



Appeal Decision

Site visit made on 6 September 2022

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 OCTOBER 2022

Appeal Ref: APP/B5480/W/21/3288900

Cholsey, 5 Woodlands Avenue, Hornchurch RM11 2QT

- 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 Mrs L Puvamendran against the decision of the Council for the London Borough of Havering.
 - The application Ref P1230.21, dated 23 June 2021, was refused by notice dated 9 September 2021.
 - The development proposed is demolition of existing detached property and construction of two detached properties.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the Council's decision has been issued, the London Borough of Havering have adopted a new Local Plan. As such I have determined the appeal on the Policies as contained in the Havering Local Plan 2016-2031, adopted November 2021 (HLP) which replaces the Core Strategy and Development Control Policies Development Plan Document adopted in 2008 and the Policies contained in the Romford Area Action Plan Development Plan Document also adopted in 2008. The appellant is aware of the new plan and policies and have had the opportunity to comment, however they have not done so.
3. There is a spelling discrepancy in regard to the appellants surname between the application form and the appeal form. For consistency on the spelling, I have used the name on the application form.

Main Issues

4. The main issues are the effects of the proposal on the:
 - character and appearance of the area; and
 - living conditions of the adjoining occupiers at Nos 3 and 7 Woodland Avenue and the potential occupants of the development with regard to outlook and light.

Reasons

Character and appearance

5. The appeal site is located in the Emerson Park Policy Area (EPPA) on the northern side of Woodlands Avenue in Hornchurch, which is a principally

residential neighbourhood, with varying styles of properties, albeit these properties are generally large, detached houses sitting in generous plots. Despite the variation in style, there is a distinct rhythm and feel to the street. The proposal seeks to demolish the existing substantial property and replace with 2 x four bedroomed detached houses with associated amenity and parking space.

6. Emerson Park is a mature and pleasant residential district as defined in the Emerson Park Policy Area Supplementary Planning Document (EPPA SPD), with Sector 6 being typified by medium and large dwellings in spacious and well landscaped grounds. The EPPA SPD requires development to be in keeping with the massing and architectural style of the surrounding properties to avoid a cramped appearance in the streetscene. As such, the guidance requires a minimum space of 1m from an adjoining common party boundary at ground floor level, or 2m at first floor level and also requires a minimum plot width of 23m.
7. It is not in dispute that the minimum plot width of 23m has not been achieved in the proposal, although it was apparent during the site visit that there are various plot widths, some wider than others and not necessarily meeting the EPPA plot width requirement. Nevertheless, there is an established regularity to the pattern between dwellings, and a grandiose feel to the houses which is an important factor of the spaciouly sized plots defining the character of the area.
8. There is a distinct horizontal emphasis in the area, as many of the properties occupy a significant proportion of the plots but are generally limited to two storeys albeit there is additional accommodation in the roof space of several properties. When viewed from the front, the appearance of the proposed dwellings would be significantly narrower than most of those in the surrounding area. This coupled with the large crown roofs would add additional bulk at roof level, in particular on Unit A, providing a more vertical appearance to the proposal, which is in contrast to the horizontal emphasis of the surrounding vernacular. As a result, the proposal would harm the spacious feel and nature, which characterises this residential area.
9. The appellant has drawn my attention to other properties in the area with a reduced plot size. In particular the replacement dwelling at 7 Woodlands Avenue granted planning permission¹ in 2011. Here, the Council were satisfied that despite not meeting the separation criteria, the gap proposed complied with the objectives of the EPPA SPD. Whilst the plot at No 7 is narrower than the appeal site, its façade and roof treatment provide grander appearance retaining feel in the surrounding area. This is not directly comparable to the appeal proposal which subdivides the plot into two, providing a pair of dwellings with an elongated vertical appearance. As such, the proposal would appear cramped and out of keeping with the spacious character and appearance of the surrounding area. The articulation and the use of alternative designs on the front elevations, in an attempt to break up the built form, does not mitigate this effect.
10. For these reasons, the proposed development would not respect or complement the distinctive qualities, identity, or character of the EPPA. It follows that the proposed development would not comply with Policies 7 and 26 of the HLP, the general thrust of which is to seek a high quality of design which

¹ London Borough of Havering Planning Ref: P0461.11

respects the special and distinctive qualities. The proposal would also be inconsistent with the National Planning Policy Framework 2021 (the Framework) which seeks amongst other things, the creation of high quality, beautiful buildings, and that proposals should respond to local character or reflect the identity of the surroundings.

Living conditions

11. The residents most affected by the appeal proposal are those occupying the adjoining houses at 3 and 7 Woodlands Avenue.
12. With regard to No 3, it is set off from the front elevation on an angle and has a single storey ground floor extension at the rear. It is acknowledged that the dwelling at the appeal site is already deeper than the rear elevation of No 3, however, the appeal proposal would add a significant increase in the depth of the development, in close proximity to this property. Furthermore, the significant depth, coupled with the two-storey nature and additional bulk at the roof level, would provide an overly tall and large expanse of blank wall on the flank elevation of Unit A, when viewed from the garden of No 3. As such, it would appear oppressive and overpowering on these occupants.
13. The resultant development would also provide a looming presence which would dominate the outlook from the rear facing ground floor rooms at No 3. Consequently, it would constitute an oppressive form of development to the detriment of the living conditions of these occupants.
14. No 7 has a single storey extension occupying half the width of the host property at a similar depth to that proposed at Unit B of the appeal. However, it has been designed to step back and away from the appeal site in order to reduce dominant and overbearing impacts, creating a stepped appearance to the footprint. Conversely the appeal proposal provides a straight, deep and overly tall form of development close to the boundary with little articulation. As a result, the appeal proposal would provide an over dominant and intrusive feature in views from No 7 and the surrounding area.
15. In regard to the impacts of the proposed houses on one another, both Units A and B have flank windows which face each other in close proximity. Whilst obscured glazing for the main bathroom and an en-suite bathroom of Unit A could be secured through the provision of a condition, the flank window serving the bedroom is the only outlook for this room, and any requirement to obscurely glaze this window would lead to a poor outlook. It is a similar situation for the flank window serving the bedroom at Unit B which is also single aspect. As a result, the requirement to obscurely glaze these bedroom windows would lead to a poor outlook and standard of accommodation for the proposed occupiers of these units.
16. Consequently, the proposal would unacceptably harm the living conditions of the occupants of Nos 3 and 7 Woodlands Avenue and the living conditions for future occupiers of the proposal, due to the effect on outlook. Therefore, the proposal would conflict with the aims and objectives of HLP Policy 7, which seeks, among other things, to protect the amenity and quality of life of the existing and future residents from unacceptable overlooking, loss of privacy or outlook. It would also be contrary to the Framework which, amongst other things, also seeks a good standard of amenity for all existing and future occupants of buildings.

Other Matters

17. I understand that the appellant sought pre-application advice from the Council and attempted to address concerns raised. However, whether or not the scheme is an improvement on those proposals and the appellant feels that further negotiation was deserved, the Council, ultimately refused the application for the reasons stated. I must determine the appeal in this context and on the basis of the proposal and evidence before me now.
18. There are no other matters in this case that would lead me to a decision other than in accordance with the development plan.

Conclusion

19. For the reasons given above I conclude that the appeal should be dismissed.

Robert Naylor

INSPECTOR