



Appeal Decision

Site visit made on 7 January 2020

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 January 2020

Appeal Ref: APP/B5480/W/19/3236198

24 & 26 Dunmow Drive, Rainham RM13 7UD

- 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 Daly at Damer Properties Ltd against the decision of the Council of the London Borough of Havering.
 - The application Ref P0047.19, dated 10 January 2019, was refused by notice dated 7 March 2019.
 - The development proposed is 4 new semi-detached houses constructed adjacent to 2no. existing properties with parking garages and landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council has confirmed that following the adoption of the Havering Community Infrastructure Levy, the second reason for refusal no longer applies as there is no longer any concern as to whether or not the proposal satisfactorily mitigates its infrastructure impact with respect to school places. As such, my decision is confined to the remaining reason for refusal in the decision of the Council.

Main Issues

3. The main issues are the effect of the proposal on i) the character and appearance of the area, and ii) the living conditions of residents of neighbouring properties with specific reference to loss of outlook and any overbearing effect.

Reasons

Character and appearance

4. The appeal site lies between 24 Dunmow Drive (No 24) and 26 Dunmow Drive (No 26). The host properties are each end-of-terrace dwellings, set perpendicularly to each other at the end of a cul-de-sac in a planned residential area. As a result, on a street where most properties already have reasonably large gardens, the host dwellings benefit from larger plots, giving a spacious character and appearance to the end of the cul-de-sac and to the host properties themselves.
5. In common with much of the area, there is a road to the rear of the site, allowing access to garages and outbuildings, although it is narrow and unadopted. At present, the gardens of both properties have a number of

outbuildings, trees and shrubbery, typical of domestic properties and commensurate with the size and spaciousness of the plots.

6. The appellant suggests that owing to the existing outbuildings and trees, the site does in fact not have a spacious character. I disagree. In my opinion the appeal site does have a spacious character and appearance, and the large corner plots without two-storey buildings serve to relieve the relatively dense built form of the terraces on Dunmow Drive itself and Fyfield Road to the rear, even taking into account the low-rise domestic outbuildings on the site.
7. In my view, the erection of four semi-detached properties in this corner site would appear unduly cramped and incongruous in the street-scene. The proposal would harm the regular rhythm and planned appearance of the area which currently exists, and which has persevered despite the outbuildings, trees and boundary treatment alterations in the area. The appearance of the proposal from Fyfield Road to the rear, would also be out of keeping with the established relationship of the properties in the immediate area to the smaller access and servicing roads.
8. As a result, I consider that the proposal would cause unacceptable harm to the character and appearance of the area as a result of its scale and location.
9. The appellant has drawn my attention to a number of dwellings on Ford Close (although they have referred to it as Ford Road) which have a similar arrangement to that proposed in this appeal, and I saw these on my site visit. I note the broad similarity to the appeal proposal. However, the front of the relevant properties on Ford Close gradually step back from the perpendicular side and rear boundary which they face. Importantly, on Ford Close, the width of the walkway between the front of those properties and the side boundary of the neighbouring house is maintained along the full frontage. This contrasts with the appeal proposal, where the gap between the front of the proposed dwellings and the remaining garden of No 24 narrows and reduces along the depth of the existing plot. The altered garden of No 26 similarly tapers. This would, in my opinion have the effect of making No 24 feel overshadowed by and dominated by the proposed new dwellings and would make the rear gardens of both No 24 and No 26 appear uncharacteristically small and narrow.
10. The proposal therefore conflicts with Policy DC61 of the London Borough of Havering Core Strategy and Development Control Policies Development Plan Document 2008 (the Core Strategy). This policy seeks, amongst other things, to ensure that only development which maintains, enhances or improves the character or appearance of an area is allowed, and that development responds to and complements the form, pattern of development and relationship of buildings in an area.

Living conditions

11. The proposed dwellings would occupy the former gardens of No 24 and No 26. As a result, the outlook from No 24 would be substantially altered and significantly reduced and narrowed. Owing to the proposed layout, the garden of No 24 would be very close to the front of the proposed dwellings, particularly units 2, 3 and 4. In my opinion, this would give rise to an unacceptably overbearing effect, particularly in comparison to the current, somewhat spacious situation. This would therefore be harmful to the living conditions of the occupiers of No 24.

12. I note that the Council does not consider that any unacceptable overlooking would occur as a result of the proposal. However, in my view, the position of the dwellings would, in spite of the proposed internal layouts, give rise to a harmful perception of overlooking, with windows facing the immediate rear of No 24 and its garden.
13. The proposal would therefore cause harm to the living conditions of residents of neighbouring properties with specific reference to loss of outlook and an overbearing effect. The proposal therefore conflicts with Policy DC61 of the Core Strategy which seeks, amongst other things, to ensure that only development which maintains, enhances or improves the character or appearance of an area is allowed, and that development responds to and complements the form, pattern of development and relationship of buildings in an area.

Other Matters

14. I acknowledge that the proposal has the potential to deliver additional housing, to appropriate space standards, using sustainable and efficient means of construction and use, and that the proposal could increase the range and choice of housing within the City and Borough. As an overarching aim, this is consistent with the National Planning Policy Framework, the London Plan and the Core Strategy. However, the delivery of housing must be balanced against the protection of the character and appearance of the local area and the protection of the living conditions of existing and future residents, and I have found above that the proposal causes harm in those regards.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

S Dean

INSPECTOR