

RE: Land and premises at 3 Percy Close Harold Hill Romford RM3 8PW

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE

- TO:**
1. The Owner of the said land
 2. The Occupier of the said land
 3. David Paul Perry 3 Percy Close Harold Hill Romford RM3 8PW
 4. The Company Secretary, GMAC- RFC Limited (Co. Regn. No.3489004),
5 Arlington Square, Downshire Way, Bracknell, Berks RG12 1WA
 5. The Company Secretary, Cityfinancial Europe PLC (Co. Regn. No.
1375237), P.O. Box 4994, London SE5 7YG.

ISSUED BY: London Borough of Havering

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to the Council that there has been a breach of planning control, under Section 171A (1) (b) of the above Act, at the land described below. They consider that it is expedient to issue this Notice, having regard to the provisions of the development plan and to other material planning considerations.

2. THE LAND AFFECTED

The land and premises at 3 Percy Close Harold Hill Romford RM5 3BB shown edged black in bold on the attached plan(hereinafter called " the said Land ").

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission the conversion of the garage on the said Land to a habitable room contrary to condition 3 of Planning Permission P0065.99

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last ten years. Planning Permission, P0065.99, was granted on 3rd March 2000. Condition 3 of Planning Permission P0065.99 stated: " Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the garage(s)/carport(s) hereby permitted shall be made permanently

available for the parking of private motor vehicles and not for any other purpose including living accommodation or any trade or business.

Reason:- To provide satisfactory off-street parking at the site. " (See attached – Appendix 1).

Retrospective planning permission for the conversion of the garage to habitable room was refused on 28th April 2009 under planning application P0359.09(see attached – Appendix 2). The owner appealed the decision and the Planning Inspectorate dismissed the appeal on 30th March 2010 (see attached – Appendix 3). In reaching its decision the Planning Inspectorate, as well as the local planning authority before it, consider that the garage conversion would reduce the on-site parking to a level that would increase the likelihood of on-street parking, and in turn would be harmful to highway safety. In this respect, the development would be contrary to Policy DC33 of the Havering Development Control Policies Development Plan Document 2008.

In making its decision to issue this notice the Council considered that the breach of condition is contrary to the named policies as stated in the refusal of the planning permission above.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the unauthorised use of the garage on the said Land as a habitable room contrary to condition 3 of Planning Permission P0065.99

Time for compliance: 6 months from the effective date of this notice

- (ii) Remove window and blockwork to front elevation used in connection with the conversion of the garage to a habitable room so that the garage on the said Land can be made available for the parking of private vehicles by the provision of a garage door in accordance with Condition 3 of Planning Permission P0065.99

Time for compliance: 6 months from the effective date of this notice

- (iii) Remove all building materials and rubble from the said land arising from compliance with requirements (i) and (ii) above

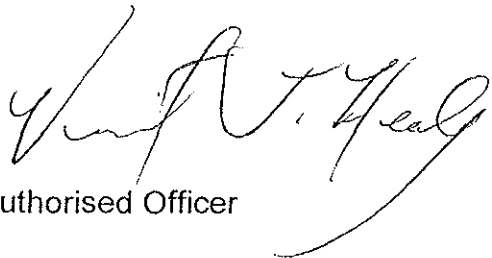
Time for compliance: 6 months from the effective date of this notice

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 4th March 2011, unless an appeal is made against it beforehand

Dated: 20th January 2011

Signed:


Authorised Officer

on behalf of London Borough of Havering
Town Hall
Main Road
Romford RM1 3BD

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State on 4th March 2011. Further details are given on the information sheet from the Planning Inspectorate which accompanies this Notice.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 4th March 2011 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in the Notice.

FAILURE TO COMPLY WITH AN ENFORCEMENT NOTICE WHICH HAS TAKEN EFFECT CAN RESULT IN PROSECUTION AND/OR REMEDIAL ACTION BY THE COUNCIL.

EXPLANATORY NOTES

STATUTORY PROVISIONS

A Sections 171A, 171B and 172 to 177 of the Town and Country Planning Act 1990 (as amended) is enclosed with this Notice.

YOUR RIGHT OF APPEAL

Any appeal must be in writing and received, or posted (with the postage paid and properly addressed) in time to be received in the ordinary course of the post, by the Secretary of State on 4th March 2011.

If you intend to appeal this Notice you should follow instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice.

GROUND OF APPEAL

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds :- that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged :

- (a) that those matters have not occurred;
- (b) that those matters (if they occurred) do not constitute a breach of planning control;
- (c) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- (d) that copies of the enforcement notice were not served as required by section 172;
- (e) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
- (f) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all these grounds may be relevant to you.

