



Appeal Decision

Site visit made on 8 November 2022

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 April 2023

Appeal Ref: APP/B5480/W/22/3301786

5A Kingsmead Avenue, Romford, Essex RM1 2BT

- 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 Russel Fleming against the decision of the Council of the London Borough of Havering.
 - The application Ref P2242.21, dated 22 November 2021, was refused by notice dated 20 May 2022.
 - The development proposed is two storey rear extension with loft conversion to form: 3 bedroom end-terrace, 5 bedroom house of multi occupation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The character and appearance of the area.
 - The living conditions of prospective occupiers of the new end-terrace dwelling, with regard to internal floorspace and external amenity space provision.

Reasons

Character and appearance

3. The appeal site sits within a residential street a short walk from Romford railway station and town centre. It occupies a prominent location on the corner of Kingsmead Avenue and Marden Road, with the rear and side of the host property being prominently visible when approaching from Marden Road. There are a variety of uses in the surrounding area, with residential properties being found opposite and to both sides, and a used car dealer to the rear.
4. The surrounding streetscene is formed predominantly of traditionally designed terraced dwellings. A characteristic feature of many such dwellings, including the host property, is a gable atop the front bay windows. However, end dwellings, including the appeal property and its corresponding dwelling on the opposite side of the Marden Road junction, generally feature hipped roofs. The front, side and rear elevations of both dwellings either side of the junction are prominently visible from surrounding public thoroughfares. Though each building has slightly different design characteristics, they share a common hipped roof shape and appear as inclusive elements of the streetscene.

5. Introducing a gable end, a flat-roofed 2-storey rear extension, and a substantial rear dormer window to the appeal property as proposed would unbalance this relationship and introduce an uncharacteristic design element in the streetscene. Furthermore, the set-back nature of the front elevation would lead to the front and rear roof slopes being at different angles, with the resulting gable feature to the side appearing lop-sided and unbalanced.
6. I acknowledge that the dwelling at the opposite end of the terrace does feature a gable end extension and also a rear dormer window. However, the setting of this building is very different to the host property, being less prominently located and tucked into a corner. Whilst it is visible from immediate neighbouring properties, it is not prominently located in the context of passing vehicles and pedestrians. Conversely, the prominence of the appeal site would lead to the proposed development having a significant and uncharacteristic effect on the surrounding area.
7. For the above reasons, I conclude that the proposed development would result in harm to the character and appearance of the area, which would conflict with Policies 7 and 26 of the Havering Local Plan 2016-2031 (Adopted November 2021) (the HLP), which seek, among other objectives, to ensure residential developments are of high-quality design that respects, reinforces and complements the local streetscene, and responds to distinctive local building forms and patterns of development.
8. I acknowledge reference to the Havering Residential Extensions and Alterations Supplementary Planning Document (Adopted 2011). However, the various elements of the proposed development taken as a whole would conflict with the guidance, which has similar objectives to the development plan.

Living conditions

9. There is some dispute between the parties regarding internal floorspace measurements for the new end-terrace dwelling. However, it is not disputed that the proposed development would fall short of the minimum internal space standards for a 3-bedroom 4-person dwelling set out in the development plan.
10. Whilst the appellant's floorspace calculation would be slightly below the minimum standard for a dwelling of this type (reference is made to 89 sq.m against the standard of 90 sq.m), the standards seek to ensure that housing developments deliver high quality accommodation with adequately sized rooms. The bedrooms proposed would meet the minimum floor area standards. However, the kitchen and diner would be of limited size and would appear too small to provide space for the intended number of occupants to eat together at the same time, whilst also providing adequate circulation space. Moreover, the submitted drawings omit several details such as designated storage, a layout for the under-stairs WC, and details of ceiling heights for the WC and loft conversion. Accordingly, the proposed new dwelling would deliver cramped accommodation that would not provide suitable living conditions for occupiers.
11. With regard to external amenity space, the submitted plans do not set out how the existing rear garden would be split to provide separate amenity space for the house of multi occupation and proposed dwelling. However, the existing property has a reasonably sized rear garden with the potential to be split to provide private, usable and functional space for both properties and their occupiers. This matter could be controlled by a suitably worded planning

condition in the event that the appeal was allowed. I do not find the provision of external amenity space alone to be harmful to the living conditions of the intended occupiers of the respective properties.

12. For the above reasons, and notwithstanding my finding above in terms of external amenity space, I conclude that the proposed development would result in overall harm to the living conditions of prospective occupiers of the new dwelling because of the substandard internal floorspace that would be provided for this family sized dwelling, in conflict with Policy D6 of The London Plan (March 2021) and Policy 26 of the HLP, which seek, among other objectives, to ensure developments are designed to meet specific standards of internal design and contribute to the creation of successful places.

Planning Balance

13. The Council has indicated it is currently unable to demonstrate a 5 year supply of deliverable housing sites. Consequently, as set out in Footnote 8 of the National Planning Policy Framework (the Framework), Paragraph 11 d) ii. of the Framework should be applied. This directs that the relevant development plan policies which are most important for determining the application should be considered out-of-date, and 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.
14. Paragraph 130 of the Framework requires, among other objectives, that developments function well and add to the overall quality of the area, are visually attractive, and are sympathetic to local character and the surrounding built environment. Moreover, it seeks to create places that deliver a high standard of amenity for existing and future users. The proposed development would fail to meet these objectives and this conflict carries significant weight.
15. The Framework emphasises the Government's objective to significantly boost the supply of housing. I also note the benefits identified by the appellant including the provision of affordable housing, the lack of harm to the living conditions of neighbours, and the sustainable town centre location. Whilst I recognise these benefits, the proposed development would make only a modest contribution of a single additional unit, and accordingly I attach only limited weight to the benefits it would provide.
16. Given my findings, the adverse impacts of allowing this appeal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply in this case.

Conclusion

17. The proposed development fails to accord with the development plan as a whole and there are no other considerations, including the Framework, that outweigh this conflict. For the above reasons, and taking account of all other matters raised, I conclude that the appeal should be dismissed.

P Storey

INSPECTOR