

---

# Appeal Decision

Site visit made on 14 August 2017

**by Nicola Davies BA DipTP MRTPI**

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

**Decision date: 18 August 2017**

---

**Appeal Ref: APP/B5480/W/17/3174149**  
**86 Station Lane, Hornchurch RM12 6LX**

- 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 B Hoffman of Fastgrand Ltd against the decision of the Council of the London Borough of Havering.
  - The application Ref P1635.16, dated 7 October 2016, was refused by notice dated 2 March 2017.
  - The development proposed is part single/part two storey side extension and single storey rear extension for conversion of the existing building to create 5 self-contained flats, together with a single parking space, cycle storage, and a refuse and recycling store.
- 

## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues raised in respect of the proposed development are the effect on: -
  - (a) The character and appearance of the host property and the area;
  - (b) The living conditions of future occupiers in relation to housing standards;
  - (c) Parking provision and on-street parking;
  - (d) Highway safety; and
  - (e) Whether the proposed development makes adequate provision for any additional need for education arising from the development.

## Reasons

### *Character and appearance*

3. The area surrounding the appeal site is predominantly residential in character. There is a mix of styles and design of properties that reflect development from different eras. I observed examples where older and newer properties sit side by side in the wider area. The original design and form of the existing building hosts strong and distinctive features, such as the double height square bay with timber gable detailing and splayed bay, both positioned either side of the entrance. The property is constructed of red brick and is traditionally detailed incorporating sash windows and pitched roofs.

4. The proposed side extension, whilst incorporating sash windows and being of brick construction, is of bland design and lacks the strength of features and architectural detailing of the original building. Although the ridge of the proposal would be lower than that of the existing building, the proposal, by continuing the front building line and eaves height of the original building, would not appear as a subordinate addition to the original building. The proposal would substantially extend the frontage and create an addition out of scale with the proportions of the original building. Taken together, the proposal would create a large addition of visually inferior appearance and would diminish the attractive character and appearance of the original property and the area.
5. I observed that the two storey properties along this street frontage, between Devonshire Road and Stanley Road are built close together, although properties in the wider area have greater separation between them. In the context of this streetscene I do not consider extending the property closer to the boundary over two storeys would create an unusual relationship with No 88 Station Lane. In this respect the separation with the adjacent dwelling would be similar to that of the existing gap between the appeal property and No 84 Station Lane. Whilst there would also be a juxtaposition of architectural styles between the proposed extension and No 84 Station Lane, this would be less visually jarring if the proposed side extension had an increased step back.
6. For these reasons given further above, the proposed development would be harmful to the character and appearance of the host property and the area. The proposal would be contrary to Policy DC61 of the Havering London Borough Core Strategy and Development Control Policies Development Plan Document (the Core Strategy) which seeks development to maintain, enhance or improve the character and appearance of the local area, amongst other matters.

*Living conditions of future occupiers*

7. The Council's Design for Living Residential Design Supplementary Planning Document (SPD) acknowledges that private amenity space is particularly important in flatted schemes. It indicates that flatted development should incorporate direct access to a private garden space or balconies. Flat 1 would not have access to a private garden and flats 4 and 5 do not incorporate balconies, therefore, there would be no private outdoor space for these flats.
8. However, a large area of communal space would be provided to the rear of the building. The SPD also indicates that communal amenity space should be provided for all flatted schemes. It should be designed to be private, attractive, functional and safe. Whilst some of the proposed flats would not have individual private outdoor amenity spaces, the communal space to the rear of the building is large and, from what I observed, the rear garden would be a private, attractive, functional and safe environment. The Council is concerned that flats 1, 4 and 5 would not have direct access to this communal amenity space. As such, this would necessitate future occupiers walking round the building to access it. Although this may be the case, in my judgement, I do not consider this would be so inconvenient as to discourage future occupiers from using the garden for their enjoyment and to dry clothes.
9. Both parties have referred me to the Mayor of London's Housing SPD. However, the Council has not relied upon this to support refusal reason 2 in its decision notice.

10. Overall, I conclude that the proposed development would not harm the living conditions of future occupiers and, for the reasons given, would not materially conflict with Policy DC61 of the Core Strategy or the SPD that seek to create clearly defined private realms and to ensure quality and usable amenity space is provided.

*Parking provision and on-street parking*

11. The proposal, with one off-road car parking space, would fall well below the Borough's adopted parking standards of 1 to 1.5 spaces per unit. The Highway Authority is concerned that neighbouring roads would be used as over-spill parking. It is said that increased parking congestion in Devonshire Road and Stanley Road would potentially restrict traffic flow and hinder refuse collection and general servicing.
12. The appeal is supported by a transport statement that highlights the proposed development could be expected to generate a parking demand for six vehicles. With one space proposed at the appeal site this could result in an overspill of five vehicles. I note the findings of the appellant's survey that concludes that thirteen car parking spaces would be available at highways within a short walking distance of the appeal site.
13. I observed that the available parking in Devonshire Road and Stanley Road and other local highways was low, although some parking spaces were available. Parking takes place on both sides of the streets. It appears to me that there is a high demand for on-street parking in the area. However, there are good public transport links in the area and cycle parking provision is proposed within the appeal site. This is likely to encourage future occupiers to make use of public transport and cycling as a preference to private car. This would be in line with the aims of the National Planning Policy Framework (the Framework) to give people a choice about how they travel that contributes to wider sustainability and health objectives.
14. Although parking restrictions are in place along Station Lane, parking is not restricted within Devonshire Road and Stanley Road and other local highways. Taking this into account, along with the findings of the appellant's transport statement, I consider that there would be some on-street parking capacity in the area. I appreciate that on-street parking is likely to vary throughout the day, however the increase in on-street parking would be low. Whilst normally parking provision should be made on site, there is no substantive evidence before me that would suggest vehicles could not be parked on the surrounding highways. In this respect, the proposed development would not, in my opinion, materially conflict with Policies DC2, DC32 and DC33 of the Core Strategy and the Framework.
15. Taking the above matters into consideration, I conclude that the proposal would not have an adverse impact upon on-street parking provision.

*Highway safety*

16. The Council is concerned that shortening the length of the existing front wall would encourage future occupiers to park an additional vehicle within the frontage of the appeal site. Given the proximity of this potential parking space to the bus stop there may be conflict with people waiting at the bus stop. Whilst the existing highway crossover would not be extended, the removal of

part of the wall and opening up the space within the frontage would, in my opinion, encourage future occupiers to park vehicles within this space. To access this space this would potentially bring vehicle movements over the public pavement and nearer to the bus stop. I consider there would be an increased risk to the public if this space were to be used for parking by occupiers.

17. I accept that a space is required to provide access to the entrance, refuse/recycling and cycle storage facilities. However, I have no substantive evidence before me that would demonstrate that the width of the space proposed is necessary or that a smaller area would be onerously restrictive and prevent access.
18. For these reasons, I consider the proposed development would be harmful to highway safety. The proposal would therefore conflict with Policy DC32 of the Core Strategy that seeks to prevent adverse impact on the functioning of the road hierarchy.

#### *Provision for education*

19. The Council has indicated that in line with the strategic policies of its Core Strategy and the London Plan, a financial contribution should be made for the development proposed towards the provision of school places. The appellant does not dispute the need for a contribution of this kind and a completed unilateral undertaking has been submitted to address this issue. The Council has checked the completed undertaking and confirms that it is in line with what the Council is seeking in regard to contributions toward school places. Given that I am dismissing this appeal for other reasons it has not been necessary for me to consider this matter in any further detail.

#### **Other Matters**

20. Paragraph 14 of the Framework states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Accordingly I have considered whether the appeal proposal would be consistent with the social, economic and environmental dimensions of sustainable development, as set out in paragraph 7 of the Framework.
21. It is clear to me, for those reasons set out above, that the proposed development is unacceptable in environmental terms, placing it in conflict with the environmental dimension of paragraph 7. I therefore find the scheme does not constitute sustainable development even if it would modestly contribute to the supply of housing within the Borough. When the Framework is considered as a whole, I find the scheme does not constitute sustainable development. Furthermore, I conclude that the scheme conflicts with the development plan as a whole.
22. A number of residents close by have raised other concerns in relation to the proposal but, in view of my conclusion on the main issues, there is no need for me to address these in the current decision.

## **Conclusions**

23. Whilst I have found in favour of the appellant in terms of the proposed developments effect upon the living conditions of future occupiers, parking provision and on-street parking, this does not overcome the identified harm in relation to the character and appearance of the host property and the area and highway safety.
24. For the reasons given above, I conclude that the appeal should be dismissed.

*Nicola Davies*

INSPECTOR