



Appeal Decision

Site visit made on 17 November 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 December 2020

Appeal Ref: APP/B5480/W/20/W/3254598
172 Collier Row Lane, Romford RM5 3EA

- 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 S Hussain against the decision of the London Borough of Havering Council.
 - The application Ref P1700.19, dated 7 November 2019, was refused by notice dated 5 June 2020.
 - The development proposed is described as Erection of two new dwelling houses to rear of 172-174 Collier Row Lane.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposals on:
 - The character and appearance of the area;
 - The living conditions of future occupiers with regard to internal space standards; and
 - Highway and pedestrian safety.

Reasons

Character and appearance

3. The appeal site is the yard area associated with the retail unit at 172-174 Collier Row Lane, manufacturing upvc frames. The yard area is located behind the unit and accessed via a narrow and unmade lane between commercial units. It is broadly 'L' in shape and enclosed by high timber close boarded fencing with metal double gates opposite the vehicular entrance to the courtyard parking area of residential Henham Court.
4. The area is a combination of both commercial units along Collier Row Lane and residential houses and flats. However, built development is arranged largely with buildings fronting Collier Row Lane and those of Henham Court largely have a strong building line presence to Mowbrays Road.
5. The proposed dwellings in this back land location would have no road frontage or street scene context, nor would they be viewed as sharing a physical

- relationship with the adjacent Henham Court due to its separate location, thus further emphasising the disjointed appearance of the proposed development.
6. Together with its orientation, and despite generous garden spaces, the proposal would not respect the distinctive local building forms and patterns of development within the area. Therefore, it would appear incongruous and inconsistent with the prevailing character of the area.
 7. Although the dwellings would not be clearly seen in views from outside the site other than from the surrounding dwellings and commercial businesses, they would nonetheless not enhance the local character.
 8. I conclude that due to the unacceptable location of the proposal, harm would arise to the character and appearance of the area, and therefore the proposal would be contrary to the objectives of the London Plan 2016 Policies 7.4 and 7.6 to achieve development that respects local character and is of high quality, as well as conflicting with the design aims of Policy DC61 of the Havering Core Strategy and Development Control Policies and Development Plan Document 2008 (DPD).

Living Conditions

9. The London Plan 2016 Policy 3.5 explains that for new residential development, the nationally described space standard sets a minimum ceiling height of 2.3m for at least 75% of the gross internal area to ensure new housing is of adequate quality.
10. The Council raise concerns that the first floor bedroom space would provide inadequate living accommodation due to ceiling heights below that height standard, and therefore negatively impact upon future occupiers. I note that a large dormer window would support each first floor bedroom and would create additional space for future occupiers.
11. Having considered the proposed generous bedroom space with large dormers to each, I can find no reason to come to the view that the internal ceiling heights would not meet the required standard. I therefore conclude that the proposal would lead to no harm arising to the living conditions of future occupiers. Therefore, on this basis the proposal would not be contrary to the aims of the London Plan 2016 Policy 3.5 to achieve adequate internal living accommodation. Nor would it be contrary to Policy DC61 of the DPD as this proposal would not lead to adverse consequences to future occupiers.

Highway and pedestrian safety

12. There are four car parking spaces proposed on the layout plan and this would meet Council parking standards for a new dwelling and on this basis would comply with Policy DC33 of the DPD.
13. However, the positioning of these within the site would be restricted by the location of the existing electricity substation and the access gates into the proposed development. As a result of this confined space, it has not been demonstrated by the appellant that there would be an acceptable manoeuvring space to allow vehicles to safely access and egress these spaces without causing conflict with other vehicles, cyclists or pedestrians.

14. Furthermore, given the location of the site and its access via an unmade lane, the appellant has not demonstrated that refuse servicing can be acceptably achieved from the site.
15. To conclude, taking into account the layout and location of the proposal, whilst I find no conflict with Policy DC33, it would result in conflict with Policies DC36 and DC61 of the DPD in their aims to secure acceptable servicing and meet broad design objectives.

Planning Balance and Conclusion

16. I have found the proposal would not lead to unacceptable living conditions for future occupiers. However, its parking layout and refuse servicing complications would lead to negative impacts on highway and pedestrian safety. Furthermore, it would not respect the character and appearance of the area.
17. Therefore the appeal is dismissed.

Alison Scott

INSPECTOR