



Appeal Decision

Site visit made on 17 November 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2020

Appeal Ref: APP/B5480/D/20/3254571

48 The Mall, Hornchurch, RM11 1FS

- 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 Balvinder Singh against the decision of the London Borough of Havering Council.
 - The application Ref P0266.20, dated 15 February 2020, was refused by notice dated 17 April 2020.
 - The development proposed is Ground and first storey extensions.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A previously approved single storey kitchen extension has not been implemented by the appellant, although its detail is included as part of the appeal before me.
3. The Council confirm that the appeal dwelling is not formally identified by them as a non-designated heritage asset.

Main Issues

4. The main issues are:
 - Whether or not the proposal would preserve or enhance the character or appearance of the St Leonard's Conservation Area (CA); and
 - The effect of the proposal on the living conditions of adjoining occupiers with regards to outlook, light and overshadowing.

Reasons

Conservation Area

5. Located within the St Leonard's Hornchurch Conservation Area, the appeal site forms part of the planned residential 'village' of the former St Leonard's Children's Home originating from the late 19th Century. It is significant for its development of social history. There is a unity of scale, colour and architectural detail to the buildings, of which the appeal site forms part of the private residential conversions.

6. The host dwelling incorporates a number of roof configurations due to the irregular layout of it. However, this design is a feature of the appeal property and adds to the special interest of the building as part of the heritage asset.
7. The proposed first floor extension would extend above the existing kitchen by in-filling and squaring-off the rear elevation of the dwelling at two storeys encompassing a hipped roof. As a consequence, it would add considerable bulk and mass to the host dwelling. Its lack of subservience would be further emphasized as the proposed ridge line would extend from the existing ridge line, with the eaves level also corresponding with the host dwelling.
8. The proposed extension would be clearly visible from the street scene due to its exposed corner position and prominence. It would not appear as a harmonious addition, nor would it respond to the distinctive local building form or unity of scale which is a dominant characteristic of The Mall. It would therefore neither preserve nor enhance the character or appearance of the CA.
9. Although No 44 The Mall may have a long rear element, this appears to be part of the original build and corresponds with other blocks where a longer rear projection is evident within one of the units, and part of the character of the area. The other extensions brought to my attention are flat roofed and are not the same design characteristics as the appeal proposal, nor are those rear elevations precisely the same as the proposal. Therefore, they are not directly comparable.
10. For the reasons set out above, I conclude that due to the unsympathetic nature of the proposal, it would fail to preserve or enhance the character or appearance of the St Leonard's CA. Therefore it would not accord with the design and heritage conservation objectives of Policies DC61 and DC68 of the Havering Core Strategy and Development Control Policies Development Plan Document 2008, or the Council's Residential Extensions and Alterations Supplementary Planning Document. This would lead to less than substantial harm to the CA within the meaning of paragraph 196 of the National Planning Policy Framework (the Framework). Any harm requires clear and convincing justification. No public benefits have been put forward to weigh against this harm.

Living Conditions

11. There would be an increased height to the roof slope, however it would hip away from the attached neighbour. It would not amount to a significant change in outlook, light levels or overshadowing to their existing living conditions. Therefore, I conclude there would be no conflict with the proposal and the requirements of the Framework in so far as it would achieve a high standard of amenity for existing and future users.

Other Matters

12. I appreciate the private benefits of the proposal to the appellant. However this does not lead me to a different conclusion.

Planning Balance and overall Conclusion

13. Although no harm would arise to neighbouring living conditions, an absence of harm is a neutral factor which weighs neither for nor against the appeal proposal. There would be harm to the CA, and I afford this great weight. The appeal is therefore dismissed.

Alison Scott

INSPECTOR