
Appeal Decision

Site visit made on 22 July 2019

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th August 2019

Appeal Ref: APP/Z5060/W/19/3229012

1 Rosehatch Avenue, Chadwell Heath RM6 5NB

- 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 Fazal Rehman against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 18/02071/FUL, dated 29 November 2018, was refused by notice dated 27 March 2019.
 - The development is 'erection of double garage for 1b Rosehatch Avenue following demolition of existing garage'.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of double garage for 1b Rosehatch Avenue following demolition of existing garage at 1 Rosehatch Avenue, Chadwell Heath RM6 5NB in accordance with the terms of the application, Ref: 18/02071/FUL, dated 29 November 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: XEVA/1RA/101 Issue A, XEVA/1RA/102 Issue A, XEVA/1RA/103 Issue A, XEVA/1RA/104 Issue A, XEVA/1RA/105 Issue A, XEVA/1RA/106 Issue A & XEVA/1RA/107 Issue A.
 - 3) The external surfaces of the garage hereby permitted shall match those used in the construction of the host property.

Procedural Matter

2. The description of the development on the decision notice is different from that on the application and appeal form. The original description accurately describes the proposed development and I have determined the appeal on this basis.
3. For clarity, the evidence before me, indicates that 1 Rosehatch Avenue has been converted into two flats and the appellant advises that the garage would be provided for the occupiers of 1b Rosehatch Avenue.

Main Issue

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

Reasons

5. The appeal site is located in an area that is residential in nature and this section of Rosehatch Avenue has a verdant character and no particular sense of spaciousness due to the presence of prominent boundary hedges including the tall and robust hedge which runs along the boundary of the appeal site with the highway. This serves to limit views into the appeal site. Various outbuildings to the rear of properties to the north on Rose Lane are evident on the submitted plan and these can be partially viewed from Rosehatch Avenue. The existing single storey garage is proposed to be removed. This currently sits forward of the front building line of No 1 Rosehatch Avenue and the side elevation of No 217 Rose Lane that is located immediately adjacent on the corner plot.
6. The garage proposed would sit closer to Rosehatch Avenue than the front elevation of the property and the existing garage and would be of greater footprint and height than the existing structure. However, the presence of the existing tall and robust hedging along the highway boundary would significantly reduce the prominence and visibility of the proposed garage. Furthermore, even if that hedging were to be subsequently removed or reduced in height, the single storey garage as proposed would incorporate a shallow pitched roof that would minimise its overall height and bulk. When taken together with its siting incorporating a reasonable set back from the highway and its position to the side of No 1, to my mind it would not appear overly prominent, dominant or out of place in the street scene.
7. The Councils Supplementary Planning Document Residential Extensions and Alterations (SPD) provides detailed guidance on garages. It advises that they should not sit closer to the highway than the front elevation of a house so that they would not appear overly dominant within the street scene.
8. Even though the proposal would sit closer to the highway than the front elevation of the host property, breaching guidance within the SPD, the site specific circumstances detailed above mean that it would not appear overly dominant within the street scene or in relation to the host property.
9. As a result, the proposal would not therefore cause harm to the character and appearance of the area. The proposal, therefore, would not conflict with Policies BP8 and BP11 of the Barking and Dagenham Borough Wide Development Policies Development Plan Document 2011 which seek good design quality and development appropriate to the local character of the area.

Conditions

10. Planning permission is granted subject to the standard three year time limit. Matching materials are required in the interests of the character and appearance of the area and to ensure a complementary relationship with the host dwelling. It is also necessary that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty.

Conclusion

11. For the reasons above, I conclude that the appeal should be allowed.

T J Burnham

INSPECTOR