



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: 03 March 2022

Appeal Ref: APP/B5480/W/21/3277027

Rear of 73 Upper Rainham Road, Hornchurch, RM12 4BS

- 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 Umar Hassan against the decision of London Borough of Havering.
 - The application Ref P0578.21, dated 25 March 2021, was refused by notice dated 21 May 2021.
 - The development proposed is erect 2 storey 2 bedroom house on a plot.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has adopted the Havering Local Plan 2016-2031 since the application the subject of this appeal was determined. I have determined this appeal accordingly.

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.

Reasons

Character and appearance

4. The appeal site lies to the rear of 73 and 75 Upper Rainham Road and has a frontage onto Strathmore Gardens. The Strathmore Gardens street scene comprises terraced rows of two-storey houses with projecting bay windows facing the street. While there are differences in external materials and details such as porches and alterations to roofs the houses are of consistent height and general appearance.
5. Within this context the proposal is for a detached house that would be smaller and wider than any other house in the street, with a lower eaves line. Because of these differences it would appear incongruous in the street scene and would detract from the consistent pattern of development established by the rows of terraced houses.

6. My attention has been drawn to other developments of a similar nature in the nearby area, as well as previous appeal decisions relating to proposed development on this site. I viewed the approved properties in Chestnut Avenue and Gordon Avenue from the highway as part of my visit. The property at 9 Gordon Avenue is a bungalow of similar size and scale to its nearest neighbour, so differs materially from the proposal before me. It therefore carries little weight in the determination of this appeal. The house to the rear of 44 Chestnut Avenue is a detached house in a street scene comprising primarily terraced houses, like the appeal proposal. However, it is much closer in appearance and scale to the neighbouring properties than the appeal proposal is to its neighbours. It therefore differs from the development before me and carries moderate weight in my consideration of this appeal. The earlier decisions relating to the appeal site also carry weight in my consideration of the appeal proposal. However, the details of these previous proposals are not in evidence before me so I can only attribute limited weight to my colleagues' findings. In any case, this appeal must be determined on its own merits, which I have done.
7. While the use of matching materials to the neighbouring property would result in a similar finish for the proposed house, its size, appearance and status as a detached house in a street scene characterised by terraced houses would overall result in it being an uncharacteristic and unsympathetic development.
8. The appeal proposal would therefore be harmful to the character and appearance of the area. It would conflict with Policies 7, 10 and 26 of the Havering Local Plan (the HLP) and Policy D4 of the London Plan (the LP). Taken together these policies require that residential development be of a high design quality and that they are informed by, respect and complement the distinctive qualities, identity and character of the site and local area.

Living conditions

9. The proposed house would be sited to the rear of Nos 73 and 75 Upper Rainham Road and would also be close to the boundary with the rear garden to No 77. A previous proposal for a two-storey house on this site was refused and subsequently dismissed on appeal, in part on grounds of impact to neighbour living conditions. However, the details of that proposal are not before me and therefore I can only give limited weight to that earlier decision.
10. The proposed house would have a lower ridgeline than the neighbouring house at 2 Strathmore Gardens. It would be set at the far end of the appeal site relative to Nos 73 and 75 and, given the degree of separation, relatively low height and that it would be seen against the backdrop of 2 Strathmore Gardens, it would not be unacceptable in terms of its relationship to those properties.
11. The proposed house would present a blank elevation towards the shared boundary with No 77. It would be significantly taller than the boundary fence and would be a prominent feature when seen from the neighbouring garden, which also looks onto the side elevation of 2 Strathmore Gardens. However, the proposed house would lie to the north of the garden to No 77 and would be sited at the far end of the garden, which is of considerable depth. On balance, it would not appear so overbearing that the relationship would be unacceptable.

12. The proposed development would not therefore cause unacceptable harm to the living conditions of neighbouring occupiers. It would consequently accord with Policy 7 of the HLP and guidance in the Residential Design Supplementary Planning Document. These require, amongst other considerations, that residential development not cause unacceptable loss of outlook nor reduce the amenity value of neighbouring properties.

Planning Balance

13. The development would result in the creation of one new dwelling, supporting the Government's objective of significantly boosting the supply of homes. While there is no indication that the Council has a shortfall in its housing delivery or its supply of deliverable housing land, this does not diminish the value of new housing.
14. Set against this is the harm to the character and appearance of the area that would result from the proposed development. As the proposal is for a single dwelling, the benefits of the development only attract limited weight in the balance. In this instance this would not outweigh the harm that would result.
15. There are therefore no material considerations, including the previous developments to which my attention has been drawn, that indicate that this appeal should be determined other than in accordance with the development plan.

Conclusion

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

M Chalk

INSPECTOR