



Appeal Decision

Site visit made on 4 October 2022

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 October 2022

Appeal Ref: APP/B5480/W/21/3288738

88 Straight Road, Romford RM3 8AB

- 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 K Shah against the decision of the Council of London Borough of Havering.
 - The application Ref P1353.21, dated 7 July 2021, was refused by notice dated 16 September 2021.
 - The development proposed is described as the erection of a new 3 bedroom dwelling to the right of the donor property at 88 Straight Road.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In November 2021 the Council adopted a new local plan – The Havering Local Plan 2016-2031 (Local Plan). The Council have confirmed which policies are now in place and the appellant has had opportunity to comment on both the superseded and adopted policies. I have therefore referenced the adopted policies in my decision. The Residential Extensions and Alterations Supplementary Planning Document (REA) is referred in the Council's decision notice. However, paragraph 1.2 of the REA states specifically it does not provide advice for new houses. As such I have discounted it from my considerations.

Main Issues

3. The main issues are the effect of the proposed development on a) the character and appearance of the area; and b) the living conditions of the occupants of the donor property, with specific regard to light and outlook; and whether the proposed development would provide c) sufficient off-street parking; and d) acceptable living conditions for future occupiers, with specific regard to internal space.

Reasons

Character and appearance

4. The appeal site is located on Straight Road, a main road through a suburban residential area. It is part of a 2 storey, semi-detached pair which are similar in form with off-street parking to one side. This creates space between them and adjacent buildings, providing views over their gardens towards the small green space and pedestrian link between Clements Close and Faringdon Avenue. Between the appeal site and Faringdon Road is a commercial building which

runs the full length of the shared boundary. The 2 storey section of that building faces Straight Road appeared to be vacant and the single storey section behind is occupied by a convenience store.

5. The appeal site and attached property are unusual in their proximity to the pavement edge, with the majority of other houses set back behind front gardens or off street parking. This means the 2 properties stand out from their surroundings, and the space around them adds visual relief in an otherwise densely populated street scene.
6. The proposed new dwelling would be awkwardly positioned between the donor property and the adjacent commercial building infilling the space between them. Although a side access is proposed, it would be too narrow and enclosed to provide any meaningful space between the buildings. The proposal would therefore reduce the visual and physical separation from the adjacent buildings. The loss of the visual relief created by the space around the appeal site would harm the character and appearance of the area.
7. The appeal site frontage would appear cramped and dominated by car parking. This would harm the appearance of the appeal site and create poor legibility between the donor property and new dwelling. The incorporation of a rear facing box dormer and the proposed wrapping of the corner of the donor property by the new dwelling would further emphasise the mass, bulk, and awkward form of that proposed. Although there is a mix of housing types and styles along Straight Road, that proposed would not represent a sympathetic or cohesive design and would create a convoluted and overwhelming addition to an otherwise clearly defined and relatively open part of the street scene.
8. The appellant has drawn my attention to the additional dwelling at 70 Straight Road. However, it is subservient in form to No 70 and the space between it and the adjacent development is retained, due to the existing public footpath. Consequently, I do not find it comparable to the scheme before me.
9. The proposal would, therefore, significantly harm the character and appearance of the area. This would be contrary to Local Plan Policy 26, Policies D4 and D6 of the London Plan (2021) (the London Plan), Paragraph 124 of the National Planning Policy Framework (the Framework) and the design principles and characteristics in the Council's Residential Design Supplementary Planning Document (RDSPD), insofar as they seek high quality design which respects the character and appearance of the local area.

Living conditions – donor property

10. In the rear elevation of the donor property is a ground floor lounge window and 2 first floor bedroom windows all looking out over the garden. The kitchen is housed in a single storey addition creating an L shape with the rear elevation and has windows looking towards the commercial building. It is noted the kitchen and lounge would constitute the main and only living space, beyond bedrooms, within the donor property.
11. The side elevation of the proposal would be blank and the equivalent of 3 storeys in height, due to the box dormer. By wrapping the corner of the donor property, it would be positioned immediately to the side of one of the bedroom windows and extend back into the garden beyond the kitchen addition. The proximity of this elevation to the donor property, along with the overall size

and mass of the proposed side elevation, would detrimentally affect the daylight and sunlight for both the kitchen and lounge. Although this affect would be less for the bedroom windows above, there would also likely be some loss of sunlight due to the orientation of the properties. As such, based on the evidence submitted, I am not satisfied the proposal could ensure adequate sunlight and daylight is retained for the occupants of the donor property.

