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## Appeal Decision

Site visit made on 3 April 2025

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 April 2025

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**Appeal Ref: APP/B5480/W/24/3350521**

**64 Queens Park Road, Romford, Havering RM3 0HJ**

- 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 Ashok Pabari against the decision of the Council of the London Borough of Havering.
  - The application Ref is P0469.24.
  - The development proposed is sub-division of the existing 6-bedroom house into two separate 3-bedroom dwellings.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed development on future occupiers, with particular regard to outlook.

### Reasons

3. The existing home benefits from two living room areas. Both of these rooms have patio doors which look out onto the rear garden which is currently just large enough to ensure that the occupiers experience an adequate level of outlook.
4. The proposed development would involve the removal of one window within the rear elevation and the division of the garden space. While patio doors would be retained in each of the two living rooms, the outlook would be vastly diminished by the presence of the dividing fence which would result in the provision of two very small garden spaces. In addition, notwithstanding the patio doors, the windows that would be retained within these rooms are situated extremely close to the boundary of the property and so offer no real outlook at all.
5. The primary living area for No. 64a would be open plan and there is an existing window within the front elevation of the dwelling which would remain. However, while this window offers views of the street, it primarily serves the kitchen area rather than the living room space, and so any benefit in relation to outlook would be very limited.
6. With this in mind, it seems very clear to me that the proposed development would result in the formation of two living room spaces that would feel highly cramped and enclosed due to the loss of outlook. The fact that they would likely receive adequate levels of daylight and sunlight does little to mitigate this issue.

7. As a result, I conclude that the proposal would result in harm to the living conditions of future occupiers. It would therefore conflict with Policies D4 and D6 of the London Plan 2021, which in part, seek to ensure that suitable living conditions are provided as part of new developments and that proposals are well designed.

### **Other Matters**

8. The appellant has drawn my attention to two other schemes that they believe to be similar to the proposal before me. However, it is not clear whether these developments resulted in harm to outlook, and in any event, they do not justify allowing a development where I have identified that living conditions would be inadequate.

### **Conclusion**

9. It is not in dispute that the Council cannot currently demonstrate a 5-year supply of deliverable sites for housing. Furthermore, the latest Housing Delivery Test results show a significant under provision of dwellings in recent years. I have no evidence before me to suggest that this position is likely to improve in the short-term. As a result of the shortfall in supply and delivery, policies related to the location and supply of housing are deemed to be out of date. In such circumstances, Paragraph 11d and footnote 8 of the National Planning Policy Framework (the Framework) require that 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 as a whole.
10. In this instance, the benefits of the proposal include the provision of a single new home that would assist in meeting need in the area, support for local facilities, and the creation of jobs during the construction phase. Despite the level of shortfall in housing delivery, which leads me to attribute increased weight to the benefits, I still only afford limited weight to them overall given that they are relatively minor in nature.
11. I have concluded that there would be material harm to the living conditions of future occupiers of the proposed development. The support for the principle of development within the Framework is countered by the importance it places on the provision of development that preserves living conditions. In this instance, the harm would be both significant and enduring. As a result, when assessed against the policies in the Framework taken as a whole, the adverse impacts would significantly and demonstrably outweigh the benefits. Consequently, for the reasons given, the proposed development conflicts with the development plan as a whole, and there are no other considerations, including the provisions of the Framework, that outweigh the identified harm. The appeal is therefore dismissed.

*C Butcher*

INSPECTOR