



Appeal Decision

Site visit made on 30 April 2024

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th May 2024

Appeal Ref: APP/B5480/W/23/3332626

127 Chase Cross Road, Romford RM5 3YS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Jana Chetraru against the decision of the Council of the London Borough of Havering.
 - The application Ref is P1058.23.
 - The development proposed is demolition of existing garage and erection of detached one bedroom bungalow with off street parking and garden space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. 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, although I have removed words not describing acts of development for clarity.
3. The National Planning Policy Framework (the Framework) was updated in December 2023, during the course of this appeal. I invited the parties to consider whether the revised Framework had relevance to this appeal and have taken account of their comments in my decision.

Main Issues

4. The main issues are the effect of the proposal on:
 - the character and appearance of the surrounding area; and
 - highway safety, with particular reference to parking.

Reasons

Character and appearance

5. The appeal site comprises a detached house and garden on the corner of Chase Cross Road and Ascension Road. The surrounding area is suburban, with a mix of mostly detached and semi-detached homes on linear frontage plots. Many of the homes have long back gardens, giving the area a generally spacious character, notwithstanding some more recent backland development. On the

whole, houses are positioned along a generally consistent building line facing the street, giving a regular layout to front and side gardens. The host dwelling follows this pattern on both its Chase Cross Road and Ascension Road frontages.

6. The proposal would subdivide the plot at No 127 and significantly reduce the size of the host dwelling's rear garden. This, and the proximity of the new bungalow to its immediate neighbours, would result in a cramped layout out of keeping with the prevailing pattern of development. This is notwithstanding that there would be sufficient external space to provide satisfactory living conditions for the occupants of each house. Although the existing garage is close to the neighbouring dwelling, it is an ancillary structure within the existing residential plot and is considerably smaller than the proposed new bungalow. Consequently, its effect on the pattern of development is not directly comparable to that proposed.
7. The L-shape of the proposed bungalow would be inconsistent with the rectangular form that predominates in surrounding streets. In addition, whilst one wing would respect the prevailing building line along Ascension Road, the other would clearly disrupt it by extending forwards to the plot's border with the highway. This would have a detrimental effect on the appearance of the street, which I have not found to be characterised by a stepped building line.
8. I acknowledge there is some variation of architectural styles in the area, including at 1, 3 and 5 Ascension Road; and some existing dwellings, such as No 7, have been altered through extensions. However, the degree of existing diversity in the street scene is not so great that it would outweigh the harms identified. Gabriel Close is a newer cul de sac so its layout is not directly comparable to the prevailing street pattern. The buildings opposite the appeal site are ancillary to 131 Chase Cross Road so have not resulted in subdivision to create a new residential plot.
9. The proposed subordinate height and design details/materials are not in dispute, but these factors would not overcome the harmful effect of the proposed form and layout described above.
10. Even if local character has evolved to a degree, the London Plan's (LP) support for additional housing through optimisation of small sites requires this to be well-designed and in appropriate locations. For the reasons given above, the proposal would not satisfy these requirements.
11. Policy 10 of the Havering Local Plan 2021 (HLP) resists the subdivision of plots and garden development in specified Character Areas, subject to demonstrating no adverse impact on the character of the area. There is no suggestion the appeal site is within one of these specified areas. Consequently, I find no conflict with HLP Policy 10.
12. Nevertheless, for the above reasons, I conclude the proposal would have a harmful effect on the character and appearance of the surrounding area. This is contrary to HLP Policy 26 and LP Policy D4, which together seek proposals of high-quality design that respect and complement the character of the street scene and local area. It is also contrary to the Framework, which seeks developments that are sympathetic to local character.

Highway safety

13. HLP Policy 24 applies LP maximum parking standards across the borough. LP Policies T6 and T6.1 specify a maximum parking provision of up to 0.75 spaces per one-bedroom dwelling in an Outer London area with Public Transport Access Level 2.
14. The appellant's Design and Access Statement proposes two off-street car parking spaces for the new dwelling. There is insufficient evidence to persuade me that the space proposed for off-street parking would be large enough fully to accommodate even one car. A car partially parked off-street would encroach on the public footway, potentially forcing pedestrians onto the carriageway, which would be dangerous. Consequently, on the evidence before me I am not satisfied an acceptable off-street parking design could be agreed via condition.
15. The appellant has suggested a condition restricting off-street parking altogether at the new house. However, this would result in a conflict with the description of development, which specifically refers to the provision of off-street parking. Therefore, such a condition would not meet the test of reasonableness.
16. In addition, notwithstanding that the LP standard is a maximum and that there are bus routes nearby, the potential for safe on-street parking close to the appeal site is a material consideration. Chase Cross Road is a relatively busy B-road with bus stops and few designated parking spaces. Ascension Road has few parking controls and limited on-street parking space given the number and proximity of residential driveways. Although many homes on the street have off-street parking, I observed several vehicles parked along the street, including directly opposite the appeal site. Cars parked on both sides of the relatively narrow street in this location would jeopardise the safe movement of vehicles using the nearby junction. I therefore find the addition of even one car parked on-street near the appeal site would present a risk to highway safety.
17. For the above reasons, I conclude the proposal would have a harmful effect on highway safety, with particular reference to parking. This is contrary to HLP Policy 24, which requires consideration of the location and layout of parking provision as an integral part of the design process. It is also contrary to Framework paragraph 115, which states development should be refused on highways grounds if there would be an unacceptable impact on highway safety.

Other Matters

18. The proposal would create one dwelling, which would contribute to the supply of housing in the area and to the local economy through construction and future occupiers' use of local services and facilities. This would accord with the Framework where it seeks to boost the supply of housing - including on small sites that can be built out relatively quickly - and to support economic growth. However, given the modest scale of the proposal I ascribe limited weight to these benefits.
19. The Council is satisfied in relation to living conditions for future occupiers and the effect of the proposal on the living conditions of neighbouring occupiers. On the evidence before me, I see no reason to disagree. However, an absence of harm in these respects is a neutral factor.

Planning Balance

20. For the reasons set out above, the proposal would conflict with HLP Policies 24 and 26 and LP Policy D4. While there may be a degree of support from other development plan policies, I conclude the proposal conflicts with the development plan, read as a whole.
21. The Council acknowledges it is unable to demonstrate a five-year supply of deliverable housing land. In these circumstances, paragraph 11d)(ii) of the Framework states 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.
22. The harms resulting from the conflict with the development plan as a whole also result in conflicts with the Framework for the reasons given above. In this case, the harms would affect the character and appearance of the surrounding area and highway safety, to which I attribute considerable weight. The weight of these harms would significantly and demonstrably outweigh the limited benefits of the proposal, when assessed against the policies in the Framework as a whole.

Conclusion

23. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal should be dismissed.

C Carpenter

INSPECTOR