



Appeal Decision

Site visit made on 27 February 2024

by Nick Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 March 2024

Appeal Ref: APP/B5480/W/23/3330064

Land Adjacent to No 2 Strathmore Gardens, Hornchurch, Havering, RM12 4BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Alban Quni against the decision of the Council of the London Borough of Havering.
 - The application Ref is P1010.23.
 - The development proposed is the construction of a new 2-bedroom single storey dwelling with associated landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised in December 2023. As the changes do not materially affect the main issues in this case, the parties have not been invited to make further comments.

Main Issues

3. The main issues are:
 - a) the effect of the proposed development on the character and appearance of the area,
 - b) whether the proposed development would provide satisfactory living conditions for the future occupants, and
 - c) the effect of the proposed development on the living conditions of neighbours.

Reasons

Character and appearance

4. The appeal site comprises a broadly rectangular parcel of land addressing Strathmore Gardens which appears to have arisen from the subdivision of gardens to 73 and 75 Upper Rainham Road. The area in the vicinity is formed, almost exclusively, of two storey semi-detached and terraced houses. These are constructed of brick, commonly rendered and under pitched tiled roofs. All homes address the street with strong building lines and considered architectural features such as bay windows. They have fairly generous gardens, often with detached outbuildings in the form of sheds and garages at the rear.

This is most apparent on corner plots where the outbuildings are readily visible along side roads, such as on the opposing side of the street from the appeal site.

5. The proposed dwelling comprises a single storey home. This would be constructed of brick with a flat roof and set at the rear of the site adjacent to the boundary with 77 Upper Rainham Road. The width of the dwelling, position within its plot and utilitarian form would be distinctly at odds with prevailing building forms in the area. It would not be similar to other residential outbuildings as its form and width would be distinctly different, appearing squat and incongruous. The dwelling would be pressed up against the rear boundary which would be apparent in the street scene. This would give the proposed dwelling a cramped and contrived appearance in this context.
6. The dwelling would appear distinctly at odds with the rhythm of other homes in the locality and be set on a plot with, by comparison to other plots in the area, an irregular and awkward arrangement, emphasised by the utilitarian design of the dwelling. As such the proposed development would be detrimental to the character and appearance of the area and would conflict with policies 7, 10 and 26 of the Havering Local Plan 2021 (HLP) and the provisions of the Framework. These policies, amongst other things, seek to ensure that new development respects the character and appearance of the area.

Living conditions – future occupants

7. The internal layout of the new dwelling results in only very limited outlook, largely to a single aspect. For the living and kitchen area this is to a single window through a small internal gap. Although natural light would be available from roof lights, there would be no meaningful vantage of the outside world from these internal habitable areas. Whilst the proposed dwelling would comply with floorspace standards of the London Plan 2021 (LonP) and Nationally Described Space Standard, the lack of any meaningful outlook from habitable rooms must also be considered.
8. The proposed dwelling features no rear garden with only a front garden available. This would be adjacent to the street, albeit with some boundary planting. Despite this planting, the garden would still be open to this aspect and effectively provide extremely limited, or no, private outdoor space for the future occupants.
9. For these reasons, I conclude that the development would provide unsatisfactory living conditions for the future occupants and would therefore conflict with policy 7 of the HLP, policy D6 of the LonP and the provisions of the Framework. These policies, amongst other matters, aim to ensure that development does not adversely affect living conditions of future residents.

Living conditions – neighbouring residents

10. The proposed dwelling would introduce built form in proximity to the rear and side boundaries with numbers 75 and 77 Upper Rainham Road. However, the height of the structure, when viewed from these neighbour's vantages would not be significantly greater than boundary fencing or existing outbuildings. Whilst the proposed dwelling would not appear as a domestic outbuilding in the context of the areas' character, it would have a similar height to such

outbuildings in the area. Furthermore, the proposal would have a flat roof that reduces its profile when viewed from neighbours.

11. For these reasons I conclude that the proposed development would not result in a loss of outlook for these neighbours and would not, therefore, adversely affect the living conditions of the occupants. The proposal thus complies with policies 7, 10 and 26 of the HLP. These policies, amongst other matters, aim to ensure that development does not adversely affect the living conditions of existing residents.

Planning Balance

12. The Council cannot demonstrate a five-year housing land supply of deliverable housing sites. Consequently, the provisions of paragraph 11(d)ii of the Framework should be applied.
13. The Framework makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework. The proposal would be harmful to the character and appearance of the area and provide unsatisfactory living conditions for the future occupants. The Framework seeks to ensure that development creates spaces with a high standard of design, and I give significant weight to the conflict between the proposal and policies 7, 10 and 26 of the HLP in this respect.
14. Set against the identified harm, the proposal would make an efficient use of land within an existing urban area and meet the Framework's objectives of boosting the supply of housing. However, the benefits associated with a single new dwelling would be minimal in the context of the Borough's overall shortfall. Nevertheless, I give the provision of this additional dwelling, in these circumstances, moderate weight.
15. However, overall, I conclude that the adverse impacts on the character of the area and living conditions of the future occupants would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

16. The proposal therefore conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

Nick Bowden

INSPECTOR