
Appeal Decision

Site visit made on 1 October 2019 by Emma Worby BSc (Hons)

by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th November 2019

Appeal Ref: APP/B5480/D/19/3231736

29 South View Drive, Upminster RM14 2LL

- 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 Tappin against the decision of the Council of the London Borough of Havering.
 - The application Ref P1891.18, dated 1 April 2019, was refused by notice dated 29 May 2019.
 - The development proposed is the erection of a detached outbuilding to be used as a granny annexe for an elderly relative.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Application for costs

3. An application for costs was made by Mr Tappin against the Council of the London Borough of Havering. This application is the subject of a separate Decision.

Main Issue

4. The main issue in the appeal is the effect of the proposed development on the character and appearance of the area.

Reasons for the Recommendation

5. The appeal site is occupied by a two-storey detached dwelling with a single storey garage outbuilding and a timber shed located in the rear garden, adjacent to a vehicular access from Cedar Avenue. The proposed development is an L-shaped annexe outbuilding, which would replace the two existing outbuildings at the southern end of the site.
6. As the appeal site is located on a corner plot, the proposed development would have limited visibility from South View Drive, but would be highly visible from Cedar Avenue. There would be some partial screening from the existing trees

- on the appeal site along the boundary with Cedar Avenue. The appellant has stated that the existing vehicular access from Cedar Avenue could be removed and replaced with a fence, to reduce the impact of the proposal on the streetscene. However, due to the height, size and location of the proposed annexe, it would still be visible within the public realm.
7. The proposal would be located closer to Cedar Avenue than the existing garage outbuilding and significantly further forward of the building line of the neighbouring properties to the south. Due to this, the building would appear as a dominant addition within the streetscene and not subordinate to the host dwelling. The neighbouring properties on Cedar Avenue are on a slightly higher ground level than the appeal site. However this change in topography is minimal, and due to the position and size of the proposed annexe, the proposal would appear excessive and incongruous within the streetscene. It is noted that due to the position of the main dwelling on the appeal site, the side elevation of this house is closer to Cedar Avenue than the front elevation of other properties on Cedar Avenue. However it is located on the junction with South View Drive and is some distance from these other dwellings. Therefore, it is not viewed in the same context as the proposal, which would be located directly adjacent to this row of dwellings to the south.
 8. Overall it is considered that the large size of the outbuilding in relation to the main dwelling, its location within a relatively cramped environment in the rear garden of the host dwelling, and its position forward of the existing building line of Cedar Avenue, would have a harmful impact on the character and appearance of the surrounding area.
 9. Although the principle of the development and its use have been found acceptable by the Council, and I recognise the annexe would be used by elderly relatives of the host dwelling whose medical conditions require care, this would not be sufficient to outweigh the harm identified. Furthermore, the harm would also not be outweighed by the limited improvement to the appearance of the site through the removal of the existing outbuildings. It is also noted that there is a similar annexe at the nearby property No.2 Beech Avenue, however the individual circumstances of that case are unknown and its presence would not make the proposal acceptable in this instance.
 10. For the reasons above I consider that the proposed development would be harmful to the character and appearance of the area and therefore would be contrary to Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document (2008) and Policy 7.4 of The London Plan (March 2016) which collectively seek to ensure development maintains, enhances or improves the character and appearance of the local area. The proposed development would also be contrary to the Residential Extension and Alterations SPD (2011) which states that outbuildings should be subordinate in scale to the existing dwelling and to the plot.

Conclusions and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR