



Appeal Decision

Site visit made on 14 December 2020

by A Thompson BSc BTP MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 24 February 2021.

Appeal Ref: APP/B5480/W/20/3250309

60 Halesworth Road, Romford, RM3 8QB

- 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 Mrs D Lamoureux against the decision of the Council of the London Borough of Havering.
 - The application Ref 1337.19, dated 29 August 2019, was refused by notice dated 13 January 2020.
 - The development proposed is erection of two storey house.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council and the appellant have advised that in 2016 an application for the erection of a two bedroomed linked attached house was submitted for 60 Halesworth Road. This application was refused planning permission and a subsequent planning appeal was dismissed.
3. Both main parties have referred to, and made comparisons with, this earlier scheme (the 2016 scheme). Given this and the similarities between the current proposals and the earlier scheme, the previous appeal decision is a material consideration in this case. In addition, my attention has been drawn to a planning permission granted in October 2017 for the extension of No.60 and this is also a material consideration in this case.
4. On 19 January 2021 the Government published the 2020 Housing Delivery Test (HDT) results. The HDT status of the London Borough of Havering has not changed from one category to another since 2019 and there is no dispute between the parties that the provisions of Paragraph 11(d) of the National Planning Policy Framework (the Framework) apply.

Main Issues

5. The main issues are the effect of the proposed development on (a) the character and appearance of the area and (b) the living conditions of the occupants of No.60 Halesworth Road (the host property).

Reasons

Character and appearance

6. The host property is located at the end of a short terrace of properties of traditional design. As a corner plot, the property has a relatively large side and rear garden and part of that area would form the site for the proposed development. The front garden adjoins No.62, also an end of terrace property which sits at right angles to the host property. This part of Halesworth Road follows the perimeter of an area of open space around which further blocks of housing of similar design, scale and age are arranged.
7. Although a number of nearby properties, including No.62, have been extended I would concur with the Inspector for the 2016 scheme who found that there is some uniformity in the arrangement of the groups of dwellings on Halesworth Road, the spacing of the terraces, the provision of relatively large gardens and the open spaces that give rise to some openness in character.
8. Some elements of the proposed development's design would appear to respond well to the requirements of Policy DC61 Urban Design of the Havering Core Strategy and Development Control Policies Development Plan Document (2008) (the plan). The proposed development would extend the terrace of properties, but the front face of the building would be set back from the building line and the overall height would be lower than the host property, respecting the surrounding physical context. The provision of a flat roof and the use of render, although different from the host property, would reflect design features and finishes found in other parts of Halesworth Road and add some interest.
9. However other elements of the design would be distinctly at odds with the thrust of Policy DC61. The footprint of the building would occupy a substantial proportion of the available site, resulting in a cramped layout with limited garden space which would be at odds with the relatively large private gardens found in the surrounding area.
10. The substantial footprint proposed would result in the building projecting well beyond the main back wall of the adjoining terrace block. Although much of this projection would be single storey, because of its overall scale, it would be clearly visible from the rear gardens adjoining the appeal site and would have a substantially adverse and dominating impact on the open character of this area.
11. The substantial glazed bay window feature (in the form of a large projecting glass box at first floor level on the front elevation of the property) would be poorly related in terms of scale, use of materials and form to the adjoining terrace of properties. This prominent and visually incongruous feature, which would project above the front roof plane of No.60, would be clearly visible from a range of publicly accessible points in the surrounding area.
12. The Framework requires great weight to be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area. However, the Framework also makes it clear that such development should fit in with the form and layout of their surroundings.
13. While some elements of the design offer a commendably contemporary approach to housing design that would, nonetheless, respond to the form and

layout of their surroundings, the prominent glazed bay window at the front of the building would not. More fundamentally, the overall scale of the new dwelling proposed would be too substantial for the plot of land available, resulting in an obtrusive form of development demonstrably at odds with, and harmful to, the rhythm and grain of development in the area.