PLANNING APPLICATION FEE

Should you wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £ 150. 00 is payable both to the Secretary of State and to the Council, making the total fees payable £ 300.00. If the fees are not paid then that ground of appeal will not be valid.

STATEMENT ON GROUNDS OF APPEAL

You must submit to the Secretary of State, either when giving notice of appeal or within 14 days from the date on which the Secretary of State sends a notice so requiring, a statement in writing specifying the grounds on which you are appealing against the enforcement notice and stating briefly the facts on which you propose to rely in support of each of those grounds.

RECIPIENTS OF THE ENFORCEMENT NOTICE

The names and addresses of all the persons on whom the Enforcement Notice has been served are:

1. The Owner of the said land
2. The Occupier of the said land
3. David Paul Perry, 3 Pearcy Close, Harold Hill, Romford RM3 8PW
4. The Company Secretary, GMAC-RFC Limited (Co. Regn. No. 3489004), 5 Arlington Square, Downshire Way, Bracknell, Berks RG12 1WA
5. The Company Secretary, Cityfinancial Europe PLC (Co. Regn. No. 1375237), P.O. Box 49944, London SE5 7YG.

LONDON BOROUGH OF HAVERING

TOWN AND COUNTRY PLANNING ACT 1990

To: Wilcon Homes Eastern Ltd
3 The Courtyard
Campus Way
Gillingham Business Park
Gillingham ME8 0NZ

APPLICATION No: P0065.99

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **GRANT PLANNING PERMISSION** for the following development :

Proposal: Erection of 97 houses; flats & garaging/car parking along with roads & sewers etc.
Revised plans received 06/04/99 and 3rd revised site layout plan received 22/06/99

Location: Land to the east of
Spilsby Road
Harold Hill
Romford

subject to compliance with the following condition(s):

- 1 The development to which this permission relates must be commenced not later than five years from the date of this permission.

Reason:-

To comply with the requirements of section 91 of the Town and Country Planning Act 1990.

- 2 Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

Reason:-

To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the garage(s)/carport(s) hereby permitted shall be made permanently available for the parking of private motor vehicles and not for any other purpose including living accommodation or any trade or business.

Reason:-

To provide satisfactory off-street parking at the site.

- 4 Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:-

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

- 5 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason:-

In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development.

- 6 Before any of the buildings hereby permitted is first occupied screen walling of a type to be approved in writing by the Local Planning Authority 2 metres (6ft. 7ins.) high shall be erected where shown by a green line on the approved plan and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason:-

To protect the visual amenities of the development and prevent undue overlooking of the adjoining property.

- 7 Before any of the buildings hereby permitted is first occupied, screen fencing of a type to be submitted to and approved in writing by the Local Planning Authority, 2 metres (6ft. 7ins.) high shall be erected where shown by a blue line on the approved plan and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason:-

To protect the visual amenities of the development and prevent undue overlooking of adjoining property.

- 8 The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted.

- 9 The proposed windows marked 'A' on the approved plans shall be permanently glazed with obscure glass to the satisfaction of the Local Planning Authority.

Reason:-

In the interests of privacy.

- 10 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted plan, a copy of which is attached), shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future.

- 11 Before the development hereby permitted is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

Reason:-

In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area.

- 12 Before the development hereby permitted is commenced signs shall be erected at the Splilsby Road entrance to the site with the purpose of instructing all traffic leaving the site to turn either into Spilsby Road or Alverstoke Road. The signage shall be displayed in full accordance with details previously agreed in writing by the Local Planning Authority and shall be retained throughout the duration of construction works.

Reason-

To discourage construction traffic passing increasingly through residential areas in the interests of amenity.

- 13 The houses and flats on plots 84 - 97 hereby permitted shall be developed and provided as affordable housing as referred under DOE Circular 13/96 "Planning and Affordable Housing"

Reason-

To ensure that the development contributes to the Council's aim to provide housing accessible to all sectors of the population.

- 14 Sight lines shall be permanently maintained in the positions shown and for the distances marked on the approved plan.

Reason-

In the interest of highway and pedestrian safety.

- 15 That unless otherwise agreed in writing by the Local Planning Authority, before any of the dwellings hereby permitted are first occupied, traffic calming measures shall be formed both within the application site and in Alverstoke Road and adjacent roads as agreed and thereafter permanently retained in full accordance with details previously submitted to and agreed in writing by the Local Planning Authority.

Reason-

In the interest of highway and pedestrian safety.

- 16 That before the development hereby permitted first commences, details of the earth bunding and/or fencing arrangements to be formed along the boundary of the site to the A12, Colchester Road are to be submitted to and approved in writing by, the Local Planning Authority. Such arrangements as approved shall be completed prior to the completion of any of the dwellings approved.

