The Planning Inspectorate

Appeal Decision

Site visit made on 14 December 2021

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 March 2022

Appeal Ref: APP/B5480/W/21/3273570
118 Pettits Lane, Romford RM1 4EJ

- 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 KMDS Designs against the decision of the Council of the London Borough of Havering.
- The application Ref P1886.20, dated 3 December 2020, was refused by notice dated 9 February 2021.
- The development proposed is the demolition of existing building and construction of 2 dwellings with off-street car parking and private amenity and outbuilding to the rear.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's decision notice referred to policies of the London Plan 2016. These were superseded by the policies of the London Plan 2021, which was published and became part of the development plan on 2 March 2021. The Council's appeal statement, on which the appellant had the opportunity to comment, referred to policies of the 2021 plan. Where relevant in my reasons section below I have referred to 2021 policies rather than those of the 2016 plan originally referred to in the decision notice.

3. The Government published a revised National Planning Policy Framework ("the Framework") on 20 July 2021, replacing the version published in February 2019. In this case, the amendments to the Framework have not had a significant bearing on the most relevant issues in this appeal. I am therefore satisfied that there is no requirement for me to seek separate submissions on the revised Framework, and that no party's interests have been prejudiced by my taking this approach. Where I have referred in my decision to specific paragraphs of the Framework, the numbering used is that of the July 2021 version.

4. The Council adopted the new Havering Local Plan ("the HLP") on 17 November 2021. At the same time the 2008 Core Strategy and Development Control Policies DPD ("the Core Strategy"), the policies of which had been referred to in the decision notice, was withdrawn. The main parties were afforded the opportunity to comment on the new policies, and where relevant in my reasons below I have referred to the policies of the HLP.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

6. The appeal site is a plot of land on the north-eastern side of Pettits Lane, and it currently contains a single-storey bungalow with integral garage. The surrounding area is predominantly residential, and mainly characterised by two-storey semi-detached dwellings set in reasonably generous plots, although front gardens are generally now hard-surfaced and given over to car parking space rather than soft landscaping. Nevertheless, there are street trees and some areas of mature planting within front gardens, and the area as a whole has a spacious and suburban character.

7. The proposed development is the demolition of the existing dwelling on the appeal site, and its replacement with a pair of five-bedroom semi-detached houses, with parking areas to the front and amenity space and outbuildings to the rear. The proposed dwellings would each have living space on three levels, including a large bedroom with ensuite shower room in the roof space; in order to accommodate this the building would have a dual-pitched gable-ended roof, with a large linked dormer on the rear slope.

8. The introduction of a gable-ended property at the appeal site would put it at odds visually with its neighbours on either side, both of which have hipped roofs. In closing the gap between the roofs of the properties on either side, it would also reduce the contribution that the appeal site makes to the spacious character of the area.

9. I note the main parties agree that, beyond two-storey semi-detached houses, there is no particular dominant architectural style in Pettits Lane. I also accept the appellant's argument that there are several examples of gabled roofs in the locality; indeed, at the time of my site visit I saw some of the gabled roofs to which the appellant's statement referred, as well as one at No 122 next-door-but-one to the appeal site which had not been referred to. However, based on what I saw it also appeared to me that the vast majority of dwellings on Pettits Lane have hipped roofs. This appeared particularly to be the case in the area closest to the appeal site; in this context, No 122 is something of an anomaly and serves to illustrate how gabled roofs can close down gaps and diminish the spacious character of an area where hipped roofs otherwise dominate.

10. The appellant has drawn my attention to a gable-ended pair of semi-detached dwellings which were granted planning permission in August 2019 to replace a detached bungalow at No 45 Pettits Lane[1]. With reference to No 45, the appellant considers that there is no justification for the Council having changed its opinion on the character of Pettits Lane in the time since that permission was granted. The development at No 45 has now been constructed, and I was able to view it at the time of my site visit. No 45 is on a part of Pettits Lane where gable ends are prevalent, at least on the west side of the road – all the dwellings from No 31 to 61 (odds only) had some form of gabled roof, most of which appeared to be original. However, that dominance of gables is unusual within the context of the street as a whole, and as No 45 is 450m or so from

[1] LPA Ref: P0732.19

the appeal site it does not define the character or appearance of the area around No 118.

11. The rear dormer would be a bulky and cumbersome projection from the roof slope, and the way that it would straddle the two hipped roofs on the rear projections below would be visually clumsy. The linked centre section connecting the two halves of the building would add to the perceived bulk of the dormer. While the rear dormer would not be seen in public views, it would be visible from the rear windows and gardens of numerous surrounding properties.

12. There is already a planning consent for the redevelopment of the appeal site, granted in October 2020, which permits the construction of a pair of two-storey semi-detached houses[2]. This is a legitimate fallback position for the appellant. However, the approved scheme has a hipped roof, and lacks the connected rear dormer of the appeal scheme. It would be less substantial, and therefore less harmful, than the scheme before me; as such it carries very limited weight in favour of the appeal proposal.

13. The gable roof would diminish the open and spacious nature of the area, while the bulky linked rear dormer would be a cumbersome and intrusive feature. The proposed development would therefore cause significant harm to the character and appearance of the area. As such, the proposal conflicts with Policies 7 and 26 of the HLP, and Policy D4 of the London Plan 2021; among other things, these policies seek to ensure that development is designed to a high standard which respects and complements local building forms and context. For the same reasons, the proposal conflicts with the provisions of the Framework which seek to achieve well-designed places set out in Paragraphs 126 to 134.

Planning Balance and Conclusion

14. The Council's appeal statement acknowledged that the 2020 Housing Delivery Test ("HDT") results showed that it had met only 36% of its housing requirement over the three-year period to 2020. The 2021 HDT results, published on 14 January 2022, showed delivery at 46% of the housing requirement in the three years to 2021. Therefore, the most important policies for determining the appeal should be considered out of date, and the presumption in favour of sustainable development set out in paragraph 11d) of the Framework applies. As such, 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.

15. The proposed development would provide two new dwellings, resulting in a net increase of one dwelling, in an area reasonably well-located for access to shops, other services and transport links. There would be some additional benefits in terms of employment and use of local businesses during the construction phase. Given the small scale of the scheme, these would represent in total a modest social and economic benefit. However, the development would cause significant harm to the character and appearance of the area, and would therefore conflict with the specific requirements of Paragraphs 126 to 134 of the Framework, for the reasons which I have set out above.

[2] LPA Ref: P1272.20

16. Overall, the harm from the development significantly and demonstrably outweighs the benefits when assessed against the Framework taken as a whole. Therefore, the proposal would not amount to sustainable development in the terms set out in the Framework. The appeal is therefore dismissed.

M Cryan

Inspector