
Appeal Decision

Site visit made on 13 March 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 April 2024.

Appeal Ref: APP/B5480/W/23/3325358

39 Jubilee Avenue, Romford RM7 9LS

- 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 Sukhjinder Singh against the decision of the Council of the London Borough of Havering.
 - The application Ref P0029.23, dated 6 January 2023, was refused by notice dated 14 April 2023.
 - The development proposed is the erection of new dwelling (2B-3P) on land adjacent to 39 Jubilee Avenue with associated car parking, refuse/recycle storage and cycle parking, new drop kerb for host dwelling, demolish rear garage.
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Decision

1. The appeal is dismissed.

Procedural matter

2. Since the appeal was lodged, a revised National Planning Policy Framework (the Framework) has been published. The Framework does not raise any new matters that are determinative to the outcome of this appeal.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the local area.

Reasons

4. The appeal property is semi-detached dormer bungalow that occupies a prominent corner plot at the junction of Jubilee Avenue and Spring Gardens within a predominantly residential area. The proposal is to erect a dwelling within the side garden of No 39, with the site subdivided between the new and existing buildings. The existing garage towards the rear of the site would be demolished and removed to make way for the new development.
5. The proposal would join with No 39 to make a short terrace of 3 dwellings in all. It has been carefully designed to reflect the general style of No 39 with the same roof and building lines, matching external materials and the inclusion of similar features such as a hipped end roof and a front bay. Adequate space would be provided at the rear of the site for a back garden, patio, cycle and bin stores, and for off-road vehicle parking.
6. Nevertheless, due to its modest scale, the new dwelling would noticeably contrast with the more substantial built form of No 39 and its existing attached

counterpart, with which the proposal would be primarily seen. In views from the road, the visual effect would be unconvincing because the new dwelling would appear unusually narrow and diminutive even among the varied built form that characterises this part of the main built-up area.

7. The new addition would also extend across almost the full width of the new plot. As such, the front corner of the proposed building would be close to the adjacent footway. There would also be a small garden to the front and a narrow passageway at the side. With limited space on 2 sides, the new dwelling would draw the eye because it would appear to occupy a restricted plot. By introducing a new dwelling in this way, the proposal would appear to be cramped in terms of layout. This arrangement would relate uneasily with the more spacious pattern of existing development, in which buildings particularly on corner plots are generally set back from the highway.
8. For all these reasons, the appeal scheme would appear as a visually disruptive and uncharacteristic intrusion into the side garden of No 39. This impression would be most pronounced on the immediate approaches to the site along Jubilee Avenue and Spring Gardens.
9. The appellant considers that to the passerby, the proposal would resemble a side extension to No 39 with the new development making the most of the land available within the site. However, the front entrance of the new addition and the path leading to it would clearly signal to most people a dwelling that is independent of No 39. Over time, future occupiers would also inevitably seek to carry out improvements and alterations such as replacement windows and the colour of paintwork that would further reveal the separate nature of the existing and new dwellings. At the rear, the subdivision of the plot into 2 separate gardens may also confirm the independence of the new dwelling from No 39 depending on the final boundary treatment and visibility from the road.
10. On the main issue, I therefore conclude that the proposed development would materially harm the character and appearance of the local area. Of the policies cited by the Council that are most relevant to the appeal scheme, it is contrary to Policies 7 and 26 of the Havering Local Plan 2016-2031. These policies promote high quality design and aim to ensure that all development respects and complements the local street scene. It is also at odds with the policies of the Framework, which seek to ensure that development is sympathetic to local character and adds to the overall quality of the area.
11. The proposal makes efficient use of the land available within the site. Once complete, the new dwelling would add to the supply and choice of residential accommodation in the local area. The new home would meet minimum internal space standards. The living conditions of others would not be adversely affected. However, these considerations do not outweigh the identified harm.

Conclusion

12. The proposed development would conflict with the development plan. There are no material considerations, including those of the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane INSPECTOR