
Appeal Decision

Site visit made on 10 September 2019

by William Walton BA MSc Dip Env Law LLM CPE BVC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th October 2019

Appeal Ref: APP/B5480/W/19/3232542

9 Birch Road, Romford, Essex RM7 8ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr S Amiri against the decision of the London Borough of Havering.
 - The application Ref P0334.19, dated 27 February 2019, was refused by notice dated 30 May 2019.
 - The development proposed is the erection of a new linked attached one bedroom self-contained 2-storey house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The two main issues relevant to this appeal are the effect of the scheme on:
 - the living conditions of future occupants of the proposed dwelling as regards internal and external amenity space, the living conditions of current and future occupants of no. 7 as regards daylight, and the living conditions of current and future occupants of no.9 as regards daylight and external amenity space; and
 - the character and appearance of the area.

Reasons

Living Conditions

3. The appeal site comprises a semi-detached dwelling, garage, front driveway and rear garden. Many properties along Birch Road are of a similar style although I noted during my visit that there were also some detached bungalows and detached houses. The dwelling immediately to the east of the appeal property, no. 7 Birch Road, is older and more traditional than the semi-detached houses and was originally detached. However, it is now attached to the single garage of no. 9. It is this garage, a small area of driveway to the front (measuring about 2 square metres), some of the garden ground behind it and the void above which forms the area within which the appellant is proposing to construct a 2-storey 1-bedroom linked attached dwelling.
4. The ground floor of the proposed dwelling would be approximately 12 metres in length and 2.5 metres in width and would accommodate a kitchen, dining area and lounge. The first floor would also be 2.5 metres in width but around 8

metres in length, accommodating a bathroom, store area and bedroom. The existing front driveway and rear garden of no. 9 would be subdivided to provide a dedicated parking space and private garden area respectively for the proposed new dwelling.

5. Policy 3.5 of the London Plan 2016 (LP) does not identify a minimum space standard for a single person occupant of a 2-storey dwelling. The minimum space standard for a single person occupant of a 1-storey development is 37 square metres which is quite comfortably exceeded by the 49 square metres provided in the proposed dwelling. I should also add that the bedroom exceeds the minimum required dimensions. Nevertheless, the Council concludes that because each floor is just 2.5 metres in width the result is one of a narrow and cramped internal layout which is inconducive to satisfactory living conditions.
6. I note that the appellant contends that it is the aggregate space figure which is important rather than the average provision per floor or the measurement of any one dimension. Having considered both arguments, I find myself firmly in agreement with the Council. I consider that a dwelling of just 2.5 metres in width has insufficient space to provide a satisfactory living condition for future occupants and is thus contrary to the imperative laid down in LP Policy 3.5 for new housing developments internally to be of the highest quality.
7. There are no windows on the first-floor of no. 7 that would directly look onto the proposal although the south facing outlook from one window on that floor would have a more restricted outlook. However, the level of daylight available to the side room at the rear of the ground floor would be significantly reduced due to the projection of the new dwelling. Again, this would breach the imperative laid down in LP Policy 3.5.
8. As concerns no. 9 I am aware that one side window on the first-floor landing looking over the roof of the garage to the side elevation of no. 7 would have to be blocked. Whilst this is not ideal, I do not consider that it would materially affect the living conditions of the current and future residents of that property.
9. Finally, in regard to the external amenity space for the proposed dwelling and no. 9 I note that proposal achieves the required minimum standard as set in the London Housing Design Guide 2010.

Character and Appearance

10. The appeal property is set back from the grey coloured gable end of no. 7 Birch Road. According to the appellant the development proposal will contribute positively to the street scene by partially covering up the large area of exposed gable-end wall. Whilst I acknowledge that the gable-end is quite a conspicuous feature in the local street-scene I do not regard it as detracting from it to any significant degree. Indeed, there are several exposed gable-ends visible from the intersection of Birch Road and the cul-de-sac of Birch Close which is no more than around 15 metres from the appeal site.
11. During my visit I did not see any other dwellings in the local area that had been constructed in the void between neighbouring semi-detached properties. I am bound to concur with the view advanced by the Council that the proposal – a dwelling just 3 doors in width – would constitute an incongruous and awkward feature within the street scene. Consequently, I find that it would cause serious harm to the character and appearance of the area contrary to Policy DC61 of

the London Borough of Havering Core Strategy and Development Control Policies Development Plan Document 2008.

Other Matters

12. The appellant states that the appeal proposal meets Council policy by being well located for main line stations and bus routes. This submission is accepted. However, it does not overcome the adverse effects which I have concluded that the scheme will have on the living conditions of current and future occupants and on the character and appearance of the area.

Conclusions

13. For the reasons set out above and having had regard to the documents put before me I dismiss this appeal.

William Walton

INSPECTOR