
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/21/3282430

33 Station Road, Harold Wood, Romford RM3 0BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr B Chhabra (First Homes Ltd) against London Borough of Havering.
 - The application Ref P1235.21, is dated 21 June 2021.
 - The development proposed is a roof addition and alterations to enable the conversion of the existing three-bedroom dwelling into a one-bedroom flat and a three-bedroom flat at first, second and third floor levels.
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Decision

1. The appeal is dismissed, and planning permission for a roof addition and alterations to enable the conversion of the existing three-bedroom dwelling into a one-bedroom flat and a three-bedroom flat at first, second and third floor levels is refused.

Main Issues

2. The main issues relevant to this appeal 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 proposed development, with particular reference to access to outdoors recreation space; and
 - the effect of the proposed development upon highway safety.

Reasons

Character and appearance

3. The appeal proposal consists of an existing end of terrace property. Whilst the surrounding area features buildings constructed to differing designs, a unifying principle is the provision of pitched roofs. In addition, there is some symmetry between the appeal site and the adjoining building. These relationships ensure that each building harmonises with one another.
 4. The proposed development would feature a mansard style roof. This would create a bulkier form of development, which would conflict with the pattern of development in the surrounding area as the roof shape would be significantly different from the prevailing character.
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5. Amongst other matters, the proposed development would have a far steeper roof slope than many of the neighbouring dwellings. Owing to the appeal site being located as part of a linear pattern of development, this different form of development would be readily viewed alongside other neighbouring buildings. Therefore, the divergent form of development would be readily perceptible.
6. In particular, this element would be viewed alongside the rest of the existing terrace. This would mean that the proposed development would appear unduly incongruous given the divergent approach taken to design. Although there are some variations in building types within the surrounding area precise roof shapes in the vicinity are reasonably consistent.
7. In addition, within the wider area the presence of mansard roofs occurs on a significantly limited basis. These factors, when combined, mean that the proposed development would appear discordant.
8. The terrace that contains the appeal site features varying steps owing to the topography of the vicinity. Whilst this creates some variation in terms of the perceived height of buildings, a consistent characteristic is the roof shape. It is this prevailing character that would be eroded by the proposed development.
9. This is a concern given the relative prominence of the appeal site. In addition to views from the neighbouring buildings, including several sites to the rear of the appeal site; the proposed development would be visible from several different vantage points within South Street and, to a lesser effect, the wider, surrounding area. In addition, the vicinity includes a railway line and a station. From these features the proposed development would be viewable.
10. In addition, the proposed development is located within an area that features several commercial facilities. This means that passers-by could be reasonably anticipated to occur. Therefore, the proposed development has the potential to be experienced by a greater number of people. This would render the development strident.
11. The proposed development is unlikely to lead to an adverse effect upon the living conditions of the occupiers of neighbouring properties. Whilst this is a matter of note, it is only one of all the matters that must be considered. Therefore, this does not outweigh my previous concerns.
12. I therefore conclude that the proposed development would have an adverse effect on the character and appearance of the surrounding area. The development, in this regard would conflict with the requirements of Policy 26 of the Havering Local Plan (2021) (the Local Plan) and Policy D4 of the London Plan (2021) (the London Plan). These, amongst other matters, seek to ensure that the design of developments are informed by, respect and complement the distinctive qualities, identity and character of the site and local area; and that the design of development proposals be thoroughly scrutinised.

Living conditions

13. The appeal proposal would contain two flats. These would not have direct access to the rear garden of the appeal site. the proposed development would replace a House in Multiple Occupation, which features access to the ground floor rear garden of the appeal site.