Reason-

In order to reduce the impact of noise pollution on occupiers of the proposed dwellings.

- 17 Before the development hereby approved is commenced, details of the emergency access arrangements located between plot 42 and plot 43 shall be submitted to and approved in writing by the Local Planning Authority. Such arrangements as agreed shall be provided prior to completion of any buildings and shall be retained permanently thereafter unless otherwise agreed by the Local Planning Authority and opened only for emergency vehicle users.

Reason-

To prevent the creation of a vehicle rat-run in the interests of highway safety and amenity.

- 18 Before the development hereby permitted is commenced, details relating to the construction of a two metre high boundary wall along the northern boundary of the site (adjacent to the public footpath which links Alverstoke Road and Spilsby Road), shall be submitted to and approved in writing by the Local Planning Authority. Such details as agreed shall be completed prior to occupation of any of the dwellings hereby permitted.

Reason-

In the interest of residential amenity and the security of future occupiers.

- 19 Unless otherwise agreed in writing by the Local Planning Authority, no construction works shall take place on site other than between the hours of 8.00am - 6.00pm on Mondays to Fridays and 8.00am - 1.00pm on Saturdays. No construction shall take place on Sundays, Bank of Public Holidays.

Reason-

In the interest of amenity.

- 20 Before the development hereby permitted is commenced, full details of finished site levels shall be submitted to, and approved in writing by, this Local Planning Authority unless otherwise agreed.

- 21 Before the development hereby permitted is commenced, full details of the surfacing and laying out of the car parking area hatched green on the attached, approved, plans shall be submitted to, and approved in writing by the Local Planning Authority. Such details as agreed shall be implemented in full and completed prior to the first occupation of any of the dwellings hereby permitted.

Reason for conditions 20 & 21 above-

In the interests of visual amenity.

- 22 Prior to the commencement of the works permitted, an investigation of the ground conditions and a risk assessment shall be undertaken to the satisfaction of the Local Planning Authority to determine whether the site is affected by ground contamination and to assess the extent of exposure of ecosystems and those engaged in the construction of the development and potential occupiers thereof. If any contamination is found to be present, the assessment shall identify the measures which need to be taken to make construction and occupation of the site safe and these shall be agreed in writing by the Local Planning Authority prior to the commencement of works. The development shall then be undertaken in strict accordance with the agreed scheme of works.

Reason-

To ensure the site may be developed and occupied safely.

- 23 All areas of proposed landscaping or open spaces shall consist of at least 500mm. depth, from surface, of uncontaminated soil.

Reason-

In the interests of safeguarding occupiers or future users of the site (as used on the residential scheme in Victoria Road)

- 24 That prior to the occupation of any of the dwellings hereby permitted, the footpath links marked by means of blue hatching on the attached plans shall be provided and made available for public use to the satisfaction of the Local Planning Authority.

Reason-

To ensure satisfactory pedestrian access to the surrounding footpath hierarchy.

- 25 That unless otherwise agreed in writing by the Local Planning Authority, details relating to the provision of a recycling facility to be formed within the site shall be submitted to and approved in writing by the Local Planning Authority. Such details as agreed shall be implemented in full prior to the first occupation of any of the dwellings hereby approved.

Reason-

To ensure satisfactory recycling facilities are available to residents of the site.

- 26 Prior to occupation of any of the dwellings hereby permitted, Alverstoke Road shall be widened to a minimum of 5.5m in accordance with details previously submitted to, and agreed in writing by, the Local Planning Authority.

Reason-

In the interests of highway safety and to ensure satisfactory access arrangements are available to meet the needs of the development.

INFORMATIVE: Insofar as the landscaping scheme referred to in Condition 5 above relates to the public open space shown on the plans hereby approved, any landscaping submitted should specifically detail planting proposals and the finished appearance of this area and a time table for which such works may be implemented. Furthermore, extensive tree planting will be expected along the Alverstoke Road frontage to the site, in order to soften its appearance.

Dated: 3rd March 2000



Patrick Keyes
Head of Development and Building Control
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL

IMPORTANT - attention is drawn to the notes overleaf

**NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS
OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION**

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from the Planning Inspectorate's web site,
- (2) When submitting the completed appeal form to the Planning Inspectorate, a copy should be sent to Planning, London Borough of Havering, 7th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. Where the decision of the local planning authority is based upon a direction from the First Secretary; it is not the practise to refuse to accept appeals solely because of this direction.
- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (5) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

You are reminded that Building Regulations approval may also be required for these works. You must contact the Building Control Manager or Building Inspector to confirm if permission is required.

Note: Following a change in government legislation a fee is now required for the request for Submission of details pursuant to discharge of conditions in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06/04/2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) will be required.

