



Appeal Decision

Site visit made on 7 February 2022

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th February 2022

Appeal Ref: APP/B5480/W/21/3284332

24 Brookdale Avenue, Upminster, RM14 2LT

- 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 and Mrs Taylor against the decision of London Borough of Havering.
 - The application Ref P0406.21, dated 4 March 2021, was refused by notice dated 7 July 2021.
 - The development proposed is described as "new 1 bedroom chalet bungalow to rear of 24 Brookdale Avenue."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council adopted the Havering Local Plan 2016-2031 after determining the application the subject of this appeal. I have therefore determined this appeal in accordance with the policies in this new Local Plan.

Main Issues

3. The main issues are:
 - The effect of the proposed development on the character and appearance of the area; and,
 - The effect on the living conditions of neighbouring occupiers, in particular those of No 26 Brookdale Avenue.

Reasons

Character and appearance

4. The appeal site comprises the foot of the garden to 24 Brookdale Avenue, with a frontage onto Boundary Road. The properties on Boundary Road are two-storey houses and maisonettes, and the neighbouring maisonettes on this side of Boundary Road establish a consistent building line.
5. Both the host property and that occupying the opposite corner plot have deep rear gardens with garages at the far end. These garages are single-storey structures of modest height and not prominent in the street scene. The proposed development would be a much larger chalet bungalow with front dormer windows. The appearance of the bungalow would therefore be incongruous as it would not be of a size or style of dwelling characteristic of the

area. It would be a prominent feature in the street scene, set well forward of the building line established by the neighbouring maisonettes, as well as that set by the side wall of the host property. It would be much larger than the existing garage and the dormer windows would be an uncharacteristic feature in the street scene, adding significantly to the bulk of the building.

6. The subdivision of the existing garden would create a substantially smaller plot than is typical of the houses fronting onto Brookdale Avenue. The combined footprint of the house and hardstanding would occupy much of the site, leaving little space for the garden and resulting in the bungalow appearing cramped within the site due to the limited separation from its rear wall to the boundary with 26 Brookdale Avenue.
7. While the site as existing only presents a close boarded fence to the street, the lack of a substantial structure on site creates a generous space at the entrance to the street from Brookdale Avenue that is mirrored on the opposite corner plot. The relatively open frontage created by the low wall with railings and the open parking spaces would not be a sufficient replacement to mitigate the impact of the new building in the street scene. While the bungalow would not itself be unattractive, overall the proposed development would be harmful to the character and appearance of the area.
8. The appeal proposal would therefore conflict with Policies 7, 10 and 26 of the Havering Local Plan (the HLP) and D1 of the London Plan. Taken together these require that residential development be of a high design quality and that it respect and complement the distinctive qualities, identity and character of the site and local area.

Living conditions

9. The bungalow would be sited a short distance from the shared boundary with 26 Brookdale Avenue. However, there are mature trees along the boundary which would be retained as part of the development, and which would provide screening from that neighbouring garden. The bungalow would be sited towards the foot of the garden with its roof sloping away from the shared boundary. On balance, and having regard to the support for the proposed development expressed by the current occupiers of No 26, the appeal proposal would not cause unacceptable harm to the living conditions of the neighbouring occupiers. It would therefore accord with Policy 7 of the HLP which requires, amongst other criteria, that development not result in unacceptable loss of outlook to existing residents.

Planning Balance

10. Following the adoption of the HLP Policy 3 sets out the Council's housing land supply position for the plan period. From this I conclude that the Council has at least a five year supply of deliverable housing land, which is not contested by the appellant. However, the Council has consistently failed to meet its housing delivery target and therefore the presumption in favour of sustainable development set out in the National Planning Policy Framework (the Framework) is engaged.
11. The appeal proposal is for one new self-build bungalow and would support the Government's objective of significantly boosting the supply of homes. The proposal would deliver short-term economic benefits resulting from the

construction of the house, and longer-term benefits associated with its occupation including support for local shops. The site is in a sustainable location with access to public transport and local services and facilities. The development would make efficient use of a site currently occupied by a dilapidated garage. Although the proposal is only for a single dwelling, given the shortfall in housing delivery the collected benefits carry moderate weight.

12. Set against this is the harm to the character and appearance of the area that would result from the proposed development. Given that the bungalow would be out of keeping with the neighbouring properties, prominently sited in the street scene and would fail to respect the existing pattern of development and the building line established by the neighbouring maisonettes, the harm that would result attracts considerable weight.
13. In this instance, therefore, the adverse impacts arising from the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. There are consequently no material considerations that indicate the appeal should be determined other than in accordance with the development plan.

Conclusion

14. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR