



Appeal Decision

Site visit made on 4 October 2022

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 October 2022

Appeal Ref: APP/B5480/W/22/3298632

1 Cromer Road, Hornchurch RM11 1EY

- 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 White Post Estates Limited against the decision of the Council of the London Borough of Havering.
 - The application Ref P1547.21, dated 4 August 2021, was refused by notice dated 26 April 2022.
 - The development proposed is described as the construction of a single storey 2 bedroom dwelling with private amenity space and off street parking with bin and cycle storage.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a single storey 2 bedroom dwelling with private amenity space and off street parking with bin and cycle storage at 1 Cromer Road, Hornchurch RM11 1EY in accordance with the terms of the application, Ref P1547.21, dated 4 August 2021, and subject to the following schedule of conditions.

Procedural Matter

2. I note the reference to the Gidea Park Conservation Area in the decision notice was made in error, so have disregarded it in my decision.

Main Issue

3. The main issue is, therefore, whether the proposed development would preserve or enhance the character or appearance of the Langtons Conservation Area (CA).

Reasons

4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area. Paragraph 189 of the National Planning Policy Framework (the Framework) requires that heritage assets, as irreplaceable resources, 'should be conserved in a manner appropriate to their significance' and paragraph 199 confirms 'great weight' should be given to their conservation.
5. The significance of the CA stems from Langtons House. A former 18th century estate now much reduced and surrounded by housing. The remaining buildings are situated within verdant gardens and are centrally located within the CA. This central core is surrounded by a buffer zone of residential roads, Cromer Road being one of them along with Billet Lane. They contribute to the overall

character and appearance of the CA by conserving the setting, and thereby the significance of Langtons House and gardens.

6. The existing garage is positioned at the extremity of the CA and does not form part of the views into or out of Langtons House and gardens. It is described by the Council's heritage consultant as having a low-key utilitarian presence with no special merit, over and above its position within the buffer zone. A similar conclusion to that of my colleague who dealt with the previous appeal (ref: APP/B5480/W/20/3262010), and there is nothing before me to persuade me otherwise. I am therefore satisfied that the existing garage building does not contribute to the significance of the CA, as set out in paragraph 207 of the Framework, and its demolition would not be harmful to the character and appearance of the area.
7. The proposed replacement dwelling would include forward facing bay windows with gable features above, an arched detail above the front door and a hipped roof shape. The proposal would, therefore, be similar in design and style to many properties along Cromer Road, albeit a single storey version, including 1 Cromer Road. It would not at odds to its surroundings and would preserve the appearance of the road.
8. The building line along this part of Cromer Road is a gentle curve with properties gradually stepping back, although not always uniformly, as they approach the junction with Billet Lane. The position of the proposed front elevation and bay windows would be very slightly forward of those on 1 Cromer Road (as shown on plan 1806/2 A). However, the recessed side portion of the proposed dwelling and the location of the car parking space would mean it would be set away from No 1. The visual gap this would create, and the single storey height would ensure the proposal would not be so overly intrusive within the building line as to have a detrimental effect on the character of the road.
9. From Billet Road, the fencing and the tree along the shared boundary would continue to screen much of the proposal, and the additional landscaping, the setting back of the proposed side elevation would allow, would further soften this view. The proposed rear elevation would also be set back from the shared boundary with 128-131 Billet Lane to provide a courtyard garden and space for additional landscaping along this part of the boundary also. This would alleviate the constrained relationship between the existing garage block and the side elevation of Nos 128-131 and would create defined space between the buildings.
10. The proposed new building would take up a substantial proportion of the site but visually this would not be obvious. This is due to the setback position from the rear and side site boundaries and the replacement of the existing hard standing with a defined off road parking space and small front garden. A frontage treatment in keeping with the residential properties along Cromer Road and the buffer zone roads in general.
11. The proposed development would replace a building which does not contribute to the significance of the CA and the replacement would be sympathetic to the local residential character. It would not overwhelm or compete with the existing buildings along Cromer Road or Billet Lane nor, due to its single storey height, intrude into views of or from Langtons House and gardens. I, therefore, find the proposal would not have a detrimental effect on the significance of the CA and would preserve its character and appearance.

12. I appreciate this differs to the findings of my colleague in the previous appeal. However, I am satisfied that the proposal before me is substantially different to that previously considered. Not least in the volume of development proposed and the number of additional dwellings.
13. The proposal would not therefore cause harm to the significance of the CA and would preserve its character and appearance. It would comply with policies 26 and 28 of the Havering Local Plan 2016-2031 and the Framework insofar as they seek to protect heritage assets from inappropriate development.

Conditions

14. The Council has suggested a series of conditions. I have considered them against advice in the Framework and Planning Practice Guidance and, as a result, have amended them for consistency and clarity. Conditions referring to timeframe and approved plans are required for certainty.
15. To ensure that impact of the demolition of the existing garage and construction of the proposal is minimised in relation to the impact on the living conditions of surrounding residents, a condition requiring a Construction Method Statement has been attached. Due to the impact the demolition could have, this is a pre-commencement condition, and the appellant has confirmed their acceptance of this. A condition stipulating working hours has been attached to also protect the living conditions of nearby residents.
16. Given the nature of the proposed development, its location within the CA, and the limited details in the evidence before me, it is necessary to attach conditions relating to detailing of external materials, hard and soft landscaping and the treatment of the cycle and refuse storage. These will ensure that the proposal will sit comfortably within its surroundings and are a normal form of control for developments of this nature. Conditions relating to parking and compliance with building regulations will ensure the living conditions of the future occupants of the new dwelling along with its lifetime useability. To reduce potential flood risk, a condition to ensure onsite surface-water disposal has also been applied.
17. The Council proposed 2 similar conditions in relation to the removal of permitted development for windows in side elevations and both are not necessary as they duplicate each other. I have found, however, due to the relationship of the rear elevation of the proposal with the adjacent property it is necessary to limit additional windows in the rear elevation also. This is to ensure the living conditions of the occupants of the adjacent property are maintained.

Conclusion

1. For the reasons given above the appeal scheme would comply with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, that would indicate a decision otherwise. The appeal is, therefore, allowed.

RJ Redford

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1806/01 Rev A; and 1806/02 Rev A.
- 3) No development, including demolition, shall take place until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for all construction phases of the development:
 - the parking of vehicles of site operatives and visitors;
 - storage of plant and materials used in constructing the development;
 - siting and design of any temporary buildings, where appropriate;
 - the erection and maintenance of security hoarding including decorative displays, where appropriate;
 - measures to minimise the impact of noise and, if appropriate, vibration during demolition and construction; and
 - details of disposal of waste arising from the demolition and construction programme, including final disposal points.

The approved Construction Method Statement shall be adhered to throughout the demolition and construction period of the development.

- 4) Demolition or construction works shall take place only between 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.
- 5) No construction above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall then be carried out in accordance with the approved details.
- 6) No construction above ground level shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
 - a scheme of hard and soft landscaping;
 - boundary treatments including walls and fences; and
 - an implementation programme.

The landscaping works shall be carried out in accordance with the approved details before the dwelling is occupied in accordance with the agreed implementation programme.

- 7) All planting, seeding, or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 8) The dwelling hereby permitted shall not be occupied until cycle storage facilities have been installed in accordance with details that shall first have been submitted to and approved in writing by the local planning authority, and those facilities shall thereafter be always retained for the storage of cycles.
- 9) The dwelling hereby permitted shall not be occupied until refuse and recyclable materials storage facilities have been installed in accordance with details that shall first have been submitted to and approved in writing by the local planning authority, and those facilities shall thereafter be always retained for the storage of refuse.
- 10) The dwelling hereby permitted shall not be occupied until space has been laid out within the site in accordance with drawing no. 1806/02 A for 1 car to be parked and that space shall thereafter be kept available at all times for the parking of vehicles.
- 11) The dwelling hereby permitted shall not be occupied until all areas of hard surfacing have been drained and surfaced in a manner to ensure surface run-off water is retained within the application site.
- 12) The dwelling hereby permitted shall not be occupied until the Building Regulations 2010 (as amended) optional requirement M4(2) 'accessible and adaptable dwellings' has been complied with and shall thereafter be maintained.
- 13) The dwelling hereby approved permitted not be occupied until the Regulation 36 (2)(b) and Part G2 of the Building Regulations 'water efficiency' has been complied with.
- 14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows or dormer windows, other than those expressly authorised by this permission, shall be constructed on the rear or side elevation of the dwelling hereby approved.

END OF SCHEDULE