

Appeal Decision

Site visit made on 13 December, 2016

by S. J. Buckingham, BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 24th January, 2017

Appeal Ref: APP/B5480/W/16/3158948
92 - 94 North Street, Romford, RM1 1DA

- 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 Tower Clock Ltd. against the decision of the Council of the London Borough of Havering.
 - The application Ref P0584.16, dated 6 April, 2016 was refused by notice dated 2 September, 2016.
 - The development proposed is alteration of the roof to a mansard construction to create residential dwellings with new staircase, bin store and cycle store.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area;
 - the effect on the living conditions of future occupiers of the building in respect of outdoor amenity space;
 - whether the proposal would make sufficient provision for off-street parking; and
 - whether the proposal makes adequate provision towards education in the borough.

Reasons

3. Number 92 – 94 North Street consists of a traditional, two storey building with a simple pitched and gabled roof set behind a single storey shop front extension facing North Street. Behind it is a large traditional workshop building on two floors with a pitched and gabled roof, and the two are joined by a small linking block.
 4. There is no disagreement between the parties that provision of new housing within an established urban area would conform with the principles of sustainable development as set out in the National Planning Policy Framework (the Framework).
-

The effect of the proposed development on the character and appearance of the area

5. This part of North Street consists of a number of buildings in commercial use fringing a main route into the commercial heart of the town. The area sits just outside the ring road around Romford town centre, which marks a transition to higher and denser development, but itself retains a more traditional character of buildings of two and occasionally three storeys, generally characterised by simple forms and pitched roofs with gables or parapets. Although the townscape of the area is not uniform in design, there is therefore an overall consistency in terms of height and massing, which has normally been followed in more modern insertions such as the houses and commercial buildings along North Road to the south of the appeal site.
6. While utilising the existing building envelope, the appeal development would also include the addition of large mansard roof extensions to the frontage building and workshop and linking block respectively in order to accommodate an additional storey of accommodation. They would have steep sides, be clad in tiles and contain a number of dormer windows.
7. By creating what would be an additional floor to the building this proposal would create additional height and mass which would make the building appear bulky, and which would be out of character with the generally two-storey and modestly scaled buildings in the area. The form of the mansard roofs, with a very steep pitch and large area of flat crown roof at the apex would be out of character with the generally simple roof structures of buildings within the area.
8. Although the height of the mansard to the frontage building would not be significantly greater than that of the existing ridge line it would extend to the edges of the roof on all sides at a uniform height, and the perceived bulk would therefore be greater. The existing steeply pitched mansard on the adjoining property of nos. 88 – 90 North Street is much smaller in size and scale than what is proposed, and in any case is also an anomalous feature within the area. It does not therefore provide an appropriate design cue. The proposed mansard roof to the front therefore, by virtue of its bulk and design would appear overbearing and unduly dominant and intrusive in the street scene.
9. I note the appellant's argument that the existing building is in need of refurbishment, but this does not provide justification for a development which would itself be harmful.
10. As I have concluded therefore that the appeal proposal would have a harmful effect on the character and appearance of the area, it would also conflict with Policy DC61 of the Havering Core Strategy and Development Control Policies Development Plan Document 2008 (the CS), which seeks development which maintains, enhances or improves the character and appearance of the local area.

The effect on the living conditions of future occupiers of the building in respect of amenity space

11. The appeal site is set in a densely developed area on the edge of the town centre. The nearest public open space, around half a kilometre away, is Coronation Gardens, a small park with limited facilities. Other, larger open

spaces with sporting and other facilities are located at a least one kilometre away. Easily accessible open space in the area is therefore limited.

