



Appeal Decision

Site visit made on 15 April 2021

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 11 October 2021

Appeal Ref: APP/B5480/W/20/3251728
7 Slewins Lane, Hornchurch RM11 2BZ

- 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 Michael Gibbs against the decision of London Borough of Havering Council.
 - The application Ref P1668.19, dated 30 October 2019, was refused by notice dated 31 December 2019.
 - The development proposed is for new dwelling at rear of 7 Slewins Lane with two parking spaces.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A floorplan of the proposed development (EX-5844_01) was submitted as part of this appeal and has been assessed as part of the appeal with the Local Planning Authority having had an opportunity to comment on it. In taking this plan into consideration therefore I am satisfied that no injustice would be caused.
3. The new London Plan was formally adopted on the 2 March 2021, after the appeal was submitted. In these circumstances, although there are no directly comparable policies to those used in the original decision, I am required to determine the appeal against the current development plan for the area at the time of my decision.

Main Issues

4. The main issues are the effect of the proposed development on:
 - i) The character and appearance of the area.
 - ii) The living conditions of adjoining occupiers by virtue of overlooking and overbearing; and
 - iii) The living conditions of future occupiers having regard to the standard of accommodation.

Reasons

The effect of the Proposal Upon the Character and Appearance of the Area.

5. The appeal site currently consists of a collection of single storey workshops and hardstanding that fronts onto Manor Avenue and is associated with number 7 Slewins Lane that is located around the corner. The application site is therefore somewhat removed from the parent property and forms a plot of land roughly at right angles to the garden of number 7.
6. Manor Avenue itself consists of a mix of generally large residential properties and as one moves towards Westmorland Avenue the houses appear larger and more ornate in character, with several properties being situated in large mature gardens and exhibiting architectural features reminiscent of the Arts and Crafts style of architecture.
7. The appeal site, by contrast to this overriding character, is a narrow plot of land that is currently gated to its front and sits adjoining the car park serving an adjacent block of flats at Bowlesbrook Court. The existing workshops are therefore not largely visible from the streetscene and the plot appears as a simple gated entranceway typical of such features within similar residential areas.
8. Immediately next door to the site, number 4 Manor Avenue is built of red brick with a long sloping roof that echoes the semi-detached pair of houses next door. This sloping roof presents its longer side towards the appeal site whilst containing a single dormer facing over the site and the adjacent car park.
9. The proposal is to construct a two storey house upon this plot with parking to the site frontage and garden to the rear. The proposed building will in some ways reflect that of number 4 Manor Avenue with an asymmetrical gable and long sloping roof to one side and will also include weatherboard type cladding to its first floor.
10. Although the site in its existing state contributes little to the overall character of the area, I consider that the proposal would be located very close to that of 4 Manor Avenue to such an extent that this part of the streetscene would appear cramped and over developed. Through introducing a new, separate dwelling, onto this very narrow site therefore, the overall character and appearance of the streetscene will be harmed and the proposed dwelling would appear cramped and alien within its context.
11. Moreover, I consider that due to the proximity of the proposed house to its neighbour, the two houses could be read as a pair or even as a single dwelling with only a small gap between. Due to the asymmetrical roofs, each sloping away from each other and the mix of materials proposed however, I consider that the overall design aesthetic would be one that is inconsistent with the streetscene as a whole. Therefore, the proposal would introduce a cramped and contrived architectural form that ultimately fails in its attempt to integrate appropriately either architecturally or spatially into this area.
12. In light of the above I conclude that the proposal would result in harm to the character and appearance of the area. As such the proposals fail to meet the requirements contained within the Framework or the Local Plan policies DC61 and CP17 of the London Borough of Havering Local Development Framework (LDF) Core Strategy and Development Control Policies DPD 2008 Local Plan

that seeks to maintain or preserve the local character of an area through responsive design.

The impact of the proposal upon the living conditions of adjacent occupiers by virtue of overlooking and overbearing.

13. The proposed dwelling will be situated at an oblique angle to number 4 Manor Avenue and will introduce a near two storey element along this side elevation. Although the proposed roof form will slope away from this building, I consider that there is still the potential for harm to the living conditions of neighbours here through the proximity and cramped nature of the plot.
14. Although I consider that direct overlooking of the rear garden will be unlikely to occur, nevertheless, I consider that there will be harm through overdominance and overshadowing of the neighbour's conservatory as a direct result of this proposal. As such the requirements in policy DC61 of the London Borough of Havering LDF Core Strategy and Development Control Policies DPD 2008 have not been met.

The living conditions of future occupiers having regard to the standard of accommodation.

15. I recognise that, due to the sloping catslide roof there would be some restriction in useable floor area within the proposed dwelling and as such the useable floor area would not meet the recommended National Space Standards for residential dwellings that is also reflected in The London Plan. However, I consider that the overall quality of accommodation is sufficient in space and, although there is restriction due to the level of the roof, I consider that the extra eaves storage and dual aspect nature of the fenestration offered through a well-proportioned window and rooflights will offer a suitable space in which to inhabit.
16. Added to this the relative generosity of space within both the circulation spaces and on the ground floor of the property, I consider that the overall intention of the National Space Standards and of The London Plan to create sustainable and liveable homes for the present and future have been achieved and that the aspirations of Policy DC61 of the above Local Plan have been met. As such I consider that, when taken as a whole, the property would offer a suitable level of accommodation that would be useable and sustainable for a family to use and enjoy for the lifetime of the home.

Conclusion

17. In considering this appeal I find some benefits of the proposal in terms of the provision of one new dwelling within this relatively sustainable and well connected area but this is not sufficient to outweigh the harm to the character and appearance of the area and the potential for harm to the living conditions of neighbours that I have identified above. Therefore, for the reasons above and taking into account all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR

