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## Appeal Decision

Site visit made on 18 June 2025

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2025

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**Appeal Ref: APP/B5480/W/25/3359713**

**10 Romney Chase, Havering, Hornchurch RM11 3BJ**

- 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 and Mrs Wassell against the decision of the Council of the London Borough of Havering.
  - The application Ref is P0747.24.
  - The development proposed is new detached 4 bedroom house and improvements to existing pond.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The appeal site, as edged in red on the submitted site plan, includes most of a tree-lined pond in the centre of Romney Chase, a residential cul-de-sac. The appeal site address is given as 10 Romney Chase, but that appears to be a separate property in the cul-de-sac outside of, and separate to, the appeal site. It is not shown edged in blue on the site plan. Notwithstanding the site address provided, I have made my determination on the basis that the appeal site is the area shown edged in red on the site plan.
3. The appellants have supplied a preliminary ecological assessment (PEA) undertaken by ASW Ecology Ltd (Nov 2024). This was not submitted with the planning application but as the Council has responded to it in some detail, I will consider it in my determination.

### Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the area, and on biodiversity.

### Reasons

#### *Character and appearance*

5. Romney Chase is part of a wider residential area that is bordered to the east by open fields. This wider area includes Emerson Park which, by virtue of the Emerson Park Policy Area Supplementary Planning Document (SPD) (2009), has been identified as a distinct entity. It is described in the SPD as one of the Borough's most mature and pleasant residential districts, with a distinctive character of varied and well-maintained single family detached dwellings in spacious and well landscaped grounds. Romney Chase is in Sector 4 of the policy

area which, along with Sectors 2 and 3, is said to contain medium sized family houses in the main, with little scope for further infilling.

6. Though the SPD was adopted some years ago, my visit to the site generated no reason to disagree with the descriptions above. That said, I noted that the streets in Sector 4 differ appreciably in character and appearance. Whereas dwellings in streets such as Ferndown and Barleycorn Way are mixed in terms of their form, shape, layout, design, and external materials, those in Romney Chase are not. Indeed, Nos 1-4 Romney Chase have a high degree of uniformity, evident despite what appears to be an extension to No 4, as do Nos 5-10. Furthermore, the arrangement of these homes into a cul-de-sac gives Romney Chase an enclosed, self-contained feel. Overall, whilst Sector 4, and indeed the wider area of Emerson Park, contains a mix and range of architectural styles, Romney Chase is something of a separate pocket of homogeneity.
7. The presence of a tree-lined pond at the centre of the cul-de-sac, a feature locally unique to Romney Chase, further underlines the distinction between it and neighbouring streets. The cul-de-sac, including its homes and a garage block, are laid out around the pond, such that it, if initially only in the form of the trees lining it, is a striking and prominent sight when entering from Wingletye Lane. Visiting any of Nos 5-10 requires one to move around the pond, and to experience views of it through the trees and shrubs that line its edges. Notwithstanding its condition, it is a strikingly unusual and pleasantly naturalistic feature which gives the cul-de-sac a calm, serene quality from which it benefits considerably. The pond is the central feature of the cul-de-sac in both a positional and visual sense.
8. The appeal scheme involves the erection of a detached dwelling at the eastern edge of the pond. It would be in the centre of the cul-de-sac, in line with its entrance. As such, and notwithstanding its separation distances from other dwellings, it would be prominently located. Whilst much of the pond would remain or be reinstated, the siting of the proposed dwelling would obscure the pond from view along the eastern part of Romney Chase, significantly and harmfully undermining the central visual role the pond plays in the positive character of the cul-de-sac, as described above.
9. With double gable arrangements at both front and rear and a staggered front elevation, the proposed house itself would be of a design, shape, and layout that bears no resemblance to the existing dwellings in Romney Chase. This would make it harmfully incongruous in the largely uniform setting, an effect exacerbated by the use of external metal cladding across the roof and walls, and the inclusion of Juliet balconies; these are design features without precedent in the cul-de-sac.
10. The appellants have drawn my attention to the mix of architectural styles in the area, including two dwellings approved recently<sup>1</sup>. All of the cited examples are outside of Romney Chase, however, and carry little weight in my determination given the distinct nature of the cul-de-sac as set out above.
11. I note the appellants willingness to agree the use of different external materials, subsequent to any permission. Even if I were to view such an approach as not fundamentally altering the proposal, and even if materials matching those in Romney Chase were to be used, that would not overcome the other harms I have

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<sup>1</sup> Application Refs P1980.22 and P1680.20.

identified relating to the design, shape, and layout of the house, or the use of Juliet balconies.

12. The proposed development would have a harmful effect on the character and appearance of the area, contrary to Policy 26 of the Havering Local Plan (2021) (the Local Plan) where it requires development to respect, reinforce, and complement the local streetscene, and to respect and complement the distinctive qualities, character, and geographical features of the site and local area.

### *Biodiversity*

13. Policy 30 of the Local Plan requires developers to demonstrate a full assessment of the impact on protected species, which the pond possesses the potential for. It also requires appropriate mitigation and compensation measures where necessary.
14. The PEA cites a requirement for a further investigation into the presence or otherwise of grey crested newts at the site. As such, it is acknowledged by the appellant that they have not demonstrated a full assessment of the impact on protected species. I recognise that this results from the appeal being submitted before such an investigation could be undertaken, but in the absence of the investigation and any resultant mitigation or compensation strategy, I cannot be sure that compliance with Policy 30 is possible.
15. The decision notice cites a failure to deliver the mandatory 10% biodiversity net gain. The appellant has confirmed that this cannot be achieved at the appeal site but is content to agree off-site provision. Whilst the Council states a preference for on-site provision, Policy 30 does not prohibit other approaches, and I see no reason to discount the prospect of off-site provision. However, I have no evidence before me that a reliable means, such as a legal agreement, exists to secure offsite provision as part of this development. I cannot be certain, therefore, that 10% biodiversity net gain would be delivered.
16. I note the appellants contention that the development would result in investment, which would not otherwise take place, into the condition of the pond, and their observation that the pond could in fact be filled in, an act that would be cheaper than rejuvenating it.
17. I have no evidence that anything is currently preventing investment in, or indeed the simple care and maintenance of, the pond at present. As such, the proposed development is not evidently the only means that the pond may be kept in reasonable condition.
18. Moreover, the pond in its existing condition provides the benefits to the character and appearance of the cul-de-sac I have described above, and has at least the potential to support biodiversity and protected species. I have no evidence that, in the absence of investment, it would cease to do these things.
19. Even if they had not described it as a course of action they did not wish to take, I see no reason to view the appellant filling in the pond as a greater than theoretical possibility. Firstly, I have no evidence that doing so would not be an engineering operation requiring permission. Secondly, whilst filling the pond in may be cheaper than rejuvenating it, it would be cheaper still to leave it as it is, and I have no evidence the appellant would suffer for doing so.

20. It is not evident that the proposed development would have acceptable effects in respect of biodiversity, as required by Policy 30 of the Local Plan and Policy G6 of the London Plan (2021).

### **Planning Balance**

21. The provisions of paragraph 11(d) of the National Planning Policy Framework (the Framework) are engaged. The appeal scheme would result in an additional dwelling that could be built quickly, helping towards undersupply in the Borough, and supporting the wider Governmental aim of significantly boosting housing supply. A mix of temporary and lasting economic benefits would accrue from the construction phase and residential occupation respectively. These benefits attract positive weight in my determination, though they would be modest owing to the small scale of the scheme.
22. The site is in a sustainable location and the appeal scheme would make effective use of land. The appeal scheme accords strongly to the aims of the Framework in these regards. However, the Framework also considers the creation of high quality, beautiful and sustainable buildings and places to be fundamental to what the planning and development process should achieve, stating that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Furthermore, it states that decisions should minimise impacts on and provide net gains for biodiversity.
23. Overall, the harm the appeal scheme would cause to the character and appearance of the area and potentially to biodiversity would significantly and demonstrably outweigh the benefits identified above.

### **Conclusion**

24. I conclude that the proposal conflicts with the development plan and the material considerations do not indicate the appeal should be decided other than in accordance with it. The appeal is dismissed.

*A Knight*

INSPECTOR