12. The appeal building occupies most of its plot, leaving only a narrow strip of land along its northern flank, and a very narrow strip to the rear, both bounded by high walls or fences. The development would create two two-bedroom units, which would be sufficiently large to accommodate families. The strip of space to the rear is allocated as garden area for one of the two bedroom flats. No measurements for the dimensions or area of this space have been put before me, but it is clearly very narrow. I have taken account of the examples of small patio spaces provided by the appellant, but conclude that the use of the space, due to its width, would be impractical for purposes such as sitting out or drying, or to provide a satisfactory play space for a child. The two-bedroom flat on the second floor would have access to no outdoor amenity space.
13. The use of all or part of the north-facing strip of land for communal amenity space would, due to its width and orientation, be similarly constrained, likely to receive limited sunlight and daylight, and present challenges in terms of achieving a high standard of hard and landscaping. There would be as a result no adequate private outdoor amenity space for the development, which would have a harmful effect on the living conditions of future occupiers of the flats.
14. The Council's Residential Design Supplementary Planning Document 2010 while not prescribing fixed standards for private outdoor amenity space, seeks to ensure that every new residential development should have access to suitable private or communal outdoor amenity space, including through the provision of areas as small as a balcony or patio. It also makes clear that the design and provision of private amenity space is particularly important in flatted schemes. As the appeal proposal does not have sufficient space in its plot to provide adequate usable outdoor amenity space, it therefore conflicts with this document. It also conflicts with Policy DC61 of the CS which seeks development which meets the needs of all people of all ages.

Whether the proposal would make sufficient provision for off-street parking

15. The appeal site enjoys a good Public Transport Accessibility Level (PTAL) rating of 5 due to proximity of good public transport links. There is no usable space within the appeal site where off-street parking could be provided. These factors would be likely to deter car use and encourage use of public transport.
16. Nonetheless, future occupiers of the flats might choose to own cars, which would give rise to an increase in on-street parking. The surrounding area is a residential one where many houses benefit from off-street parking in garages and hardstandings, and on-street parking is controlled through permits and parking meters. There are a number of car parks in the wider area which provide season tickets. I conclude therefore, that while the appeal proposal might increase pressure on the availability of parking spaces in the locality, there is no reason to think that this would result in significant harm to highway safety or the quality of the environment.
17. I conclude therefore that the appeal proposal does not conflict with Policy DC33 of the CS which requires that new development should not exceed maximum standards, which in relation to a case of this type would be less than 1 space per unit. While Policy DC2 of the CS states that less than one off-street

parking space per unit will only be permitted for residential developments where on-street parking can be controlled through a Controlled Parking Zone, the appeal site is within such an area and the proposal does not therefore conflict with it.

18. Parking arising from the development could be controlled by means of a Section 106 agreement which would prevent future occupiers of the appeal dwellings from obtaining parking permits. The appellant has expressed a willingness to enter into such an agreement, although no completed agreement is before me. As I have found that the development is unacceptable on other counts, this is not an issue on which I need to reach a conclusion.

Whether the proposal makes adequate provision towards education in the borough

19. Policy DC72 of the CS seeks to ensure that new development is in line with the principles of sustainable development through securing contributions towards infrastructure to mitigate the effects of that development. It includes provision for primary and secondary education facilities in relation to Policy DC29 of the CS. Although it pre-dates the National Planning Policy Framework (the Framework) this policy is broadly consistent with it, as paragraph 203 of the Framework indicates that planning obligations may be sought in order to mitigate the impact of new development, provided the tests set out in paragraph 204 are met, which are the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (the CIL Regulations).
20. The Council has provided evidence regarding the need for school places. The appellant does not dispute the need for such a contribution. However, there is no obligation before me. As an obligation would be needed to make the development acceptable in planning terms, and no obligation has been supplied, I conclude therefore that the development would fail to make adequate provision towards education in the area, and would consequently conflict with Policies DC29 and DC72 of the Core Strategy, and with Policy 8.2 of the London Plan in relation to planning obligations.

Conclusion

21. For the reasons given above and taking into account matters raised, I conclude that the appeal should be dismissed.

S J Buckingham

INSPECTOR