

Appeal Decision

Site visit made on 10 September 2024

by H Marriott MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 OCTOBER 2024

Appeal Ref: APP/B5480/W/24/3337706

50 Eastern Road, Romford, Havering RM1 3QA

- 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 D Grant against the decision of the Council of the London Borough of Havering.
 - The application Ref is P0897.23.
 - The development proposed is two-storey side and single-storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey side and single-storey rear extension at 50 Eastern Road, Romford, Havering RM1 3QA in accordance with the terms of the application, Ref P0897.23, subject to the conditions in the attached schedule.

Preliminary Matters

2. An additional plan showing a proposed street scene has been submitted with the appeal. It aligns with the plans before the Council prior to determination. I have therefore considered the appeal on the basis of this additional plan as I am satisfied that no prejudice arises in doing so.

Main Issue

3. The main issue is the effect of the proposed two-storey side extension on the character and appearance of the site and the surrounding area.

Reasons

4. Eastern Road is a tree lined cul-de-sac fronted by buildings of varying sizes and architectural styles. Whilst buildings are mainly two-storey semi-detached dwellings, detached dwellings and three-storey flats are also present. There is an access leading to a public car park and hotel located at the head of the cul-de-sac. The facades are typically brick and render and many buildings are set behind small front gardens, which are often used for off-street parking. Whilst there have been alterations to some of the buildings including dormer window extensions, the street scene has a cohesive character and appearance, informed by the consistent material palette, plot rhythm and balance between semi-detached pairs.

5. The appeal site (No 50) forms one half of a semi-detached pair of 2.5-storey buildings fronting Eastern Road. It currently contains 6 self-contained flats. It is the end plot fronting the turning head. A railway line is located at a higher level and forms the rear boundary of the site. A soft landscaped area containing trees set on an embankment is located to the side of the site and separates the appeal site from Mercury Gardens (A1251), a dual carriageway.
6. The proposed two-storey side would infill a gap to the rear and side of the building, which is the end plot along Eastern Road. I note that its flat roof would sit somewhat awkwardly below the eaves of the principal part of the house, which features a pitched rather than flat roof. However, during my visit, I could not see the side or rear of No 50 from Eastern Road. It was also not possible to see these parts of No 50 from the A1251 due to the landscaping to the side of the building. I have no reason to consider that the landscaping would be removed, but even in such a scenario, the two-storey extension would feature matching materials and be set back against the backdrop of the existing building. For the same reason the bulk, scale and massing of the proposed extension would not be visually intrusive and would not interrupt the plot rhythm and balance between the semi-detached pair.
7. I conclude that the proposed two-storey side extension would not result in a harmful effect on the character and appearance of the site and the surrounding area. In this regard, the proposal would comply with Policy 26 of the Havering Local Plan 2016-2031 (Adopted November 2021) which supports development proposals that are of a high architectural quality and design and respect, reinforce and complement the local street scene.

Other Matters

8. Interested parties have raised concerns relating to rats, bins, rubbish, the short-term nature of occupiers, potential for increased occupancy, parking issues in the area and potential use of No 50 as a house of multiple occupancy (HMO). However, the appellant has confirmed that the proposed development does not relate to a HMO and this does not in any case form part of the scheme before me. The proposed development would reduce the number of flats located within No 50 from six to five and could therefore reduce overall occupancy. There is also no objective evidence to suggest that the proposal would directly cause or result in a discernible change in respect of the other matters of concern raised.

Conditions

9. The Council has suggested various conditions in the event that the appeal is allowed. I have considered these against the tests set out in the National Planning Policy Framework and Planning Practice Guidance. In some instances, while I have adopted the suggested conditions, I have made changes to wording to add precision and clarity as appropriate. In respect of the pre-commencement condition, the wording has been agreed in writing by the appellant.
10. Conditions specifying the timescales for implementation of the development (1), and requiring the development be carried out in accordance with the

approved plans (2), are necessary in the interests of planning certainty. In the interests of the character and appearance of the area, a condition (3) specifying that the exterior materials to be used shall match the existing building is also necessary. A condition (4) to ensure that the flats roofs of the proposed extensions are not used as a roof terrace is considered necessary in the interests of retaining privacy for occupiers of neighbouring dwellings, particularly No 52 and other occupiers of No 50.

11. A condition requiring no additional windows to be formed in the flank wall of the extensions is not considered reasonable or necessary since any such windows would face towards the A1251 as opposed to private garden areas and would not therefore result in any loss of privacy.
12. The Council's list of suggested conditions do not include those recommended by its public health officer (HO). Due to the potential for contamination of the site as a result of its close proximity to the railway line, condition (5) requiring assessment and remediation (if required) of the risks posed by any contamination is necessary to protect occupiers.
13. Although the extended part of the building would be closer to the adjacent railway line, this is unlikely to make a significant difference to the living conditions within the existing flats, the occupants of which will already be familiar with the noise and vibration of passing trains and each other. As such, the requirement for noise and vibration surveys and sound insulation is too onerous, and the suggested conditions in these regards fails the tests of necessity and reasonableness. I have not included the condition relating to the boiler specifications or electric vehicle charging because the flats are existing and I am unaware of any development plan policy specifically requiring these in the particular circumstances of this case.

Conclusion

14. For the reasons given above the appeal should be allowed.

H Marriott

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following drawing nos 096-FP-001 'OS Map', 096-FP-010A 'Proposed Site Plan', 096 - FP-011A 'Proposed Ground Floor Plan', 096-FP-012 'Proposed First Floor Plan', 096 - FP - 013 A 'Proposed Second Floor Plan', 096-FP-014 'Proposed Roof Plan', 096-FP-015B 'Proposed Front and Rear Elevation' and 096-FP-016A 'Proposed Side Elevation'.
- 3) The external materials of the extensions hereby permitted shall match those used in the exterior of the existing building.
- 4) The roof areas of the extensions hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

- 5) No development shall take place until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency, Land Contamination Risk Management (LCRM) (or equivalent British Standard and Model Procedures if replaced), has been submitted to and approved in writing by the local planning authority. If any contamination is found, no development shall take place until: i. a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority; ii. the site has been remediated in accordance with the approved measures and timescale; and iii. a verification report has been submitted to and approved in writing by the local planning authority.

If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended until: i. additional measures for the remediation of the site have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; and ii. a verification report for all the remediation works has been submitted to and approved in writing by the local planning authority.

END OF SCHEDULE OF CONDITIONS