14. By reason of the proposed layout, occupiers of some of the proposed development would not have direct access to outdoor recreation space. This would mean that they have a diminished ability to undertake the full range of private outdoor recreation owing to the lack of appropriate on-site facilities.
15. Furthermore, the proposed development would include a dwelling that has the potential to be occupied by a family. In consequence the lack of suitable facilities where outdoors play might take place is particularly concerning.
16. My attention has been drawn to various areas of public open space in the surrounding area. However, some of these are a notable distance away from the appeal site. This means that they would not necessarily be a convenient option due to the lack of accessibility. Furthermore, as areas of public open space they would not have the same level of privacy as would be expected within a garden. Therefore, they are unlikely to represent a satisfactory alternative for outdoors recreation.
17. In addition, given that the proposed development includes a family dwelling in the form of the three-bedroom flat, there is a likelihood that this dwelling might be occupied by children. The lack of on-site access to open space means that there would be a reduced ability for children to partake in outdoors play as residents might not be able to always provide transport to or supervision at an off-site location. Therefore, the presence of such spaces would not overcome my previous concerns.
18. I understand that the property has previously been used as a House in Multiple Occupation, however the pattern of usage within such a development would differ from the scheme before me. This is due to the likely age of occupiers within a House in Multiple Occupation and the fact that it is unlikely to be used as family accommodation. This means that the occupiers of the existing use are unlikely to require play facilities on site. I therefore do not find that the existing use overcomes my previous concerns.
19. I therefore conclude that the proposed development would not provide appropriate living conditions for the future occupiers of the development. The development, in this regard, would conflict with the requirements of Policy 7 of the Local Plan; and Policy D6 of the London Plan. Amongst other matters, these seek to ensure that new developments incorporate an appropriate level of high-quality amenity space; and provide an appropriate level of private outside space.

Highway safety

20. The proposed development would be located in an area where on-street car parking is either available on a pay-and-display basis, or limited to the holders of residents car parking permits.
21. The evidence before me indicates that occupiers of the proposed development would be able to apply for such permits, in the absence of a legal agreement to secure the contrary. However, the submitted evidence is not indicative that the occupiers of the existing House in Multiple Occupation would be prevented from securing such parking permits.
22. Given the similarity in terms of the overall provision of bedrooms, it is unlikely that the proposed development would be occupied by a significantly larger number of people.

23. Therefore, the proposed development is unlikely to result in a greater demand for car parking spaces within the surrounding area. In consequence, it is unlikely that the proposed development would encourage unsafe car parking practices within the vicinity of the site.
24. In addition, the proposed development would be located close to a variety of commercial and community facilities. In addition, the site is close to public transport links including bus stops and a rail station.
25. In light of this, there is a likelihood that residents of the proposed development would not necessarily need to have access to their own private cars as, for a number of activities, they would either be able to travel to facilities close to the appeal site or have access to public transport provision.
26. In consequence, the development is unlikely to result in a greater movement of vehicles. It therefore follows that the proposed development is unlikely to result in a greater demand for cars to be parked in the vicinity of the appeal site.
27. Therefore, the proposal is unlikely to cause an erosion of highway safety and the absence of a legal agreement that would prevent the occupiers of the development from being able to obtain a parking permit does not cause significant concern.
28. I understand that the proposed development would include some cycle storage. This would also provide residents of the development with a further alternative to using private cars as a means of travel. Had I been minded to allow this appeal, I could have imposed a condition that would have required the provision and retention of this storage throughout the life of the development. This would have provided some certainty that such storage would be provided.
29. I therefore conclude that the proposed development would not have an adverse effect upon highway safety. The development, in this regard, would comply with the requirements of Policy 24 of the Local Plan, and Policy T6.1 of the London Plan. These, amongst other matters, seek to ensure that new residential development should not exceed the maximum parking standards; and that minimum parking standards apply in areas with low public transport access.

Other Matter

30. I acknowledge concerns raised regarding the manner in which the planning application was administered by the Council. However, in assessing this appeal, I have limited my considerations to the planning matters before me.

Planning Balance and Conclusion

31. Whilst the proposed development would not have an adverse effect upon highway safety, this is outweighed by the adverse effects upon the character and appearance of the surrounding area and the lack of appropriate living conditions for the future occupiers of the development.
32. The development 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, and planning permission refused.

Benjamin Clarke

INSPECTOR