12. The overall mass of the proposed side elevation along with the proximity to the donor property's only kitchen and lounge windows would significantly limit views of the garden and wider area. It would create an enclosed and claustrophobic outlook for the kitchen and a narrow and overbearing prospect for the lounge. It is appreciated that it is unlikely to have such a negative effect on the rear facing bedroom windows, due to their elevated position above the kitchen addition, but this does not mitigate the harm to outlook from the lounge and kitchen.
13. It is appreciated the proposal has been designed to ensure the privacy of the occupants of the donor property. However, that would constitute a lack of harm which is a neutral factor and cannot weigh for or against the proposal.
14. Consequently, the proposal would significantly harm the living conditions of the occupants of the donor property with specific regard to light and outlook. This would be contrary to Local Plan Policies 7 and 10, Paragraph 130 of the Framework and the principles in the RDSPD insofar as they relate to protecting existing residents living conditions.

Off-street parking

15. The proposal would transfer the 2 off-street parking spaces from the donor property, a 4 bedroom dwelling, to the proposed 3 bedroom dwelling. London Plan policy T6, which takes into account local public transport links, requires 1 off-street parking space per dwelling with 3 or more bedrooms in this area.
16. The proposed parking provision for the new dwelling would exceed the policy requirement but to the detriment of the donor property. Therefore, the benefit of providing parking for one dwelling is neutralised by the removal of parking from the other.
17. I observed a reasonable amount of on-street parking available on the streets off Straight Road when I visited the site during the early afternoon on a weekday. However, due to the density of housing in the immediate area I am unconvinced this would not be more congested during evenings and weekends. Equally, the location of the on-street parking would not be particularly close or convenient for occupants of the donor property.
18. Consequently, and based on the information before me, I find that the proposal would be unable to provide sufficient off-street parking for both the donor and new dwelling so would be contrary to Local Plan Policy 24 and London Plan T6 insofar as they seek to ensure suitable parking provision.

Living conditions – future occupants

19. The main parties disagree about the maximum occupancy of the proposed new dwelling. However, the proposal would meet the minimum internal space standards for a 3 bedroom, 4 persons dwelling over 3 floors, and the proposed rooms would meet or exceed the space standards set out in London Plan Policy

- D6. A conclusion the main parties agree with. It is appreciated that the plans show the bedrooms with double beds in them, but furniture layouts on plans are indicative only, so do not alter my findings on quantum of internal space.
20. All proposed living spaces would have large front or rear facing windows which would ensure a reasonable outlook. The plans show the stairs and bathroom facilities at the centre of each floor therefore none of the living spaces or bedrooms would be so deep as to suffer from a lack of light. The garden would be adequately sizes and an acceptable level of privacy could be provided.
21. I therefore find, the proposal could provide acceptable living conditions for a maximum of 4 occupiers with specific regard to internal space. It would therefore comply with Local Plan Policies 7 and 10, London Plan Policy D6 and paragraph 130 of the Framework insofar as they seek to ensure appropriate living conditions for future occupants of new residential developments.

Other Matters

22. A lack of opportunity to amend the scheme during the application process is noted. However, no information relating to alterations has been submitted and not all schemes may be capable of being rendered acceptable. Matters relating to the planning procedures during the pandemic, pre-application time frames and communication are administrative and should be raised with the Council. They do not, therefore, impact the planning merits of this case.

Planning Balance

23. The Council have confirmed that it cannot meet the requirements of the Housing Delivery Test. With no evidence to the contrary, I agree with this position. Therefore, the presumption in favour of sustainable development outlined in paragraph 11(d) of the Framework is engaged.
24. The proposal would provide 1 new dwelling in a reasonably sustainable and accessible location, reasonably quickly due to its small scale. This along with the associated economic and social benefits attributed to such a development would attract limited weight based on the provision of only a single house.
25. Nevertheless, as set out above, I have found significant harm in relation to the character and appearance of the local area, the living conditions of the occupants of the donor property and insufficient off-street parking. Therefore, the adverse impacts granting planning permission would have would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The appeal scheme would not therefore benefit from the presumption in favour of sustainable development.

Conclusion

26. For the reasons given above the appeal scheme would conflict with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, that would indicate a decision otherwise. The appeal is, therefore, dismissed.

RJ Redford

INSPECTOR