



Appeal Decision

Site Visit made on 24 August 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 October 2021

Appeal Ref: APP/B5480/W/20/3255626

107 Dagenham Road, Romford RM7 0DD

- 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 Amir Hanif against the decision of London Borough of Havering.
 - The application Ref P1895.19, dated 19 December 2019, was refused by notice dated 26 March 2020.
 - The development proposed is the subdivision of the site and construction of a single storey dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Following the submission of this appeal, a revised version of the National Planning Policy Framework (the Framework) has been published. I have considered the proposals in the light of this revised document, having first given the parties an opportunity to comment on its content.
3. After the determination of the planning application, the London Plan (2021) has been published. Although I have given the parties the opportunity to comment on this document, I have not been directed towards any specific policies. I have therefore determined the appeal with reference to policies cited on the decision notice that remain part of the development plan.

Main Issues

4. The main issues are:
 - the effect of the development upon the character and appearance of the surrounding area;
 - whether appropriate living conditions would be provided for the future occupiers of the development; and
 - whether appropriate garden space would be provided for occupiers of the development.

Reasons

Character and appearance

5. The appeal site consists of an area to the rear of 107 Dagenham Road. However, the appeal site is physically separate to the building's garden area.

The site is currently somewhat overgrown. The surrounding buildings are typically houses arranged in linear patterns. The appeal site has a frontage onto Norwood Avenue,

6. By reason of the proposed development being a bungalow, the building would appear incongruous as it would be of a significantly different form and height than the surrounding buildings. In addition, the proposed dwelling would have a layout that would be notably different with the most common layout present on the surrounding dwellings as it would have a garden to the side.
7. The proposed development would have a flat roof, which differs from the more common roof shape in the surrounding area. Although the use of red brick has been proposed, the development would feature a different palette of materials to the surrounding dwellings. In result, the proposed development would conflict with the traditional palette of materials and form of architecture that is a feature of the surrounding area. This would occur irrespective of the proposed dwelling having an alignment similar to other dwellings nearby.
8. Whilst parts of the dwelling would be located behind the site's boundary treatment, the form and appearance of the proposed dwelling would remain readily perceptible. This adverse effect would not be overcome by the reduction in the site's levels.
9. In addition, the gardens associated with dwellings in the terrace which contains No. 107 are of a consistent length. The proposed development would be viewable from the road and therefore, the reduction in space behind the existing building would be visible and would erode the character of openness behind these existing buildings.
10. Although the appeal site has been separated from the garden at No. 107, this boundary treatment is not perceptible from the street and, as such, does not have a significant effect upon the area's character. The proposal would therefore erode this characteristic.
11. The development would have a frontage onto Norwood Avenue. However, whilst this would be similar to other dwellings, this arrangement would not overcome the previously identified adverse effects. This is because the dwelling would have a different design and a garden area to the side.
12. I acknowledge that the proposed development would feature architectural details, such as a green roof. However, this would not overcome the adverse effects arising from the form and siting of the development and therefore does not mitigate my previous concerns.
13. There are some bungalows in the surrounding area. However, these are constructed to different designs and proportions to the appeal proposal. Therefore, their presence does not overcome my previous concerns.
14. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would conflict with Policy DC61 of the Havering Core Strategy and Development Control Policies Development Plan Document (2008) (the Core Strategy). Amongst other matters, this seeks to ensure that developments maintain, enhance, or improve the character and appearance of the local area.

Living conditions

15. The proposed development would be located close to the appeal site's boundaries. The submitted plans show that the front boundary wall would be retained post-development.
16. By reason of the proximity of the proposed development to the boundary treatment, occupiers of the development would not experience appropriate levels of outlook. This would include rooms that would be habitually occupied, such as the living room.
17. The proposed development would feature windows next to boundary treatments. The boundary treatments are of significant proportions and of substantial construction. Therefore, these would have an enclosing effect upon the proposed windows, which would prevent a satisfactory level of outlook to all rooms in the dwelling from being provided.
18. In addition, this situation would be exacerbated by the fact that the building would be located on land that would be lower than the existing appeal site. This means that the level of outlook would be further reduced. Whilst the reduction in site levels might not be overly large, it would exacerbate a situation that I have previously found to be harmful. Therefore, the reduction of land levels adds to my concerns.
19. The dwelling would feature two bedrooms. In result, there is a likelihood that the proposal would be occupied by a family. Whilst the proposed dwelling would have an area greater than 61 square metres, it would not feature suitable storage space.
20. Therefore, the size of the proposed dwelling would reduce the ability of future residents to experience appropriate living conditions as it would not be possible to store normal household items that would be required on a reasonably frequent basis.
21. Owing to the topography of the appeal site, the inclusion of roof lights and the presence of windows on several different elevations, I believe that the occupiers of the proposed development would experience an appropriate level of light within the dwelling. This would be assisted by the general layout of the development.
22. In addition, the users of the proposed garden would experience appropriate levels of light owing to the orientation of the site. Whilst these are matters of note, it is only one of the matters that must be assessed and therefore does not outweigh my previous concerns.
23. I therefore conclude that the proposed development would not provide an appropriate level of living conditions for the future occupiers of the development. The development, in this regard, would conflict with Policy DC61 of the Core Strategy. Amongst other matters, this seeks to ensure that developments meet the needs of all people of all ages.

Garden space

24. The proposed dwelling would comprise a single dwelling, with a driveway and garden adjacent to one of the side elevations.

25. The proposed garden would feature land on different levels. Therefore, this arrangement would diminish the ability of residents to undertake the full range of recreation activities, such as outdoor play. This is of particular concern owing to the proposed development containing two bedrooms. Therefore, there is a notable likelihood that the development would be occupied by a family.
26. Furthermore, the available space for recreation would be further reduced if the garden be used for the storage of refuse or materials for recycling or for the undertaking of household tasks, such as the drying of washing. This would be particularly the case should these activities take place simultaneously, which would result in relatively small sections of garden being made available on different land levels.
27. Although occupiers of the development could use public open space, these are some distance away from the appeal site. Therefore, the lack of convenience would deter some residents from undertaking such trips. In addition, an area of public open space would lack the same level of privacy that would be expected within a private dwelling. In consequence, this would not represent an appropriate alternative.
28. I therefore conclude that the proposed development would not provide an adequate garden space for the future occupiers of the proposed development. The development, in this regard, would conflict with Policy DC61 of the Core Strategy. Amongst other matters, this seeks to ensure that developments meet the needs of all people of all ages.

Other Matters

29. The proposed development would result in the creation of an additional dwelling, that would add to the local housing supply. Whilst this is a matter of note, this does not overcome the significant harm to the character and appearance of the surrounding area and the lack of appropriate living conditions and garden space for the occupiers of the proposed dwelling.
30. I note that, in devising the appeal scheme, the appellant was attempting to overcome the refusal of a previous application for planning permission. Whilst this is a matter of note, it does not outweigh my findings in respect of the main issues.

Planning Balance and Conclusion

31. The proposed development would have an adverse effect upon the character and appearance of the surrounding area and would not provide appropriate living conditions and garden space for the future occupiers of the dwelling. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR