



Appeal Decision

Site Visit made on 19 January 2021

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st March 2021

Appeal Ref: APP/B5480/W/20/3261862

Land adjacent to 3 Southern Way, ROMFORD, RM7 9PA

- 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 R Patel against the decision of London Borough of Havering.
 - The application Ref P0369.20, dated 10 March 2020, was refused by notice dated 9 October 2020.
 - The development proposed is demolition of existing detached double garage and erection of a detached 2-storey 1-bedroom dwelling with associated parking and amenity space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On the 19th January 2021, the Government published the 2020 Housing Delivery Test (HDT) results. The HDT results show that the London Borough of Havering has delivered 36% of its housing requirement over the latest 3-year period. Consequently, the presumption in favour of sustainable development contained within paragraph 11 d) of the National Planning Policy Framework (the Framework) would be engaged. As this was also the outcome of the 2019 HDT results I have not sought further views from the parties on this matter.
3. The proposal before me follows the dismissal of a related appeal on the same site, APP/B5480/W/19/3236695. Whilst each case must be determined on its own merits, I have had regard to this decision in the determination of the appeal.
4. The address provided on the planning application form is 3 Southern Way, Romford, RM7 9PA. However, in the banner heading above I have used the address given on the appeal form and previous appeal decision. It is also the one used by the appellant within their appeal statement. I consider that subsequent address to be usefully more accurate and I have therefore used it within this decision.

Main Issue

5. The main issues are the effect of the proposed dwelling on:
 - the character and appearance of the area; and
 - the living conditions of existing occupiers in respect of outlook.

Reasons

Character and appearance

6. The appeal site comprises an area to the side of 3 Southern Way, a semi-detached two storey dwelling. Southern Way comprises a mix of terrace and semi-detached two storey dwellings and is predominately residential in character. The majority of Southern Way is characterised by dwellings evenly spaced in a linear pattern, which provides a consistency to the built form which contributes to the pleasant suburban character.
7. The appeal site is currently occupied by an existing garage which is located to the side of the dwelling and sits within a comparatively wide gap between the existing dwellings and is filled by the garage. Whilst the proposed two storey 1 bedroom detached dwelling would fill the width of the plot to a similar extent to the garage to which it would replace, the garage is clearly a subservient ancillary outbuilding. The lack of spacing around the building is not replicated elsewhere within the locality and I consider that the development would be dependent on land outside of the appeal site to form its setting. Furthermore, combined with its two-storey scale, the overall mass of the building would look unduly cramped on the plot.
8. The proposed detached dwelling would also be at odds with the form and appearance of the existing pairs of semi-detached and terraced dwellings, even those which have been extended to the side. The introduction of a dwelling in this location would disrupt the overall rhythm of the area, resulting in a contrived and incongruous form of development.
9. I therefore conclude that the combination of the detached form of the dwelling coupled with its scale and siting on the boundary of the site would appear incongruous when viewed against the dwellings within the immediate locality harmful to the character and appearance of the area.
10. Therefore, the development conflicts with policies DC3 and DC61 of the Havering Core Strategy and Development Control Policies DPD 2008 (DPD) which together require developments to consider how the design and layout responds to distinctive local building forms and patterns of development and respects the scale, massing and height of the surrounding physical context. The development would also conflict with policies 7.4, 7.5 and 7.6 of the London Plan which together require new development to be of an appropriate design and scale having regard to the existing pattern and context of surrounding development. I have also seen nothing to suggest the proposal would adhere to similar policies within the emerging London Plan.
11. The proposal would also conflict with the Design for Living Residential Design Supplementary Planning Document, 2010 (SPD) which states that development should reinforce and add to the positive aspects of the built environment.

Living Conditions

12. The proposed dwelling would extend along the side boundary of 3 Southern Way, which has two windows within its side elevation. The proposed dwelling would be located to the south of no 3 and therefore this would reduce the amount of light received to these windows. However, the position of the existing garage and boundary treatment would already impact upon the light received to the ground floor window and therefore any effect of the proposed

development on this window would not materially harm the living conditions of the occupiers.

13. The remaining window at first floor level is already positioned on the boundary and views from this window are therefore essentially restricted to the existing side elevation of 5 Southern Way. There would be oblique views across the rear of the site and these would not be unduly restricted as a result of the proposed dwelling.
14. The modest projection of the development adjacent to the boundary would not have a significant enclosing effect on next door's outlook from their garden or rear windows. As such, the proposal would not harm the living conditions of the occupants of the most relevant neighbouring properties with regard to outlook. The proposal would not have an overbearing impact, and nor would it lead to a sense of enclosure. It complies with policies DC3 and DC61 of the DPD which together require developments to consider how the design and layout does not result in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties. The development would also accord with policies 7.4, 7.5 and 7.6 of the London Plan which together require new development to be of an appropriate design and scale and not cause unacceptable harm to the amenity of surrounding residential buildings, in relation to privacy and overshadowing. The emerging London Plan sets out similar requirements and does not alter my findings on this main issue.

Other Matters

Housing Delivery

15. The 2020 HDT results show that the Council has underdelivered against its housing requirement over the latest 3-year period. Consequently the presumption in favour of sustainable development contained in the Framework is engaged whereby planning 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.
16. Taking into account the current shortfall, 1 dwelling would provide a limited contribution to housing supply in the area. There would be social benefits arising from the contribution to the Council's housing supply, noting the Framework highlights the contribution small and medium sized sites can make to meeting the housing requirement in the area. The development would also give rise to some economic benefits during the construction phase and provide limited support to local services.
17. Nevertheless, the identified adverse impacts of the development in respect of character and appearance would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, including its presumption in favour of sustainable development.

Conclusion

18. For the reasons given above I conclude that the appeal should be dismissed.

G Pannell INSPECTOR