LONDON BOROUGH OF HAVERING

TOWN AND COUNTRY PLANNING ACT 1990

To: Mr S Dossery
S D Designs
38 Fields Park Crescent
Chadwell Heath
Romford
RM3 8PW

Mr David Perry
3 Percy Close
Harold Hill
Romford
Essex
RM3 8PW

APPLICATION No: P0359.09

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **REFUSE PLANNING PERMISSION** for the following development :

Proposal: Retrospective planning permission is sought for conversion of garage to habitable room

Location: 3 Percy Close
Harold Hill
Romford

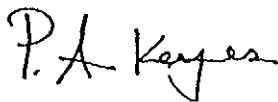
The above decision is based on the details in drawing(s):

GA 100
GA 101

for the following reason(s):

- 1 The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policies DC33 and DC61 of the LDF Development Control Policies Development Plan Document.

Dated: 28th May 2009



Patrick Keyes
Head of Development and Building Control
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL

IMPORTANT - attention is drawn to the notes overleaf

**NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS
OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION**

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from the Planning Inspectorate's web site,
- (2) When submitting the completed appeal form to the Planning Inspectorate, a copy should be sent to Planning, London Borough of Havering, 7th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. Where the decision of the local planning authority is based upon a direction from the First Secretary; it is not the practise to refuse to accept appeals solely because of this direction.
- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (5) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

You are reminded that Building Regulations approval may also be required for these works. You must contact the Building Control Manager or Building Inspector to confirm if permission is required.



Appeal Decision

Site visit made on 10 March 2010

by **Mark Balchin** BA(Hons) MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
7/13 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 922 6372
✉ enquiries@pin.gov.uk
ov.uk

Decision date
30 March 2010

Appeal Ref: APP/B5480/A/09/2117178

3 Percy Close, Harold Hill, Romford, Essex RM3 8PW

- 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 David Perry against the decision of the Council of the London Borough of Havering.
- The application (Ref.P0359.09), dated 2 April 2009, was refused by notice dated 28 May 2009.
- The development proposed is a garage conversion.

Decision

1. I dismiss the appeal.

Main issue

2. I consider that the main issue is the effect of the garage conversion on highway safety.

Reasons

3. The original planning permission for the dwellings on the estate required garages and carports to be permanently available for the parking of private vehicles. Together with parking areas on drives, this would enable properties to have two spaces, thus complying with the Council's overall standard of 1.5 – 2 spaces per dwelling. I noted on my visit that some drives nearby were capable of accommodating two cars, but that is not the case at the appeal site.
4. Percy Close is narrow, which restricts the ability to park on-street without causing an obstruction. At the time of my visit, there was a car parked opposite no.3, partly on the footway and partly on the road. The conversion of the garage to living accommodation would reduce the on-site provision to one space, which would increase the pressure for on-street parking and the potential for causing an obstruction at times. This could lead to parking on the footway, with a resultant adverse effect on highway safety.
5. Although each case must be considered on its merits, I consider that there is a realistic concern that approval of this proposal could be used in support of similar schemes for nearby dwellings. In those circumstances, the Council may have difficulty resisting such conversions, despite the potential cumulative impact on highway safety.
6. In coming to my decision, I have taken into account the dismissal of the appeal relating to no.22 (Ref.APP/B5480/A/09/2095188), a proposal that, in my view,

is very similar to this case. I have also taken into account the appellant's reference to an appeal that was allowed in relation to no.33. The Inspector in the aforementioned decision made reference to confusion over the length of the driveway in the latter case. The appellant has also referred to no.13, but I have not been provided with any further details of the circumstances or the timing of that conversion. I note that the Council's report on the application refers to some conversions that had been undertaken without planning permission and that were under investigation. I therefore accord very little weight to the conversions that have taken place.

7. I understand the appellant's arguments about the restricted size of the garage, which could not accommodate his car, but a small vehicle could be housed. In a two-car household, where one car is often of this nature, and where there is insufficient space on the driveway, the use of the garage would overcome the need to park on the road.
8. Although I accept that the drive is long enough for about one and half cars, it is simply insufficient to accommodate two vehicles. The additional half a car's length is of no practical use in relation to conformity with the Council's overall parking standard.
9. On the main issue, I conclude that the garage conversion would reduce on-site parking to a level that would increase the likelihood of on-street parking, which would in turn be harmful to highway safety. In this respect, the development would be contrary to Policy DC33 of the Havering Development Control Policies Development Plan Document 2008.
10. I agree that the conversion, which has already been carried out, has been finished to a good standard, with appropriate external materials. However, this does not outweigh the harm that I have identified. The appeal should therefore be dismissed.

Mark Balchin

INSPECTOR