



Appeal Decision

Site visit made on 20 August 2025

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 08 September 2025

Appeal Ref: APP/B5480/W/25/3366002

158 Albany Road, Hornchurch, RM12 4AB

- 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 Renato Gjoka against the decision of London Borough of Havering Council.
 - The application Ref is P0226.25.
 - The development proposed is the change of use of outbuilding to 1-bed dwelling house involving replacement roof, alterations to fenestration and creation of parking area with electric charging point.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are: i) the effect of the proposed development on the living conditions of the occupiers at No.2b Hartland Road; ii) the effect on the streetscene; and iii) the quality of the living environment of occupiers of the proposed dwelling.

Reasons

3. The site is situated in the rear garden of No.158 Albany Road, in a suburban part of Hornchurch. The surroundings exhibit a variety of residential properties, a considerable amount of green space, including Harrow Lodge Park, and access to everyday facilities. The appeal property is a semi-detached bungalow set on a reasonably wide plot owing to its position on the corner of Albany Road with Hartland Road. It has a substantial side and rear extension on the Hartland Road frontage with a wide dormer window in the rear roof slope. At the end of its garden there is a substantial curtilage building with a flat roof, that is the subject of the change of use proposal (the appeal building), that has the appearance of having a summerhouse or similar use.
4. Beyond this is a bungalow with a small garden that separates it from the appeal building. This bungalow has the appearance of having been constructed on what was once the end of the gardens of Nos.158 and 160 Albany Road. This bungalow is sited behind a paved courtyard at the back of the footway to Hartland Road, with a dropped kerb. The side of this bungalow that is away from the appeal building, is flanked by a partially surfaced access to garages and the rear of domestic gardens. The bungalow has a front door within a gabled roof that extends forward from a steeply pitched roof that houses a pitched roof dormer window.

The effect of the proposed development on the living conditions of the occupiers at No.2b Hartland Road

5. The submitted drawings show the appeal building being given a low hipped roof, that would remain within the permitted development limit of 4m. The appellant would also accept the retention of a flat roof. A submitted '25 degree daylight' diagram shows the proposed hipped roof remains fully below the vertical sky angle from the adjacent window at 2b Hartland Road, confirming no material loss of light or outlook in accordance with BRE 209 guidelines. There is no window in the gable of No.4b facing the appeal building, and since there are no perforations in the wall of the appeal building facing No.4b, it would effectively be an acoustic barrier to the transmission of noise to the garden of No.4b. Thus I see no harmful effect on No.2b that would warrant the refusal of permission.

The effect on the streetscene

6. The side elevation of the appeal building is visible, and its mass would not be altered (other than by the hipped roof option). Whilst it is clearly present in the streetscene, its white rendered walls that reflect the finish on the ground floor of the host property means that it does not have much of visual 'presence' from the road. Its impact on the street scene is minor, with the building looking unexceptional at the end of a domestic garden, partially hidden by fencing, and with a plain render finish, it blends into the background, unlike the altered building proposed.
7. However, from the road, the narrow façade of the appeal building as proposed would be prominent, presenting a front entrance door and a living room window. This would be under a hipped roof, as shown in the application, or a flat roof which would be acceptable to the appellant. The scale of the proposed bungalow with either roof options would appear incongruous in the streetscene in relation to the general nature of the dwellings in what is a reasonably spacious area, and the existing bungalow at No.2b which, although small, is substantially higher.
8. For these reasons the appeal proposal would have a detrimental effect on the streetscene, that warrants refusal of permission.

The quality of the living environment of occupiers of the proposed dwelling

9. It is true that the proposed dwelling would be dual aspect, with windows to the front and side elevations, allowing adequate levels of natural light and cross-ventilation. The floorspace would exceed the minimum space standard of 37m² under the London Plan (Policy D6), and the scheme would provide a private outdoor amenity space of 17.4m², well above the minimum 5m² requirement for a one-person dwelling.
10. However, it is not these aspects that are the subject of the criticism in this refusal reason. The kitchen/living/dining room has a small window facing the highway, less than 1m away from the back edge of the footway, although with the intervening space shown as being a flower bed. The side window, would be 3.3m from a fence some 2m high, and would look directly across the car parking space and obliquely across the highway. The bedroom window would be wide and full height, but would look at a 2m high fence 3.3m away.
11. Whilst the outlook from the bedroom across the private open space is acceptable, by today's standards, and in its context, the outlook from the main living area would

be poor and uninviting. The occupiers would most likely feel a significant sense of enclosure. These shortcomings add to that which I have found in the second issue above.

Other matters

12. On the 12th December 2024, the Government published the Housing Delivery Test result for 2023. The result for Havering was 61%. In accordance with paragraph 79 of the National Planning Policy Framework (NPPF) the presumption in favour of sustainable development due to housing delivery therefore applies. In terms of housing supply, based on the latest 2024 Housing Trajectory, Havering is able to demonstrate 3.4 year's supply of deliverable housing sites. This also leads to the provisions of paragraph 11 of the NPPF. In addition, the proposal also benefits from the advice in paragraph 73 of the NPPF that small and medium sized sites can make an important contribution to meeting the housing requirement of the area and are essential for small and medium enterprise housebuilders to deliver homes, and are often built out relatively quickly.
13. The appeal dwelling would make a contribution to the housing shortfall and it would be likely to be developed quickly by a small housebuilder. Sustainable development however, requires a judgement about the quality of the accommodation and of the design. In my opinion, the proposal fails to meet either of these criteria, such that the modest contribution of the proposed dwelling to the housing supply is not sufficient to overcome the objections to the development.
14. For the reasons that I have given, I conclude that the appeal proposal would have an adverse effect on the streetscene, and would not provide the quality of living environment that should be expected for future occupants. Therefore the appeal will be dismissed.

Terrence Kemmann-Lane

INSPECTOR