



Appeal Decision

Site Visit made on 11 May 2021

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 May 2021

Appeal Ref: APP/B5480/W/20/3263388

17 Albert Road, ROMFORD, RM1 2PD

- 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 C White against the decision of London Borough of Havering.
 - The application Ref P1407.19, dated 13 September 2019, was refused by notice dated 14 October 2020.
 - The development proposed is Conversion of a single dwelling into 2 No. self-contained flats with single/two storey rear extensions and a garage conversion and alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposal would provide i) suitable living conditions for the occupiers of the first floor flat with regard to outdoor amenity space, and ii) accessible, usable parking without causing additional parking stress in the area.

Reasons

Living conditions

3. The appeal proposal seeks to deliver two flats. The ground-floor flat would be a 3-bedroom, 4-person flat and would have sole use of the rear garden. The first-floor flat would be a 1-bedroom, 2-person flat and would have access to no outdoor amenity space, either communal or private.
4. The Design for Living, Residential Design, Supplementary Planning Document, adopted 2010 (the SPD), seeks to add detail to the overarching requirements of Policy DC61 of the Havering Core Strategy and Development Control Policies Development Plan Document, adopted 2008 (the Policies DPD) to deliver quality urban design which improves the amenity of an area and meets the needs of occupiers.
5. The SPD is clear that good design is fundamental to achieving the broader objectives of the plan, and it strives for the best in residential design and layout to deliver the highest quality residential development. In doing so, it recognises the benefits of outdoor amenity space, notes the fundamental requirement for outdoor amenity space to be of suitable quality and useable, as well as the importance of outdoor space for day-to-day use and access, and the expectation for outdoor amenity space, even shared, communal space, on all flatted developments.

6. The National Planning Policy Framework (the Framework) reinforces this requirement for places and spaces which have a high standard of amenity for future users as a part of achieving well-designed spaces.
7. Against this context, I do not consider that the complete failure of the proposal to offer any outdoor amenity space, either private or communal, for the first-floor flat is acceptable or appropriate. I do not consider that excesses in the internal space provided for the first-floor flat outweigh, or otherwise make acceptable, the failure to provide any outdoor amenity space. Nor do I consider that the nature of the first-floor flat, being a 1-bedroom, 2-person flat makes it less reliant on, or otherwise requiring of, any outdoor amenity space.
8. I acknowledge that the ground-floor flat is provided with outdoor amenity space, and that the provision of either communal, or appropriately sized private outdoor amenity space for both flats can be difficult to achieve in a development of this nature. However, I do not consider that those reasons are sufficient to outweigh the failure of the proposal to provide any outdoor amenity space for the first-floor flat.
9. The proposal would not therefore provide suitable living conditions for the occupiers of the first floor flat with regard to outdoor amenity space. It would therefore be contrary to the requirements of Policy DC61 of the Policies DPD, the detailed guidance in the SPD, and the requirements of the Framework.

Parking

10. At present, there is space for at least two cars to be parked off-street to the front of the appeal site. Whilst I acknowledge some of this space would be taken up by the proposed bin and cycle stores, it appears that sufficient space would be retained for the two spaces shown on the drawings, and it appears that these would still be practical and useable such that additional on-street parking stress would not necessarily arise.
11. I therefore consider that the proposal would provide accessible, usable parking without causing additional parking stress in the area, and would comply with Policies DC33, DC34 and DC61 of the Policies DPD, which seek, amongst other things, to ensure that development delivers suitably high quality urban design, considers the needs of pedestrians and appropriately controls car parking.

Planning Balance

12. Although I have found that the proposal would not cause harm with regard to the provision of accessible, usable parking without causing additional parking stress in the area, I have found that it would not provide suitable living conditions for the occupiers of the first floor flat with regard to outdoor amenity space. I therefore conclude that the proposal would conflict with the development plan as a whole. In reaching this conclusion, and in line with paragraph 213 of the Framework, I am satisfied that the relevant policies are consistent with the Framework and accord them substantial weight as a result.
13. Both parties agree that as a result of the housing land supply position in the Borough and the Housing Delivery Test results, policies which are most important for determining the application are out-of-date and the presumption in favour of sustainable development, and the test at paragraph 11d)ii of the Framework applies.

14. In this case, I am therefore to consider whether any adverse impacts of granting planning permission for a flat with no outdoor amenity space, would significantly and demonstrably outweigh the benefits, being the delivery of a single net-additional dwelling, when assessed against the policies in the Framework as a whole.
15. The Framework is clear on the need for well-designed places and spaces, both in the social objective element of sustainable development, and in the need to ensure a high standard of amenity for future users of any development. As set out, I do not consider that a flat with no access to outdoor amenity space meets those standards and it would lead to the provision of a poor-quality living environment. As such, granting permission for such a development would be a significant adverse impact in light of those requirements.
16. Acknowledging the importance of small-sites for the delivery of housing, as well as the overarching need for new housing, particularly in areas where delivery has fallen below requirements, I consider that the benefits of a single net-additional dwelling are extremely limited.
17. As a result, I find that the adverse impacts of granting permission for the appeal proposal would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Conclusion

18. For the reasons given above I conclude that the proposal conflicts with the development plan and there are no material considerations which indicate that a decision be taken other than in accordance with it. The appeal should therefore be dismissed.

S Dean

INSPECTOR