



Appeal Decision

Site visit made on 26 March 2023

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

an Inspector appointed by the Secretary of State

Decision date: 3rd April 2023

Appeal Ref: APP/B5480/D/23/3315475

123 Albany Road, Hornchurch, Havering RM12 4AG

- 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 Jignesh Patel against the decision of the Council of the London Borough of Havering.
 - The application Ref P1738.22 dated 21 October 2022, was refused by notice dated 4 January 2023.
 - The development proposed is a single storey outbuilding to rear involving demolition of existing garage (Part retrospective).
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council changed the description of development from that stated on the application form in the interests of clarity. I consider that the amended description accurately describes the appeal scheme and accordingly I have adopted the amended description in the heading above.
3. At the time of my site visit, the development had commenced with most of the building erected. The application made clear that the scheme submitted had commenced however was not yet complete and I have dealt with the appeal on that basis.

Main Issues

4. The main issues in this appeal are the effect of the development on (i) the character of the area; and (ii) the living conditions of occupiers of neighbouring properties.

Reasons

Character and Appearance

5. The site is a semi-detached property within a predominantly residential area comprising properties of varying form. The appeal site is a corner plot which has a large rear garden, beyond the adjacent highway lies commercial properties. I understand a domestic shed and garage were in a similar location to the area the outbuilding has been erected, located adjacent the rear boundary.

6. The Appellant has drawn my attention to large outbuildings/garages to the rear of the neighbouring commercial units, and at nearby residential properties. I noted during my site visit that the outbuildings/garages to the rear of the commercial units are comparable in terms of floor area however these have flat roof designs which differs from the development.
7. There are no substantive details before me which allows comparison of the residential outbuildings highlighted with the appeal proposal, I therefore give this limited weight. Nevertheless, each development must be considered on its individual merits, and I have reached my conclusion based on the individual merit of the appeal proposal.
8. The development is visible from public vantage points despite a high boundary enclosure with conifer trees adjacent the highway being present. The scale of the outbuilding which extends the majority of the width of the plot with pitched roof is a prominent and incongruous addition to the garden and area in general.
9. I conclude that the outbuilding would harm the character of the area. There is conflict with Policies 7 and 26 of the Havering Local Plan 2016-2031 (2021) (the Local Plan) and Policies D1, D3 and D4 of the London Plan (2021) which amongst other things seeks to ensure developments are of high quality which complement the local streetscene.
10. There is conflict with the Council's Residential Extension and Alterations Supplementary Planning Document (2011) (the SPD) provides planning guidance for outbuildings. The guidance requires that outbuildings are subordinate in scale to the existing dwelling and plot. In addition, outbuildings should not detract from the character of the area.

Living Conditions

11. Due to the scale and mass of the outbuilding in relation to shared boundaries with neighbouring properties, the development would be a dominant feature.
12. I observed during my site visit that a substation extends some of the rear boundary of the appeal site and is screened to a degree by landscaping. Notwithstanding this due to the modest size of No. 12's rear garden and the location of the bulky outbuilding the development is overbearing and oppressive to the occupiers of No. 12.
13. I conclude that the proposed development would harm the living conditions of occupiers of neighbouring properties. There is conflict with Policy 7 of the Local Plan and SPD which amongst other things seeks to protect the amenity of existing and future residents.

Conclusion

14. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR