



Appeal Decision

Site visit made on 25 September 2017

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 1st November 2017

Appeal Ref: APP/B5480/W/17/3179226
12-18 North Street, Romford RM1 1BH

- 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 G Parmar against the decision of the Council of the London Borough of Havering.
 - The application Ref P0550.16, dated 30 March 2016, was refused by notice dated 5 April 2017
 - The development proposed is provision of additional 2 bedroomed flat with roof terrace at second/third floor level above existing first and second floor flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The site lies within the Romford Conservation Area and is within the setting of St. Edward the Confessor Church, a Grade II* listed building.
3. The main issues in this case are:
 1. The effect of the proposed development on the character and appearance of the area and, linked to that, the effect of the proposal on the setting of St. Edward the Confessor Church, a Grade II* listed building, and whether the proposal preserves or enhances the character or appearance of the Romford Conservation Area.
 2. Whether, if necessary, satisfactory provision is made to mitigate the impact of the proposed development on local education infrastructure.

Reasons

Character and appearance

4. The appeal site lies on a pedestrianised section of North Street, within Romford town centre. The building, which is constructed predominantly of red brick and render, is a substantial three storey block which forms part of a terrace and comprises shops and commercial premises on the ground floor with residential accommodation above. The main part of the block has a hipped roof with flat roofed elements adjoining it. The building is identified in the Romford Conservation Area Appraisal as making a positive contribution to the area.

5. The rear of the premises faces The Mews, essentially a service road, beyond which is St. Edward the Confessor Church, which dates from 1849. The Church and its grounds are enclosed by a brick wall.
6. The proposal is for a two-bedroomed flat formed by alterations and extensions at third floor/roof level at the side and rear plus the formation of a roof terrace. An existing parapet wall around the front, side and rear would be increased in height. The extensions would be constructed in brick and tile to match the existing building.
7. The starting point for the consideration of the proposal is sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which require that special regard is had to the desirability of preserving a listed building, or its setting, or any features of special architectural or historic interest it possesses and, in terms of the Conservation Area, that special attention is paid to the desirability of preserving or enhancing the character or appearance of the area.
8. The proposal would introduce an extension with flat and gabled roofed elements at roof level which would be at odds with the proportions and appearance of the hipped roof. Whilst I have noted the presence of existing windows at roof level, the proposal would not respect the form or appearance of the host building.
9. In terms of its effect on its surroundings, the front elevation of the building is important in terms of its impact on the townscape, particularly when viewed from the square between North Street and Angel Way. At the rear, the building clearly forms part of the setting of the listed building. The roof of the structure, whilst concealed by the existing parapet from The Mews, is visible from the wider area, including from within the church grounds.
10. The raised parapet would be visible from the wider area and would be a prominent addition to the building that would change the proportions of the building. I acknowledge that its proposed height was reduced during the application process from 2m to 0.67m. Nevertheless, it would obscure some views of the roof from the wider area at the rear and make those particular sections of the building appear more dominant. Moreover, as set out above, the roof extensions, as a result of their form and massing and their incongruous position at roof level, would appear as uncharacteristic additions to the building. As the proposal would have a harmful impact on the building, it would also detract from the character and appearance of the surrounding area.
11. As such the proposed development would neither protect nor enhance the character or appearance of the Conservation Area and would adversely impact on the setting of the listed building contrary to the requirements of the Act. Furthermore, for these reasons the proposal is contrary to Policies DC61, DC67 and DC68 of the Havering Core Strategy and Development Control Policies Development Plan Document (DPD) which require, amongst other things, that development must respond to distinctive local building forms; preserve or enhance the character or appearance of the Conservation Area and not adversely affect a listed building or its setting.

Whether a financial contribution to the provision of education facilities is necessary

12. Policy DC72 of the DPD seeks to ensure that new development is in line with

the principles of sustainable development through securing contributions towards infrastructure which mitigate the effects of the development. Policy DC29 relates specifically to the provision of primary and secondary education facilities and seeks payments from residential developers for the capital infrastructure of schools required to meet the demand generated by the residential development.

13. Evidence set out in the technical reports supporting the Planning Obligations SPD 2013 demonstrates a need for school places across the Borough and advises there is no spare capacity to accommodate demand for primary and early year's school places generated by the new development. Accordingly the Council is seeking a contribution of £6000 per dwelling based on calculations set out in the SPD, which includes a contribution towards monitoring the obligation.
14. The Council indicates that the monies generated would be targeted at either providing additional schools or to provide additional places which are not allocated on a geographical or catchment basis. Whilst it is unknown at this stage exactly where the contribution would be spent, the Council advises that it would agree a list of schools to be included in the obligation that would be eligible for this contribution. Moreover, it would ensure through its monitoring arrangements that no more than five contributions would be used on a specific infrastructure project as required by the Community Infrastructure Levy (CIL) Regulations.
15. The proposed development would be capable of accommodating a family and I am satisfied that the contribution towards education is justified and would meet the tests set out in Regulation 122 of CIL which require obligations to be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.
16. I have noted the appellant's willingness to pay the education contribution. However, there is no obligation before me and therefore no means by which such payment could be secured. Therefore, in the absence of a completed planning obligation, the proposal fails to make adequate provision towards education in the area. As such the proposal would conflict with Policies DC29 and DC72 of the DPD.

Conclusion

17. I acknowledge that the proposal would provide an additional unit of accommodation in an accessible location close to shops and services and transport links. This is a benefit of the scheme. However, such benefit does not outweigh the harm I have identified, harm which, given the weighty statutory requirement, carries considerable weight.
18. For this reason and taking into account all other matters raised, the appeal is dismissed.

S Ashworth

INSPECTOR