



Appeal Decision

Site visit made on 13 June 2024

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 JULY 2024

Appeal Ref: APP/B5480/W/23/3333584

22 Cotleigh Road, Romford RM7 9AH

- 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 Tom Rinker against the decision of the Council of the London Borough of Havering.
 - The application Ref is P1216.23.
 - The development proposed is the creation of new one-bedroom detached house to land at rear of number 22 Cotleigh Road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on 1) the character and appearance of the area, and 2) the living conditions of the occupants of surrounding residential properties with regard to outlook and privacy.

Reasons

Character and appearance

3. The appeal site comprises no. 22 Cotleigh Road and the land to the rear which includes an existing garage that is accessed from Honiton Road. The existing property is a two-storey semi-detached dwelling with rear garden and garage. It is located in a predominantly residential area. Although the appeal property is located on Cotleigh Road, the proposed dwelling would be accessed from Honiton Road and it would form part of the Honiton Road street-scene.
4. The appeal property, along with the adjoining property at no. 24 Cotleigh Road, has a two-storey outrigger and single storey rear extension. The proposed dwelling would be sited on land which currently forms part of the rear garden of the property and would also involve the demolition of the existing garage.
5. Honiton Road is a street of tightly arranged two-storey semi-detached dwellings. Most properties in the street have decorative ground floor bay windows and well-proportioned first floor windows. This collective arrangement gives the street a strong sense of uniformity which positively contributes to the character and appearance of the area.
6. The proposed development would depart from, and be out of character with, the established pattern and design of properties in the area. The proposed

dwelling would also significantly reduce the amount of amenity space for no. 22. Both these factors and the level of amenity space that would be provided for the proposed property would be out of character with the generally good level of amenity space provision for properties in the area.

7. Due to its size and siting, the proposed dwelling would appear squeezed into the site and would erode the pleasant sense of spaciousness that exists due to the presence of the rear gardens. It would fail to assimilate with the design, form and character of properties on Honiton Road. As a result, it would appear as an incongruous and alien form of development in the area.
8. I therefore conclude that the proposed development would cause significant harm to the character and appearance of the area. It would be contrary to Policies 7, 10 and 26 of the Havering Local Plan (2021). These policies require, amongst other things, that residential developments are of high-quality design that are informed by, respect and complement the distinctive qualities, identity and character of the site and local area.
9. The development would also be contrary to the requirement of the National Planning Policy Framework (2023) (the Framework) that developments are of high-quality design, sympathetic to local character.

Living conditions

10. The appeal site is in close proximity to a number of existing residential properties. Those closest to the appeal site are nos. 20, 22 and 24 Cotleigh Road and no. 1 Honiton Road. The Council do not consider that the proposed development would have an unacceptable impact on the living conditions of the occupants of no. 1 Honiton Road, and I have no reason to form a different view.
11. Nos. 20, 22 and 24 have windows located in the rear elevation that would look directly towards the proposed dwelling. The proposed development would sit in very close proximity to these nearby properties. Due to the overall scale, mass and siting of the development it would have an overbearing impact in relation to the outlook from these properties and would appear prominent and dominant. Even though there is an existing single storey garage on the appeal site, the proposed development would be considerably greater in scale and mass and would be sited closer to the nearby properties.
12. The proposed development would have bedroom windows in the elevation which would face directly onto the rear of no. 22 with angled views towards nos. 20 and 24. The submitted plans show that the level of separation varies between 7.9m and 11.5m. At this distance, the proposed development would have an unacceptable impact on the privacy afforded to residents of the surrounding properties, where there would be overlooking. A greater degree of overlooking than at present would also occur to residents' private rear gardens.
13. I acknowledge that the closest first floor windows to the proposed dwelling appear to be bathroom windows, however it is clear that these are not the only windows in the rear elevations and the proposed dwelling would afford views from its first floor to the ground floor of nearby properties due to their elevated nature.
14. The appellant suggests that obscure glazing could be conditioned to prevent overlooking. Such a suggestion would, however, have implications in terms of

ensuring acceptable living conditions for future occupants and I do not consider this would be an acceptable solution to the privacy concerns which have been identified.

15. I therefore conclude that the proposed development would cause significant harm to the living conditions of occupants of nos. 20, 22 and 24 Cotleigh Road with regard to outlook and privacy. The proposed development would therefore be contrary to Policies 7 and 10 of the Havering Local Plan (2021). Amongst other things, these policies require that garden and backland development does not have a significant adverse impact on the amenity of existing and new occupants, and not result in unacceptable overlooking or loss of privacy or outlook.
16. The proposed development would also be contrary with the requirement of the Framework that developments seek to ensure a high standard of amenity for existing and future users.

Other Matters

17. The appellant has referred to the fact that they undertook pre-application discussion on their proposal and amended the scheme taking on board comments that were received. The appellant's undertaking of pre-application discussion and seeking to address any identified concerns is commendable. It is not, however, a reason to allow the appeal.
18. I acknowledge that the site has reasonably good access to public transport. This, and the wildlife issues referred to by the appellant, are not, however pertinent to the main issues and neither provide a reason to allow the appeal.

Planning Balance and Conclusion

19. Section 38(6) of the Planning and Compulsory Purchase Act 2004 outlines that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
20. The Government's objective as set out in the Framework is to support sustainable housing growth. The proposed development would result in a slight increase in the Council's overall housing number and would also bring a small number of additional residents to the area who would contribute to the local economy. Collectively, I give these matters moderate weight in favour of the proposed development.
21. However, the harm that would be caused to the character and appearance of the area, and the living conditions of occupants of surrounding residential properties, attracts significant weight that outweighs the benefits associated with the proposed development.
22. The proposed development would therefore conflict with the development plan and there are no identified other considerations that outweigh this conflict.
23. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR