

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/24/3338265

The Haven, 2 Lower Bedfords Road, Romford, Havering RM1 4LY

- 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 Mr Anay Patel against the decision of the Council of the London Borough of Havering.
 - The application Ref is P1063.23.
 - The development proposed is described as 'demolish side garage, erection of 1x2 bedroom dwelling house with associated amenity space, parking, cycle and refuse storage. Single storey rear extension to host property (2 Lower Bedfords Road).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed dwelling on:
 - the character and appearance of the area; and
 - the living conditions of the occupants of 444C and 444D Havering Road (No 444C and No 444D), with particular regard to outlook.

Reasons

Character and appearance

3. Lower Bedfords Road is located in a residential suburb fronted by residential properties of varying age and architectural style, including two-storey semi-detached and detached dwellings each set behind small front gardens on similar width plots. There are also two-storey flats located at the junction of Lower Bedfords Road and Havering Road. Moving away from the junction, one side of the street contains mature hedgerows and trees which form the rear of playing fields and Bedfords Park providing a verdant character to the street. Whilst there have been some physical alterations including extensions to some of the dwellings in the vicinity, the street scene has a cohesive character and appearance, informed by the consistent plot rhythm between similar house types and the balance between the semi-detached pairs.

4. The appeal site at 2 Lower Bedfords Road (No 2) is a semi-detached two-storey dwelling and sits adjacent to the rear of four flats, including No 444C and No 444D, with a gap formed by a rear garden and access to garages in between. Both No 2 and the adjoining semi-detached dwelling at Number 4 (No 4) have hipped roofs with matching two storey hipped roof front projection and curved porch entrance features. No 4 has a two-storey side extension and its lower ridge height and first floor set back from the main front elevation of the building ensures that the balance between the existing pair is maintained. The modest scale and relationship with neighbouring dwellings means that No 2 is unassuming in the street scene and sits comfortably with the character and appearance of the locality.
5. The proposed two-storey dwelling would adjoin the side of No 2 and result in the creation of a terrace. There are no other terraces in this part of Lower Bedfords Road. The proposed arrangement would upset the balance and harmonious appearance of No 4 and also interrupt the rhythm of spacing to the side of No 2, resulting in a cramped form of development close to the boundary. This would not relate sympathetically to the cohesive character or appearance of the locality. Together with its prominent location fronting Lower Bedfords Road, the proposal would be out of keeping with the area.
6. I conclude that the proposed dwelling would have a harmful effect on the character and appearance of the area. In this regard, the proposed development would conflict with Policies 7 and 26 of the Havering London Borough, Havering Local Plan 2016-2031 (2021) (HLP) which requires residential development to be of a high-quality design that respects, reinforces and complements the local streetscene and respects the visual integrity and established scale, massing and rhythm. For the same reasons, the development is also contrary to the National Planning Policy Framework (the Framework) which requires that planning decisions ensure that development establishes or maintains a strong sense of place, using the arrangement of streets, spaces and building types to create attractive, welcoming and distinctive places to live.
7. Whilst the Council's reason for refusal also refers to Policy 10 of the HLP, it has not been confirmed that the site falls within the Hall Lane or Emerson Character Areas where criteria relating to development in gardens is relevant. As such, I have no reason to find conflict with this policy with regards to the effect of the proposal on the character and appearance of the area.

Living conditions

8. The rear elevation of No 444C and No 444D which contain habitable room windows face towards the existing flank wall of No 2. The outlook from the ground floor flat is contained to some degree by the existing close boarded fence with trellis above that encloses the rear garden area, albeit views over the fence towards the side of the appeal dwelling are achievable. The outlook from the upper floor flat is over this garden towards the side elevation of No 2. Despite the enclosure at ground floor level, a spacious outlook from these neighbouring dwellings exists, albeit at oblique angles looking either side of the appeal dwelling, with buildings located further away also visible.

9. The rear of the proposed dwelling would occupy the full width of the plot and its depth would align with the full width of the rear of No 444C and 444D. Whilst there is some separation provided by the driveway access located between the garden to the rear of No 444C and No 444D, the distance between the two-storey flank wall of the proposed dwelling and the rear elevations of these dwellings containing habitable room windows would be approximately 7.7 metres. The proposed dwelling would largely be set against the backdrop of the existing flank wall. Even so, its closer proximity would mean that the height, bulk and massing of the proposed dwelling would have a significant enclosing and dominating effect on the outlook from the garden and rear windows serving these flats.
10. I conclude that the proposed dwelling would have a harmful effect on the living conditions of the occupants of No 444C and No 444D, with particular regard to outlook. In this regard the proposal would conflict with Policy 7 of the HLP which requires residential development to protect the amenity of existing residents and do not result in unacceptable loss of outlook.
11. Whilst the Council's Residential Extensions and Alterations Supplementary Planning Document (2011) (SPD) referred to in the Council's reason for refusal does not appear to relate to new dwellings, the proposal is nonetheless a form of extension. In this regard, the proposal would also conflict with the guidance in the SPD which advises that proposals for extensions that have an unacceptable adverse impact on the amenity of neighbours should not be granted planning permission.

Other Matters

12. The appellant suggests that the proposal complies with the space standards set out in Policy D6 of the Mayor of London, The London Plan, The Spatial Development Strategy for Greater London (2021). This is not a matter which has been disputed by the Council and I find no reason to come to a different conclusion in this regard. Even so, this does not overcome the harm I have found in relation to the main issues. Neither does the lack of objection/support from some neighbours.

Planning Balance

13. The Council has acknowledged that it is not able to demonstrate a five-year housing land supply. As such, whether Paragraph 11 d) of the Framework is engaged should be considered.
14. The proposal would make a minor yet positive contribution to housing supply. Benefits of the proposal include utilising a site within an existing settlement, the generation of employment during construction and additional support for services and facilities in the local area. However, given that the proposal is for one additional dwelling, these associated benefits would be limited.
15. In the particular circumstances of this case, I have concluded that the harm to the character and appearance of the area and to living conditions of adjacent occupiers would be significant and would conflict with The Framework. The harmful impacts of the proposal would therefore significantly and demonstrably outweigh the benefits when assessed against

the policies of the Framework taken as a whole. As a result, the presumption in favour of sustainable development is not a material planning consideration in this case.

Conclusion

16. The proposal conflicts with the development plan as a whole and there are no material considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given above the appeal should be dismissed.

H Marriott

INSPECTOR