



Appeal Decision

Site visit made on 26 June 2024

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 July 2024

Appeal Ref: APP/B5480/W/23/3325831

16 Nelmes Way, Havering, Hornchurch RM11 2QZ

- 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 Mrs T Kaur against the decision of the Council of the London Borough of Havering.
 - The application Ref is P1144.22.
 - The development proposed is construction of two storey, five-bedroom, detached dwelling with associated amenity space, involving the demolition of existing three bed bungalow.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupants of 14 Nelmes Way, with particular regard to outlook.

Reasons

3. No. 16 Nelmes Way is a detached bungalow with a gabled roof in its existing form. Properties in the surrounding area have little uniformity in design but share common design elements such as the choice of fenestration details and grand front entrances. The proposed dwelling would share some of these elements. This is due to its proposed tall elevations, large fenestration details and grand front entrance point.
4. The neighbouring dwelling of No. 14 is a detached property which hosts two single storey rear extensions and dormers in its roofscape. These dormers are set further back into the roofscape than the rear extensions. The nearest of these dormers to the appeal site is utilised as a bedroom. The closest of the extensions to the appeal site is a conservatory style structure which is glazed on both sides and to the rear of the extension.
5. The proposed dwelling would project beyond the rear bedroom dormer of No. 14 by a significant distance, at a substantial height and at only a small distance away from the neighbouring boundary. As such, this would create a dominant building when viewed from the upper floor dormer window of No. 14. This is due to its combination of its extensive projection, overall height and limited distance from the boundary. This would therefore be overbearing and would unacceptably dominate the outlook from the rear facing upper floor dormer window nearest to the boundary of the appeal site. This would increase a sense of enclosure to this room.

6. The extension to No. 14 contains windows in both sides and to the rear of this conservatory. The proposed dwelling would be sited beyond the single storey rear extension window closest to the shared boundary at a great height. However, the protrusion of the dwelling beyond the rear conservatory extension of No. 14 would be marginal. As such, due to the limited projection of the proposal to this element of No. 14, this extension would retain an appropriate outlook to the rear due to the limited length of the proposal beyond the rear windows of this extension.
7. I therefore conclude that the proposal would have an adverse effect upon the living conditions of No. 14 Nelmes Way with particular reference to their outlook. As such, the development would be in conflict with Policy 7 of the Havering Local Plan 2021 and the National Planning Policy Framework (the Framework). This local plan policy and the Framework seek to ensure that development respects the living conditions of neighbours including their outlook.

Conclusion

8. For the reasons given above the appeal should be dismissed.

J Smith

INSPECTOR