



Appeal Decision

Site visit made on 26 November 2022

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2022

Appeal Ref: APP/B5480/D/22/3306359

68 Central Drive, Hornchurch RM12 6BA

- 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 Penny Gregory against the decision of the Council of the London Borough of Havering.
 - The application Ref P0015.22 dated 20 November 2021, was refused by notice dated 16 June 2022.
 - The development proposed is described as left and back garden fence.
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Decision

1. The appeal is allowed and planning permission is granted for left and back garden fence at 68 Central Drive, Hornchurch RM12 6BA in accordance with the terms of the application, Ref P0015.22 dated 20 November 2021, and the plans submitted with it.

Procedural Matter

2. At the time of my site visit, the development was in place. The application form made clear that the scheme had been submitted retrospectively and I have dealt with the appeal on that basis.
3. The plans provided with the proposal are basic and do not reflect the development. It is clear from the information I have before me that the Council and other parties are fully aware of the extent of the development and therefore no party has been prejudiced or caused any injustice by me proceeding with the appeal in light of the information submitted.

Main Issue

4. The main issues in this appeal are the effect of the proposed development on (i) the character and appearance of area; and (ii) the living conditions of the occupants of No. 70 Central Drive.

Reasons

Character and Appearance

5. The site is within a predominantly residential area characterised typically by semi-detached properties. The boundary enclosure the subject of this appeal is along a shared boundary with No. 70 Central Drive and to the rear of the private amenity space of the appeal site. The development is visible from public vantage points including Kempton Avenue and a lane serving the appeal

site and neighbouring properties. The boundary enclosure is also obvious to neighbouring properties, in particular No. 70 Central Drive.

6. The Council confirm that the rear boundary enclosure is approximately between 2-2.12m in height and the boundary enclosure between the appeal site and No. 70 is approximately 2.5m in height.
7. I observed during my site visit that the boundary enclosure is larger than others within the immediate area, and I note that there is a difference in levels from the rear of the site towards the appeal dwelling. Notwithstanding this the outbuildings and domestic paraphernalia within the rear garden of No. 70 screen the side boundary enclosure to a degree.
8. The lane to the rear slopes from Kempton Avenue up towards the appeal site. Rear boundary enclosures vary in terms of height, and I noted during my site visit that a large rear outbuilding is being erected within the garden of No. 66 Central Drive. Whilst higher than the rear boundary of No. 70 due to the slope of the lane, and the various boundary enclosures within the area, I find that the proposed development would not be dominant nor incongruous in the area.
9. The materials used in the boundary enclosure are similar to others in the area.
10. I conclude that the development would not harm the character and appearance of area. There is no conflict with Policy 7 of the Havering Local Plan 2016-2031 (2021) which amongst other things seek to ensure developments are of high quality design which complement the local streetscene.

Living Conditions

11. The boundary enclosure does not compromise privacy to the occupants of the neighbouring property. Whilst higher than a side boundary enclosure which could be erected under permitted development rights, due to the outbuildings and domestic paraphernalia within the garden of No. 70 Central Drive I do not find that outlook would be compromised, similarly I do not find that there would be an unacceptable loss of daylight or sunlight to the neighbouring garden.
12. I conclude that the development would not harm the living conditions of the occupants of No. 70 Central Drive. There is no conflict with Policy 7 of the Local Plan which amongst other things seeks to protect the amenity of existing and future residents.

Conclusion

13. For the above reasons I conclude that this appeal should be allowed.
14. Conditions relating to standard time limit for commencement of development, plans to be adhered to and materials to be used are not relevant or necessary as the development is complete.

C Pipe

INSPECTOR