



Appeal Decision

Site Visit made on 29 September 2020

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2020

Appeal Ref: APP/B5480/W/20/3245082

**Garages Adjacent Crystal Avenue, r/o 46 Dawes Avenue, Hornchurch
RM12 6AL**

- 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 Rumsey against the decision of London Borough of Havering.
 - The application Ref P1239.19, dated 9 August 2019, was refused by notice dated 11 November 2019.
 - The development proposed is 'Replacement of existing detached block of garages and store with a new detached garage for the storage of vehicles and tools.'
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development above is taken from the appeal form/decision notice and reflects a change agreed by the main parties to the original description given on the application form. I have determined the appeal on the basis of this revised description.

Main Issues

3. The main issues are the effect of the proposal on 1) the character and appearance of the area, and 2) the living conditions of neighbouring occupants, with respect to outlook.

Reasons

Character and appearance

4. The appeal site comprises a block of four garages which address Crystal Avenue and stand to the rear of the garden of 46 Dawes Avenue. Next to the garages is a rear access road which runs behind the gardens of properties on Dawes Avenue and Standen Avenue. There are a considerable number of other garages and outbuildings dotted along the access road, and another flat-roofed block of four garages stands opposite the appeal site, flanked by two freestanding garages with dual pitched roofs.
5. The existing garages are simple, functional structures standing some 3 metres in height with a shallow monopitch roof sloping to the rear. This reflects their clearly ancillary purpose and subservient relationship to the dwellings to either side. I saw that most of the other garages and outbuildings are similarly low in height and unassuming in design, befitting their backland location and functional purpose. Some garages have low, pitched roofs, but they remain

modest in height, which helps to preserve the openness of the townscape between the two rows of dwellings on Dawes and Standen Avenues.

6. The proposed garages would be significantly larger in scale than those they would replace. The front elevation would be brought forward to a point close to the back edge of the pavement, which would contrast with the recessed positions of other garages facing onto Crystal Avenue. The bulky, flat-topped pitched roof would rise to 4.5 metres in height. Contrary to the appellant's assertions, this would be considerably taller than the prevailing height of other outbuildings. This increase in scale and more prominent siting would fail to reflect the low key presence and domestic character of the garages within the street scene.
7. The impact of the garages would be exacerbated by the front elevation featuring a large, warehouse-style door for vehicles and a single leaf entrance door, which would make the building look less like a row of small, domestic garages and more like a single, large commercial unit. The building would be widely visible in the street and from neighbouring properties, and given these factors, it would significantly harm the openness of the townscape between Dawes and Standen Avenues and would detract from the prevailing residential character of the area.
8. The appellant refers to the garages not meeting modern requirements, but I note the proposal is sought to allow a large camper van to be stored which, to my mind, is a specific personal requirement rather than a general public need, and goes beyond what would be necessary to meet modern requirements for domestic scale garages. Therefore, the benefit of modernising the garages would attract limited weight and would not outweigh the harm identified.
9. The appellant refers to planning permission granted for garages to the rear of 32 and 34 Dawes Avenue. However, each of these garages topped out at 4 metres in height, but more pertinently, both are located down the rear access road with little to no visibility from the public realm, unlike the appeal site. The permission referred to in South Rainham is for a wholly different form of development with different site circumstances. These schemes have material differences in scale and location which mean I do not regard them as comparable to the scheme before me, and they do not lead me to a different conclusion on this main issue, which I have reached having regard to the specific planning merits of the proposal.
10. For these reasons, I conclude that the proposal would significantly harm the character and appearance of the area, in conflict with Policy DC61 of the Havering Core Strategy and Development Control Policies Development Plan Document (the CS) and Policy 7.4 of the London Plan (the LP) which together require development to achieve high quality design which maintains, enhances or improves the character and appearance of the local area.

Living Conditions

11. The increased height and bulk of the proposed building would be visible to occupants of neighbouring properties, including 46 and 44 Dawes Avenue. However, two car parking spaces stand between the garden of No 46 and the site, which would provide physical separation and reduce the immediacy of the proposed building for users of the rear garden. The open aspects which would

be retained to either side of the development would further limit the severity of the building's impact on outlook for occupants of No 46.

12. No 44 has an outbuilding of its own at the rear of the garden, and the dwelling would stand slightly further from the appeal building than No 46. Having seen the separation distance on site, I am satisfied that the proposal, despite the increase in size, would not materially harm the outlook for occupants of No 44.
13. For these reasons, therefore, I conclude that the proposal would not harm the living conditions of neighbouring occupants. No conflict would therefore arise in this respect with Policy DC61 of the CS, 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 7.4 of the LP, but this relates primarily to the effect on character and appearance and so is not directly relevant to this issue.

Other Matters

14. The proposal was not opposed by the Council on the basis of harm to highway safety, and having seen the site and surroundings, there is nothing which leads me to a different view. However, the absence of harm in this respect is a neutral factor weighing neither for nor against the proposal.

Conclusion

15. Overall, whilst I find that the proposal would not cause significant adverse effects on neighbours' living conditions, this is a neutral factor which would not outweigh the significant harm I have identified to the character and appearance of the area and resulting conflict with the development plan. There are no material considerations which indicate planning permission should be granted despite this conflict.
16. Therefore, the appeal is dismissed.

K Savage

INSPECTOR