
Appeal Decision

Site visit made on 5 April 2022

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th April 2022

Appeal Ref: APP/B5480/W/21/3285492

221 Highfield Road, Romford RM5 3AN

- 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 Imran Asghar against the decision of London Borough of Havering.
 - The application Ref P0797.21, dated 24 April 2021, was refused by notice dated 22 June 2021.
 - The development proposed is the erection of part-two, part-single storey extension to side to create a one-bedroom, two-person dwelling house with associated amenity space, new vehicular crossover and parking, cycle and bin stores.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Subsequent to the determination of the planning application, the Council adopted the Havering Local Plan (2021) (the Local Plan). As this document now forms part of the Development Plan, it carries full weight in my considerations. I have therefore had regard to this document in considering this appeal, having first given the main parties opportunity to comment.

Main Issues

3. The main issues relevant to this appeal are:
 - the effect of the development upon the character and appearance of the surrounding area; and
 - whether appropriate living conditions would be provided for the future occupiers of the development, with particular reference to internal space.

Reasons

Character and appearance

4. The appeal proposal can be summarised as being a dwelling located adjacent to a terrace of existing houses. As part of this terrace, dwellings are typically constructed to a consistent height and width. Whilst there are dwellings constructed to differing designs within the wider area, the appeal site is most closely associated with the nearby terraces.
 5. The proposed dwelling would have a width that would be significantly narrower than the other houses in the existing terraces. It would also differ from the proportions of other terraced houses in the surrounding area.
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6. In addition, given that the proposed dwelling would have a substantially narrower width, it would also have a differing fenestration pattern to the existing dwellings. In result, in this context, the proposed development would appear discordant. In consequence, the development would conflict with the current suburban character.
7. I acknowledge that the appeal site features a fenced area. However, the height of this fence is relatively low. This means that the absence of buildings can be perceived from the surrounding area. The proposed development would have a significantly greater height than the existing fence. In consequence, the presence of the existing fence does not overcome my previous concerns.
8. I am aware that some other dwellings within the wider surrounding area have been extended. However, these are of a different design to the development sought within this appeal. In result, the presence of such extensions nearby does not allow me to disregard the previous points owing to their differences in form.
9. Although there are some dwellings in the wider area that have been constructed to differing designs, the proposed development would be most closely related to the terrace in which it is located. There are also similar terraces nearby which would be viewed alongside the proposed development. Therefore, the proposal would appear discordant.
10. This is a concern given that the proposed development would be visible from several different vantage points within the surrounding area. This would be exacerbated by the topography of the vicinity, which would mean that the proposed development would be readily apparent from the surrounding area.
11. In addition, views of the appeal site would also be possible from the existing, neighbouring dwellings. In consequence, the proposed development has the potential to be experienced by a great number of people. This would render the proposed development strident. Therefore, the character of the surrounding area would be eroded.
12. My attention has been drawn to a previous appeal decision at this site. I do not have the full information regarding the planning circumstances of this which lessens the weight that I can attribute to it. Nonetheless, I note that this previously approved building has a different design to the scheme before me. In particular, the evidence before me indicates that there are several differences, including footprint; proximity to highway; bay window and front door design; and fenestration.
13. In consequence, the effects of each different dwelling upon the character and appearance of the surrounding area differ. In particular, the proposed development by reasons of its significantly different proportions and lessened similarities with the existing dwelling would appear discordant when viewed alongside the existing terrace. In consequence, I find that the presence of the previous appeal decision does not overcome my findings.
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 the requirements of Local Plan Policy 26. Amongst other matters, this seeks to ensure that new developments

are informed by, respect and compliment the distinctive qualities, identity and character of the site and local area.

Living conditions

15. The proposed development would feature two stories and would by reason of its limited height would feature smaller gaps between the internal floors and ceilings.
16. By reason of this arrangement, occupiers of the proposed development would have a diminished ability to circulate the appeal proposal. In addition, the reduced level of space inside the building would also provide a limited amount of room for the storage of normal household items.
17. In result, the occupiers of the proposed development would have a diminished ability to undertake normal and routine activities which might normally be expected to take place inside a dwelling. This would therefore limit the living conditions for the future occupiers of the dwelling.
18. In reaching this view, I've had regard to the requirements of Policy D6 of the London Plan (2021) (the London Plan). Amongst other matters, this states that the minimum floor to ceiling height for the dwelling must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling.
19. From the evidence before me it is apparent that this minimum threshold would not be reached. Although the overall level of the shortfall may not be large, the diminished amount of space would prevent appropriate living conditions from being secured for the future occupiers of the proposed development.
20. Therefore, given the aforementioned adverse effects owing to a lack of appropriate circulation space within the proposed development, harm would emanate from the breach of the policy as appropriate living conditions would not be provided for the future occupiers of the development. I am required to attribute weight to this breach.
21. I recognise that the proposed development would be located alongside dwellings that have similar heights and proportions. However, I understand that the policy to which I have been directed forms part of the Development Plan and has been found sound at a public examination. Therefore, I am compelled to give it full weight in my considerations. Therefore, the breach of the policy causes significant concerns.
22. Furthermore, the Development Plan Policy, to which I have been referred, has been adopted relatively recently. It therefore appears to post-date the erection of dwellings within the immediate vicinity. In consequence, the presence of buildings elsewhere does not overcome, or mitigate, my previous concerns.
23. Although the proposed development features appropriate amounts of floor space and garden areas, these are only some of the matters that must be considered when assessing a proposal. Therefore, this does not prevent the previously described adverse effects from occurring.
24. I therefore conclude that the proposed development would not provide suitable living conditions for the future occupiers of the dwelling. The development, in this regard, would conflict with Policy 7 of the Local Plan and Policy D6 of the

London Plan. Amongst other matters, these seek to ensure that new developments have sufficient space between floors and ceilings.

Other Matter

25. My attention has been drawn to the Council's Residential Extension and Alterations Supplementary Planning Document (2011). However, this is intended to provide guidance for the development of proposed alterations and extensions to dwellings. Although attached to an existing house, the development before me is for a proposed new dwelling. The appeal proposal therefore falls outside of the scope of this document. I am therefore unable to give this document a significant amount of weight in my considerations.

Planning Balance

26. The Housing Delivery Test indicates that there has been an under-delivery of new housing within the surrounding area. In consequence, the presumption in favour of sustainable development contained within the National Planning Policy Framework (the Framework) is invoked. This states that planning permission should be granted unless any adverse effects of doing so significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework, taken as a whole.
27. The proposed development would offer a limited contribution to the local housing supply. Whilst noting that the Framework highlights the contribution that smaller sites can make to meeting housing requirements, the overall benefit of the scheme in this regard would be limited.
28. The development would also give rise to some economic benefits owing to the construction process and support of local business and services. However, such benefits would be relatively small owing to the scale of the development and would, in some instances, be of a time-limited duration. In consequence, they can be attributed a limited amount of weight.
29. Therefore, given the significant harm arising from the proposed development, the adverse effects of granting permission significantly and demonstrably outweigh the benefits.

Conclusion

30. The proposed development would have an adverse effect upon the character and appearance of the surrounding area and would not provide appropriate living conditions for the future occupiers of the development. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the 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