



Appeal Decision

Site visit made on 1 November 2022

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2022

Appeal Ref: APP/B5480/W/22/3301738

50 Rainsford Way, Hornchurch RM12 4BJ

- 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 A Iseberi against the decision of the Council for the London Borough of Havering.
 - The application Ref P2214.21, dated 17 November 2021, was refused by notice dated 13 April 2022.
 - The development proposed is described as the erection of a part single, part 2-storey semi-detached 2-bed single family dwellinghouse, including part demolition of existing conservatory.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. There are inaccuracies with the existing and proposed drawings not showing an existing dormer roof extension nor a single storey rear extension at the host property. However, from the submitted plans it is clear where the new house would be situated in relation to these, and, even if the submitted drawings should have shown these extensions, it does not alter my conclusion on these matters.

Main Issues

3. The main issues are the effects of the proposal on the character and appearance of the area and highway safety.

Reasons

Character and Appearance

4. The appeal site is located in a prominent corner position at the junction of Rainsford Way and Strathmore Gardens in Hornchurch. The surrounding area is mainly residential, although Harrow Lodge Primary School is located close to the appeal site. The character of the area consists of mainly two storey, traditionally designed terrace properties, with bay windows at the front providing a regular rhythm and a suburban feel to the area. Whilst the appeal site is unique in the streetscene, given that it is the only detached property and has a gabled bay to the front, it nevertheless respects the scale and form of the surrounding area.
5. The proposal seeks to provide a two-storey side extension to the host property which would be utilised as a single family dwellinghouse. The proposal would

be located along the site boundary along Strathmore Gardens, and given the corner location would be extremely prominent within the existing streetscene. Currently, the host property addresses the corner location appropriately, respecting the building lines along both Rainsford Way and Strathmore Gardens. However, the proposed scheme would provide significant bulk and mass on the corner and would sit significantly forward of the properties in Strathmore Gardens providing a bulky and imposing development.

6. The host property is currently set off the boundary with 48 Rainsford Way and the site boundary with Strathmore Gardens on the opposite side, providing modest spacing around the host property. It is acknowledged that in order to meet the relevant National Design Space Standards (NDSS) and the housing quality standards contained in Policy D6 of the London Plan (LP), the proposal would need to occupy almost the full width of site. However, in doing so, the proposal would eliminate the gap to Strathmore Gardens and would result in no meaningful separation between the buildings and roadside, reducing the visual permeability of the site.
7. Furthermore, the dwelling would appear noticeably narrower than the host property and as a result would appear disproportionate in scale. The combination of the narrow width of the dwelling and its occupation of almost the entire width of the plot would represent a cramped form of development that would be harmful to the streetscene. This harm would be exacerbated by the site's prominent corner plot location.
8. I therefore find, the proposal would harm the character and appearance of the area contrary to Policy 26 of the Havering Local Plan 2016-2031, adopted November 2021 (HLP) which amongst other things, requires all new development to achieve high quality design respecting distinctive qualities, identities and being compatible with development in the surrounding area.

Highway safety

9. Although the appeal site is located close to Hornchurch Road (A124) it is poorly located for public transport, with a Transport for London Public Transport Accessibility Level (PTAL) of 2, and therefore future residents would be more likely to use a car. Table 10.3 of the LP sets out the maximum car parking standards for London Boroughs. For a two-bedroom dwelling in Outer London it is 0.75 spaces. The appellant proposes two off-street spaces at the appeal site. The current arrangement at the property includes two separate dropped curbs and the provision of at least three off-street car parking spaces, thus in regard to quantity, the appeal would accord with the relevant parking standards.
10. However, the Council are concerned with the adequacy and location of the proposed car parking space and its impact on vehicles emerging from the site on pedestrian and highway safety. In particular, off-street parking provision would not meet the relevant parking space standards and cars would overhang the footway impacting on pedestrian safety.
11. At the time of my site visit (approximately 12:00pm) Rainsford Way and Strathmore Gardens experienced relatively little traffic and were quiet, although heavily parked. Although this was only a snapshot in time, there is no substantive evidence to suggest it was not an accurate depiction of the typical parking demands.

12. Parking is restricted outside the appeal site by double yellow lines, and due to the high demand for on street parking in the locality, the host property and proposal would need to provide the off-street parking levels detailed above.
13. Based on the evidence before me and my on-site observations I accept there are restricted levels of on-street parking in the immediate area. Whilst the proposal includes off-street parking spaces, there is no substantive evidence before me that the relevant off-street parking standards can be achieved, without cars overhanging the footway. As a consequence, cars overhanging the footway could be detrimental to pedestrian safety as passers-by, particularly those with prams/pushchairs and wheelchairs, may have to move into the road to circumnavigate the parked cars. Given the proximity to the junction, this raises a significant risk of conflict between pedestrian and vehicles entering/exiting the junction.
14. I note the argument made that there is adequate on-street parking provision in the locality to meet any need not met on site. However, due to the existing high demand for on street parking, this will likely result in inconsiderate parking, which itself could cause undue harm to highway safety.
15. As a result, I conclude that the proposed dwelling would have an unacceptably harmful effect on highway safety by reason of inadequate parking provision. This would be contrary to HLP Policies 23 and 24 and LP Policy T4 which among other things seek to improve road safety and provide adequate off-street parking. The proposal would also be contrary to Paragraph 111 of the Framework as it has not been adequately demonstrated that there would not be an unacceptable impact on highway safety.

Planning balance

16. The Council have indicated that there is some uncertainty over the housing land supply at present and are currently seeking clarity from the Department for Levelling Up, Housing and Communities in respect to the recently adopted HLP and its stepped housing targets. Nevertheless, in its appeal statement, the Council highlight that given this uncertainty, the presumption in favour of sustainable development as outlined in Paragraph 11 of the Framework is engaged.
17. Paragraph 11 of the Framework states that where the policies that are most important for determining the application are out of date, 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, or specific policies in the Framework indicate development should be restricted.
18. As such, it is necessary for me to determine whether the adverse impacts of the development would significantly and demonstrably outweigh the benefits inherent in providing an additional dwelling to assist the Council in meeting its housing targets. There would only be limited benefits in the provision of a single new dwelling, and given the harm that I have identified in respect to the character and appearance of the area and highway safety, I consider that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

Conclusion

19. For the reasons given above, having regard to the development plan as a whole and all other relevant material consideration, I conclude that the appeal should be dismissed.

Robert Naylor

INSPECTOR