



Appeal Decision

Site visit made on 13 December 2022

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 JANUARY 2023

Appeal Ref: APP/B5480/W/22/3295872

Ground Floor, 7-9 Victoria Road, Romford RM1 2JT

- 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 Ali against the decision of the Council of the London Borough of Havering.
 - The application Ref P2208.21, dated 16 November 2021, was refused by notice dated 13 January 2022.
 - The development proposed is 3 metres ground floor lightweight front commercial extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form which differs from that on the Council's decision notice. In Part E of the appeal form it is stated that the description of development has not changed and neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

3. The main issues are the effect of the proposal on the:
 - Character and appearance of the host building and the area; and
 - Highway safety.

Reasons

Character and Appearance

4. The appeal proposal relates to a detached building located in an area containing a mixture of retail, commercial and other uses. The streetscape has the character of a shopping and service area, with commercial frontages set behind a wide pavement and forecourts. The host building includes a retail use and frontage on the ground floor, and an upper floor which is of an understated but attractive appearance. Despite the varied design of buildings in this area, the streetscape has a strong and clearly defined building line set to the back of the wide pavement and forecourt area.

5. The proposal consists of erecting a ground floor extension on part of the forecourt to the front of the building. The front elevation of the extension would be typical of a retail frontage and would not appear out of character with the building and surrounding area.
6. However, the extension would project beyond the strong building line of this streetscape, and would be a prominent and incongruous feature in views of this area. Although the proposal is described as a lightweight structure, it would be a permanent and obtrusive addition to the front of the building projecting into the streetscape. The side elevations would also be of an unsympathetic design, including the use of timber cladding and windows of a clumsy design and placement which would not reflect the materials and appearance of the existing building.
7. Due to its design and location, the proposal would therefore lead to significant harm to the character and appearance of the host building and the area. The proposal would therefore be contrary to policies 13 and 26 of the Havering Local Plan 2021 (the Local Plan) which together require development in town centres to enhance the character and appearance of the area and complement the local streetscene.
8. In its reason for refusal on this issue the Council refers to the London Plan 2021 but does not specify the policies it considers relevant. However, this does not negate my conclusions on the harm arising from the proposal or the conflict with the Local Plan.

Highway Safety

9. There are alleys on both sides of the building which provide vehicular and pedestrian access to parking areas and other uses to the rear. These are accessed across the pavement. Due to the extent of parking and the nature of the uses to the rear, the vehicle and pedestrian movements via these alleys will be relatively high. There are also a significant number of pedestrian movements to the front of the site commensurate with the nature of this retail and commercial area.
10. Due to the buildings on either side of these alleys, there is limited visibility for drivers of vehicles exiting across the pavement. However, this is mitigated to a degree by the width of the pavement and that the great majority of pedestrian movements are located away from the front of the buildings due to the width of the pavement and cars parked to the front.
11. The proposal would extend the obstruction of visibility splays further to the front compared to the existing situation. Vehicle parking to the front would also be removed, enabling pedestrians to pass closer to the front of the building. The increased obstruction of visibility resulting from the proposal would mean that drivers and pedestrians may not be aware of each other until vehicles exit across the pavement. Due to this layout, the proposal would increase the potential for collisions between pedestrians and vehicles as they emerge onto the pavement adjacent to the extension.
12. I am not persuaded that the windows included within the proposal would provide a suitable degree of intervisibility between pedestrians and drivers, for reasons including the height of the side windows and obstruction from the display of goods within the shop.

13. The proposal would therefore lead to unacceptable harm to highway safety due to its design and arrangement, and would therefore be contrary to the car parking and road safety requirements of policies 23 and 24 of the Local Plan. The proposal would also be contrary to the National Planning Policy Framework which seeks to prevent an unacceptable impact on highway safety.

Other Matters

14. The appellant refers to the appearance of the existing façade of the building, which does not have an obvious retail character. However, a suitable shop frontage could be inserted within the existing footprint of the building, and this matter does not therefore weigh in favour of the principle of the extension.
15. The proposal would also remove the car parking to the front of the site, thereby leading to a more open streetscape. However, parking to the front of premises is relatively common in this area and the existing parking arrangement does not appear to be unduly incongruous. The removal of these spaces would also remove the associated vehicle movements, including manoeuvres across the pavement. However, only a limited number of spaces would be removed, and I am mindful of the harm I have identified in relation to other aspects of highway safety. The removal of parking spaces to the front does not therefore outweigh the significant harm I have identified in respect of the main issues.
16. The appellant refers to precedents created by development elsewhere on Victoria Road which include protruding active frontages. However, it has not been demonstrated that these are a direct parallel to the appeal proposal, including in respect of the design and bulk of the proposals and the effect on highway safety. Furthermore, a projection I observed to the front of a premises on the opposite side of the road served to confirm the harm to character and appearance which can arise from developments of this form, although I acknowledge that this nearby projection is of a greater depth than the appeal proposal. In any event, I have determined this appeal on its individual merits.

Conclusion

17. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR