

Appeal Decision

Site visit made on 5 June 2017

by S Jones MA DipLP

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

Decision date: 30 June 2017

Appeal Ref: APP/B5480/W/17/3170916

72A 72B and 74A Dagenham Road, Romford RM7 0DA

- 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 R Patel against the decision of the London Borough of Havering
 - The application Ref P1638.16, dated 11 October 2016, was refused by notice dated 25 January 2017.
 - The development proposed is
 - i) 72A and B: new loft conversion with rear dormer and internal alterations to enlarge both flats.
 - ii) 74B: new loft conversion with rear dormer extension and internal alterations additional of a new flat
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the living conditions of future occupiers
 - on parking and highway safety in the area

Reasons

Living Conditions

3. The property is formed from two adjoining properties to make a double fronted betting shop with flats over, which are accessed over the rear service road and the property's own rear service area then up a flight of stairs. The surrounding area is mainly residential in character, but at this point close to the busy junction on Dagenham Road it consists of similar shops and residences.
 4. It is proposed to rearrange and extend the existing configuration by adding a further one bedroom studio flat in the roofspace. However, despite the extension, this reconfiguration would result in one of the flats failing to provide adequate living space contrary to Policy 3.5 of the 2015 London Plan (LNP) which sets out the minimum requirements. It would be cramped and inconsistent with a high quality design which would secure the longterm adequate amenity of residents. Additionally, because the flats are generally small, they have limited windows. I conclude there would be a poor window
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outlook and aspect to one of the flats because it would look towards and be enclosed by an adjoining flank wall, and so it would not secure the amenity of future occupants in this respect.

5. Access to the flats would not be from the frontage, but would continue to be from the rear, via a staircase that is roughly 30m from the nearest road at Birkbeck Road down over the unmade unlit service road. I visited of an evening, but it was a light summer evening. Whilst potentially there may be a sensor light at the stairs to the property as referred to by the appellant, other than street lighting on Birkbeck Road there did not appear to be any lighting on the service road leading to the flats. I conclude that at night-time and during the winter months this would be unacceptable in terms of providing a safe and secure access to the development.
6. For the above reasons, I conclude that the development would not provide a satisfactory standard of accommodation for future occupiers and therefore it would conflict with Policy 3.5 of the LNP by providing insufficient space, and Policy DC4 Conversions to Residential and Subdivision of Residential Uses of the 2008 Havering Core Strategy and Development Control Policies Development Plan (DP) because there would not be reasonable outlook and aspect, or provision of a suitable safe and secure access, and Policy DC61 Urban Design of the DP and its Residential Design Supplementary Planning Document 2010 (RD) by failing to complement or improve local amenity with respect to the proposed development.

Parking Provision

7. Although the proposal is in a sustainable location and may only generate one vehicle, it is at busy junction opposite a petrol garage and traffic lights where congestion, highway safety and visibility are a concern. I consider that no harm would arise if there was no car use associated with the new dwelling. That prospect and the site's location may mean that the occupier(s) would not have a car. However, that cannot be ruled out and there does not appear to be any specific parking provision earmarked on the public highway to supply the parking demand associated with the parade of shops and their flats. It seems to operate on a first come first served basis in the adjacent streets because the front of the property has double and single yellow lines restricting parking due to conflict with the junction.
8. In the absence of the development demonstrating provision of a guaranteed parking space, I conclude this could consequently have a knock-on effect on onstreet parking demand, so that the lack of parking would contribute to highway danger and inconvenience to existing highway users and local residents. I conclude that this would be contrary to Policy DC4 because the development does not secure parking that avoids detriment to highway safety taking account of onstreet demand and Policies DC32 and DC33 of the DP and Policy 6.3 of the LNP because it does not improve safety for all users but instead adversely affects and increases the risk to safety from highway conflict. Moreover, although the appellant has indicated that dedicated storage could be provided onsite for cycles or two wheeled vehicles, this would not address or overcome the issue arising from parking.

Other Matters

9. The Council asserts that a contribution from this scheme of £6000 towards education provision is required to make the development acceptable in planning terms and that this should be secured by a planning obligation. However, the education money could only be seen as needed to mitigate the impact of the development if it was to go ahead and not as a benefit to be taken into account in the overall planning balance. Moreover, the appellant does not contest the need for the contribution. Given that the appeal is failing for other reasons the education contribution is not required and it would not have been determinative to the outcome of the appeal. In all the circumstances, I do not need to consider this issue any further.
10. I appreciate that the existing flats on the site and in the parade of shops may not meet all the criteria now imposed by policies in respect of living standards with regard to outlook, access and parking. I also appreciate the development may satisfy some of the requirements in the 2012 National Planning Policy Framework and the 2015 London Plan by providing a further residence with cycle or motorbike storage in a sustainable location. Although I have carefully considered the advantages of the proposal, I conclude that these do not overcome the conflicts with policies outlined above because these seek a high quality residential environment in future developments rather than a repetition of previous permissions or development.

Conclusion

11. For the reasons given above, and having regard to all other matters, I conclude that the appeal should be dismissed.

S Jones

INSPECTOR