
Appeal Decision

Site visit made on 6 October 2016

by Elaine Gray MA(Hons) MSc IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 04 November 2016

Appeal Ref: APP/B5480/W/16/3152515

Churchill House, 67 Main Road, Romford RM2 5EH

- 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 Alec Maxim against the decision of the Council of the London Borough of Havering.
 - The application Ref P0963.15, dated 26 June 2015, was refused by notice dated 12 April 2016.
 - The development proposed is change of use of the existing building and the erection of extensions to the side and rear for 9 self-contained flats with associated car parking, cycle and bin storage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the conservation area;
 - whether the proposal would provide adequate living conditions for future occupants, with particular regard to outdoor space;
 - the effect of the proposal on parking provision and highway safety in the area, and;
 - whether the proposal would make adequate provision for education infrastructure.

Reasons

Character and appearance

3. The Gidea Park Conservation Area (CA) is primarily characterised by residential development of a suburban character. The appeal site comprises a large detached building which, it is stated, dates from the 1890s. It is an imposing building set back from the north side of the Main Road within a sizeable plot. Despite some unsympathetic alterations to the front elevation, the property retains much of its original character and form. It therefore makes a positive contribution to the character and appearance of the CA.
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4. The proposal to create nine flats would require a large extension to the rear of the appeal site at 67 Main Road. The Council's document entitled 'Heritage Supplementary Planning Document' (HSPD, April 2011) identifies the important characteristics of the CA as including the historic street layout and the space between buildings. It further states that extensions should be subordinate to the mass and height of the main building and complementary in terms of design, detailing and materials.
5. The new extension would continue the line of the side elevations at the back of the existing building, and would also extend the roof at its existing height. In doing so, it would not achieve a subordinate relationship to No 67. Critically, it would fail to leave the original form of the building legible, which would harm its character and appearance. The appellant argues that the extension would not be widely visible to public view, but I noted on my site visit that there is still a significant public view of the whole length of the east side elevation from the road, albeit at an oblique angle. The side of the new extension would similarly be visible, and its substantial bulk and scale would be discernible from the street. It would be clear that this would be a much bigger building than characteristically found within a plot of this size.
6. I accept that neighbouring buildings have had large rear extensions added, and that the proposed addition of soft landscaping would go some way towards improving the appearance of the site. However, the historic relationship of No 67 to its plot remains intact. In significantly enlarging the building, the historic layout would be lost, thus harming the significance of the CA.
7. In terms of design, the proposed materials and fenestration would reflect those of the existing building. However, the rear extension would introduce a roof form that would not be characteristic of the existing building. It would be overly complex, with incongruous elements such as the 'M' shaped roof section on the west elevation, and the infilling of the gables on this side. I accept that the current scheme revises elements of a previous scheme for which planning permission was refused¹. However, I have considered the appeal scheme before me on its own merits.
8. In failing to be subordinate to the existing building and introducing incompatible design features, the proposed extension would harm its appearance, and would thus fail to preserve the character or appearance of the wider conservation area. It would thus conflict with DC68 of the Havering Core Strategy and Development Control Policies Development Plan Document (DPD, 2008), which seeks to preserve the character or appearance of conservation areas, and DPD Policy DC61, insofar as it requires development to respond to distinctive local building forms and patterns. It would also conflict with the guidance given in the HSPD.
9. Whilst the harm to the significance of the conservation area would be less than substantial (in terms of the phraseology used in the National Planning Policy Framework (NPPF)), this does not mean that the harm would not be significant. Little evidence has been provided in relation to public benefits, but I acknowledge that the provision of nine self-contained flats would provide much needed housing accommodation and their construction and occupation would be of economic benefit to the local area. However, given the level of harm identified, these benefits would not outweigh that harm.