14. Consequently, I find the proposed development would substantially harm the character and appearance of the area and thus conflict with Policy DC61 of the plan which requires that new development maintains, enhances or improves the character and appearance of the local area. Furthermore, I find that Policy DC61 is consistent with the design policies of the Framework in seeking to ensure that development adds to the overall quality of the area.

Living conditions

15. The Council estimate the proposed development would project around 8.4 metres into the rear garden area (when measured from the rear wall of the host property), at a height of around 3.4 metres. The new building would be located immediately adjacent to the boundary between the new property and the host property. Although it is located to the north of the host property which would avoid any loss of direct sunlight, the proposed development would have a substantial enclosing and overbearing impact on the significantly reduced area of garden land retained by the host property. In addition, the outlook from the rear of the host property, particularly at ground floor level would be dominated by the substantial scale and proximity of the flank wall of the new dwelling to an extent that would be oppressive and harmful.
16. Given the adverse impacts on amenity, I conclude that the proposed development would substantially harm the living conditions of the occupants of No.60 Halesworth Road. Consequently, the development would be contrary to Policy DC61 of the plan, which amongst other things seeks to ensure that development complements or improves the amenity of surrounding land and buildings. I consider that Policy DC61 is consistent with the provisions of the Framework that seek to ensure that developments create places that provide a high standard of amenity for existing and future users.

Other matters

17. I have taken into account the other policies and guidance drawn to my attention in the plan, the London Plan, the Council's Residential Design Supplementary Planning Document 2010 and the emerging Havering Local Plan 2016-2031. Based on the information before me I consider that the policies and guidance concerned with design, layout and amenity are broadly consistent with the thrust of Policy DC61 of the plan and the Framework and therefore reinforce my conclusions on the main issues. The provision of an additional dwelling would accord with the policies in the plan, London Plan, Framework and emerging plan that seek to increase housing supply. But given the minor impact on overall supply, this adds only modest weight in favour of the proposal and does not outweigh the harm I have identified.
18. Similarly, I have taken into account that in October 2017 planning permission was granted to erect a substantial two storey side/rear extension of the host property. The permitted extension may have a similar floorspace to the proposed development, but it takes a markedly different form and design approach. When viewed from the front, the extension would complement the

design and appearance of, and be fully visually subservient to, the host building. At the rear of the property, the depth of extension into the garden area would be considerably less than the current proposal and because it would not involve the provision of an additional dwelling, it would retain a much larger garden area for the host property. In short, the extension would have a substantially different impact on the character and appearance of the area and the amenity of occupants of No.60 compared to the current proposals and consequently, it is of limited relevance or weight in relation to this appeal.

19. The provisions of Paragraph 11(d) of the Framework are engaged. As the site is not within an area, or would affect an asset, of particular importance, paragraph 11(d)(i) is not relevant to the determination of this appeal. However, paragraph 11 (d)(ii) should be applied, and this requires an assessment of the proposal against the policies in the Framework taken as a whole.
20. The Framework seeks to ensure that developments add to the overall quality of the area and achieve a high standard of amenity for existing and future users and thus the relevant provisions of Policy DC61, although deemed out of date due to the Framework Footnote 7, are largely consistent with the Framework. Therefore, even taking into account the Council's failure to deliver sufficient housing, the conflict between the proposal and Policy DC61 should be given significant weight in this appeal.
21. Set against the harm identified, the new dwelling would make a modest/minor contribution to the Borough's supply of housing and make more efficient use of the site. While such benefits accord with the Framework, they do not justify a development that would be unacceptably at odds with its other clear aims.
22. In short, I find that the adverse impact on the character and appearance of the area and on the living conditions of the host property would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

23. The proposed development would conflict with Policy DC61 of the local plan and it would be contrary to the Development Plan as a whole. There are no considerations, including the provisions of the Framework which outweigh this. Consequently, for the reasons I have set out above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Anthony Thompson

INSPECTOR