The Planning Inspectorate

Appeal Decision

Site visit made on 4 May 2023

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

an Inspector appointed by the Secretary of State

Decision date:19 May 2023

Appeal Ref: APP/B5480/D/23/3315723

63 Balgores Lane, Havering, Romford RM2 5JX

- 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 Tanya Cooper against the decision of the Council of the London Borough of Havering.
- The application Ref P1754.22 dated 25 October 2022, was refused by notice dated 03 January 2023.
- The development proposed is described as remove low level front wall. Remove grassed area to front standing. Lay with stamped concrete to match existing driveway covering. Re-seal complete area and colour boost slate grey to match existing darkest colour area.

Decision

1. The appeal is allowed and planning permission is granted to remove low level front wall. Remove grassed area to front standing. Lay with stamped concrete to match existing driveway covering. Re-seal complete area and colour boost slate grey to match existing darkest colour area at 63 Balgores Lane, Havering, Romford RM2 5JX in accordance with the terms of the application, Ref P1754.22 dated 05 October 2022, and the plans submitted with it.

Procedural Matter

2. At the time of my site visit, the development was complete. The application made clear that the scheme was submitted retrospectively, and I have dealt with the appeal on that basis.

3. The Council reference the National Planning Policy Framework (2019) in the reason for refusal. This was superseded by a revised National Planning Policy Framework (2021) (the Framework). I note that the Appellant cites the revised Framework in their submission on this basis no party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this minor discrepancy.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of Gidea Park Conservation Area.

Reasons

5. The site is within the Gidea Park Conservation Area. In accordance with the statutory duty imposed by section 72(1) of the Planning (Listed Building and

Conservation Areas) Act 1990; I am required to have special regard to the effect of the proposed development on the character or appearance of the area.

6. The Conservation Area is characterised by predominantly individually designed early 20th century properties influenced by the arts and crafts movement within mature gardens. Properties vary in design and the mature planting in streets, gardens and open spaces contributes to the character and appearance of the area. The mature gardens, trees and boundary hedges form an integral part of the character of the Gidea Park Conservation Area.

7. The Council have confirmed that the appeal site lies within an area of the conservation area which was not developed until the late 1930s. Whilst it reflects local vernacular, the verdant character of the Gidea Park Conservation Park is restrained. The Council confirm that the existing property has a neutral effect on the conservation area.

8. The east side of Balgores Lane is tree lined, with the west sporadic in terms of trees adjacent the highway. Low front boundary walls are a common feature within this area, however there are several properties which have no front boundary feature or have railings, or hedgerows. There are several properties which have hard standing covering the area in front of the property, some of which retain small areas of grass or planting.

9. An Article 4 Direction setting out planning controls within the Conservation Area is in place. However, this does not preclude the demolition of the wall at the appeal site, whilst the Council contend that the removal of the wall has unbalanced the semi-detached property this could be removed under permitted development rights. I give significant weight to this fallback position.

10. The Article 4 Direction restricts hard surfaces within the curtilage of a dwellinghouse (to the front and sides) within the conservation area. Notwithstanding this the removal of the small area of planting and replacement with the concrete driveway in the context of the streetscene is not incongruous.

11. On balance I find that the proposed development would have a neutral effect on the conservation area.

12. I conclude that the development would not harm the character and appearance of the Gidea Park Conservation Area. There is no conflict with Policy 28 of the Havering Local Plan 2016-2031 (2021) which amongst other things seek to achieve good design appropriate to the local context which conserve and enhance Conservation Areas.

13. There is no conflict with the Framework which seeks amongst other things to ensure developments are of good design appropriate and sympathetic to their surroundings and that the historic environment is protected.

Conclusion

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

15. 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