¹ P0508.14

Living conditions

10. The Council's document entitled 'Residential Design Supplementary Planning Document' (SPD, April 2010) sets out requirements for the design of outdoor amenity space for new development. Although fixed standards are not prescribed, the guidance emphasises the need for quality and usability.
11. Whilst reference has been made to proposed communal outdoor space within the scheme, this has not been shown on the proposed plans. In any case, from my observations on site, there would be very little useable space around the development whose quality would not be diminished by the proximity of the car parking spaces.
12. In terms of private amenity areas, the quality of the allocated outdoor space to the west side of the development would be compromised by the close proximity of the retained boundary trees on this side. In respect of the allocated outdoor space to the north of the development, the presence of the car parking area would limit the privacy of future occupants, and the coming and going of vehicles would significantly reduce the quality of the space.
13. As a result, I conclude that the proposal would fail to provide suitable outdoor amenity space, thus unacceptably harming the living conditions of future occupants. It would therefore conflict with DPD Policy DC61, insofar as it seeks to secure development that would meet the needs of all. It would similarly conflict with the guidance within the SPD.

Parking provision

14. Nine parking spaces would be provided for the development, allocating one space per flat. The appeal site is located in a suburban area which achieves a PTAL score of 1a, which is considered 'poor'. In such a location, provision of 1.5-2 parking spaces would be required per flat, leading to a requirement of a minimum of 13.5 spaces. I accept that bus services are available along the Main Road, and that the Gidea Park Underground Station is located within walking distance of No 67. However, the site is well away from the town centre, and so public transport options would inevitably be more limited than they would be in a more central location. I therefore consider that a higher allocation of parking spaces would be warranted in this case.
15. Concern has been raised in respect of the usability of the proposed car parking spaces which would be set in a linear arrangement against the eastern boundary of the site. The lane between the spaces and the appeal building would be relatively narrow. With the exception of the northern-most space, the Council has voiced concern that, at 5m long, these spaces would not be long enough for use in this constrained location. I share the Council's view as to the practicalities of using these spaces. The degree of manoeuvring that would be required within the constricted area of the lane to enter and leave the spaces would make it unattractive for prospective users. As a result, residents would be tempted to park elsewhere, potentially giving rise to additional parking pressure in the local area.
16. The social club use would be retained on the ground floor at the front of No 67. A total of seven parking spaces would be provided in front of the existing building to serve the club. I am concerned, however, that this would be a significant reduction of the parking facilities currently available to the club. The

appellant states that this would be sufficient provision for patrons. However, they have offered no substantive evidence as to how many spaces are routinely required by the establishment, and how the reduction across the site would affect this.

17. On my site visit, at approximately 9am, I saw that that around 14 cars were already parked on the premises, despite the fact that the social club was closed. While this may not have been associated with the use of the social club, it would suggest that there is already significant pressure for parking in the area, which would potentially be exacerbated by the proposed intensification of the use of the site.
18. Further concern has been voiced over service vehicles entering and leaving the site. In terms of refuse collection, the dustbin store would be in a location where the lane would be approximately 4.6m wide, which the appellant contends would be sufficient for a refuse collection vehicle to operate. However, if the parking spaces at the front of No 67 were occupied, a refuse vehicle would not be able to turn around, and would be obliged to reverse onto the highway. I am concerned that this problem could arise for any service or emergency vehicle, as there is nothing before me to suggest that there would be any control over the use of the front spaces. The development would therefore comprise highway safety.
19. I conclude that the development would unacceptably fail to provide sufficient parking provision, and would materially harm highway safety in the area. It would thus conflict with DPD Policy DC33, which sets out criteria in respect of car parking provision within new developments.

Education infrastructure

20. The Council requires financial contributions towards the provision of education infrastructure in accordance with DPD Policy DC72, and the Council's Planning Obligations Supplementary Planning Document (SPD, February 2013). The SPD states that a standard charge will apply to all forms of residential development, and to all proposals that would result in a net increase of one dwelling or more.
21. Although the appellant has indicated a willingness to make a financial contribution, no completed obligation has been submitted. In the event that the scheme were to be found otherwise acceptable, there would nonetheless be no formal mechanism to secure the relevant sum unless the relevant obligation were linked to the proposed development. The PPG indicates that it would not be appropriate to seek to secure such an obligation by way of a condition. Therefore, the absence of a planning obligation leads me to conclude that the development would not make adequate provision for education infrastructure, contrary to the requirements of DPD Policy DC72 and the SPD.

Conclusion

22. For the reasons above, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Elaine Gray

INSPECTOR