



Appeal Decision

Site visit made on 30 April 2025

by **C J Leigh BSc(Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 June 2025.

Appeal Ref: APP/B5480/W/24/3355324

25-27 Mill Park Avenue, Hornchurch, RM12 6HD

- 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 K Durrani against the decision of the Council of the London Borough of Havering.
 - The application Ref is P1084.24
 - The development proposed is the demolition of numbers 25 and 27 and construction of a 9 bedroom detached house with new boundary wall and landscaping
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues in this appeal are the effect of the proposed development on, firstly, the character and appearance of the surrounding area and, secondly, the living conditions of adjoining occupiers. A further main issue is the effect on highway and pedestrian safety.

Reasons

Character and appearance

3. The appeal site lies within a residential area where there is a mix of housing types and architectural styles, with the form and scale of properties varying as they front the road. There is a pair of semi-detached bungalows on the site which are smaller in scale than other dwellings, though the land rises away from the road and hence the bungalows are set above the level of the footway.
4. The proposal is for the demolition of the existing properties and the erection of a single house, which follows the refusal of permission for an earlier scheme (ref. P0558.24). The replacement house would be sited on the same position and levels as the existing bungalows, and would be a full two storeys with projecting gable, and accommodation in the roof space.
5. The general width of the property would not be out of character with the area, where a number of wider properties, and pairs of properties, are seen. However, other properties in the area of such width in general do not display full two storey frontages. I saw the character includes part one and two storey houses, with pitched roofs with dormers and gables, including roof pitches that drop to first floor at the front elevation; this includes in close vicinity to the appeal site. Those design

measures reduce the general scale and massing of houses in the road, so creating a spacious feeling to the area and avoid individual houses dominating their plots and appearing cramped. The massing of the proposed house would not achieve this.

6. The scale of the proposed house would be further emphasised by its depth. The side elevation is deep, with a very considerable depth at first floor that extends into the garden. Although some of that element is set in from the main side elevations, there would still be views from the street and from the public footpath that lies close to the north, and from nearby properties. This scale would be notably greater than other properties in the area, and would be additionally emphasised by the partial crown roof to the building and the large rear dormer windows. The submitted sections show that the house would involve excavation into the rising slope of the rear garden, which would accentuate further the scale of the building due to the very notable change in levels that would be seen.
7. The drawings show a 2m high boundary to the front of the property with sliding gates. The general pattern of boundaries along the road is of low walls or open boundaries. The proposal would create a dominant feature that does not reflect that character.
8. The overall impression of the proposed house would thus be an excessively sized building for its plot that would be incongruous and dominant in the street. Policy D4 of the London Plan 2021 and Policy 26 of the Havering Local Plan 2021 seek to ensure that all new development is of a high quality design that, amongst other matters, is informed by and respects the features of the site and local area. The National Planning Policy Framework states that good design is a key part of sustainable development. On the first main issue it is concluded the proposed development would be harmful to the character and appearance of the surrounding area, and so would conflict with these policies.

Living conditions

9. The proposed house would extend into the rear garden area a considerable degree at ground and first floor level. The drawings indicate that the stepped-in design of the rear elements ensure there would not be a material effect on levels of light to adjoining properties. However, the scale, depth and height of the new property would have an overbearing impact upon those properties. The outlook from the garden areas and from the dwellings would be materially diminished due to the proximity of a building of the scale proposed. This would be harmful to the living conditions of existing occupants.
10. Policy 7 of the Local Plan requires developments to not result in unacceptable outlook. It is concluded on the second issue that the proposal would be harmful to outlook, and so conflicts with this policy.

Highways safety

11. The Council state that the height of the proposed front boundary wall is likely to give rise to difficulties in visibility when exiting the site by vehicle. Although there is little robust evidence on this point, I saw at my site visit that generally there are open boundaries along the road and that a tall wall in this location may obscure views. Any difficulties in exiting the site may give rise to harm to the safety of pedestrians on the footway, or vehicles on the highway.

12. The appellant states that modifications could be made to the wall, but there are no firm proposals before me so I place little weight on that submission.
13. On the basis of the evidence before me I conclude on the third main issue that the proposal would be harmful to highway and pedestrian safety. This would conflict with Policy 7 of the Local Plan, insofar as it requires residential development to provide a safe and accessible living environment.

Other considerations

14. The appellant has drawn my attention to other developments in the area, including an appeal at 20 Mill Park Avenue (ref. APP/B5480/D/23/3321892). The Inspector in that appeal found that the scale of the extended property was acceptable, with the design suitable for the area and there being limited visibility of the rear of the property. The separation from neighbouring houses was seen to ensure no overbearing impact upon neighbours. I have determined this appeal on its own merits and, for the reasons given, found that the scheme would be harmful and hence conflict with the development plan. The cited appeal therefore does not change my findings.

Conclusion

15. The proposed development would be contrary to the development plan and the appeal is therefore dismissed.

C J Leigh
INSPECTOR