safety or the effect of the proposal on local education infrastructure. From the evidence before me,

I see no reason to reach different conclusions in respect of these matters. An absence of harm in these respects, however, is a neutral factor weighing neither for nor against the proposal.

14. The proposal would add to the Borough's housing stock; however, a single dwelling would make a very limited contribution, with similarly limited economic benefits from its construction, and subsequently from spending in the local area by future occupants. These limited benefits would be significantly and demonstrably outweighed by the significant harm that would be caused to the character and appearance of the area and to the living conditions of neighbouring occupants, for the reasons set out.

Conclusion

15. The harm arising from the proposal would result in conflict with the development plan that is not outweighed by other material considerations in this case. Therefore, the appeal is dismissed.

K Savage

INSPECTOR