



Appeal Decision

Site visit made on 27 June 2023

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 July 2023

Appeal Ref: APP/B5480/W/22/3305622

25 Squirrels Heath Road, Romford RM3 0LH

- 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 M Abudaker of Barkshire Hathaway Ltd against the decision of the Council for the London Borough of Havering.
 - The application Ref P0963.22, dated 14 June 2022, was refused by notice dated 9 August 2022.
 - The development proposed is described as a "change of use to F (1), to 25 Squirrel Heath Road Harold Wood."
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposed development on i) the living conditions of nearby residents and ii) the effect on the supply of family housing.

Reasons

Living conditions of nearby residents

3. The appeal site is currently occupied by a semi-detached property with a large garden on the northern side of Squirrels Heath Road, located close to the junction with the A127. The surrounding area consists of a mixture of detached, semi-detached and terrace properties with a traditional style and appearance. The main use of the area is residential, although there are some commercial facilities in close proximity, including a dental surgery at the adjoining semi-detached property.
4. From the information before me the proposal seeks a change of use from a family dwellinghouse to Class F.1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (the UCO) for a learning and non-residential institution. Class F.1 provides for several alternative uses including education, the display of works of art, museums, public libraries, public hall or exhibition hall, public worship or religious instruction or law court. Given the wide ranging provisions of Class F.1 of the UCO, these uses could provide an increase in activity and potential disturbance to nearby residents.
5. I have been supplied with limited information in respect to the specific end use within Class F.1, and as a result I am unable to understand the scale of any impact as a result of the proposed development. Consequently, I have adopted a precautionary approach.

6. There is no evidence before me in respect to hours of operation or numbers of expected users. Nor do I have a noise assessment, in order to demonstrate existing background noise levels to accurately assess whether or not noise from the proposal would be absorbed into background noise levels. Without suitable information in this respect there is nothing before me to demonstrate that the living conditions of nearby residents would not be detrimentally harmed by exposure to noise and disturbance generated from any Class F.1 use at the appeal site.
7. Similarly, there is no information in respect to the levels of traffic generation, potential congestion and numbers of car parking spaces provided or required by the proposal. No parking survey has been undertaken to establish what parking control measures are in place locally. On this basis, any increase demand could lead to parking stress on local roads. Furthermore, there is no assessment of the local transport network to ensure there would be capacity to deal with any increase in volume of potential users at the site.
8. Given this lack of information, I would reason that any Class F.1 use would have the potential to generate significantly more vehicular and pedestrian trips than the existing residential use. As a more intensive use within a mainly residential area, it could lead to conflict between the safety of pedestrians and vehicular movements.
9. Overall, insufficient evidence has been provided to demonstrate that the proposal would not provide a marked and harmful change in living conditions of nearby residents as a result of increased noise and disturbance, traffic generation, parking and highway safety.
10. Accordingly, the proposal would conflict with Policies 7, 16, 17, 24 and 34 of the Havering Local Plan 2016-2031 adopted 2021 (HLP) which collectively require no significant adverse effect on residential amenity with regard to noise, disturbance, traffic generation, congestion, local parking and highway safety, amongst other matters. Nor would it comply with Policies S1, S3 and D14 of the London Plan 2021 (LP) and its broad aims to protect residential amenity against unneighbourly development. It would similarly fail to meet policy in the Framework which, amongst other things, also seeks a good standard of amenity for all existing and future occupants of buildings. However, I find no direct relevance to HLP Policy 23 which is more strategic in nature, and it does not precisely relate to the circumstances of the appeal.

Family housing

11. Both LP Policy H8 and HLP Policy 3 seek, amongst other things, to resist the loss of residential development. The proposal would see the loss of a 4-bedroom family dwelling in a relatively accessible location. I have not been provided with evidence to indicate whether or not there is an adequate provision for this type of housing in the area. Given the proposal would result in the loss of residential development to Class F.1, for which no exceptional circumstances have been demonstrated, it would conflict with the Council's local plan.
12. Consequently, the proposal would have a harmful effect on the supply of family housing within the area in direct conflict with HLP Policy 3 (xi). The development would also be contrary to Policy H8 of the LP which, amongst

other things, aims to replace any loss of housing with new housing at existing or higher densities.

Conclusion

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

Robert Naylor

INSPECTOR