159 Collier Row Lane, Romford, RM5 3ED

"Construction of a 2 bed, single storey, detached dwelling with off-street parking, private amenity space and cycle storage following demolition of existing garage (self build)"

Planning supporting statement

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1.0 INTRODUCTION

1.1. This planning statement is submitted in relation to an application for development described as follows:

Construction of a 2 bed, single storey, detached dwelling with off-street parking, private amenity space and cycle storage following demolition of existing garage

159 Collier Row Lane, Romford, RM5 3ED

1.2. This is a resubmission of application **P0689.26** for a similar scheme which was refused by the local planning authority on 4th August, 2026.

1.3. The internal layout has been amended to cater for the applicants needs for the property to be wheelchair accessible to a high standard and we clarify that this is a self-build submission.

1.4. In this latter regard we note that the DAS states as follows:

2.9 Accessibility Statement

The proposal aims to provide the highest practicable standards of accessibility and inclusivity. M4(2) will be met when reasonable provision for most people, including wheelchair users, to approach and enter the dwelling and to access habitable rooms and sanitary facilities on the entrance storey. Reasonable provision is made if the dwelling complies with all of the following.

a. Within the curtilage of the dwelling or the building containing the dwelling, it is possible to approach and gain access to the dwelling.

b. It is possible to gain access to the dwelling, or the building containing the dwelling, from the most likely

point of alighting from a car.

c. A disabled person who is able to walk is able to visit any dwelling in a building containing one or more dwellings.

d. Visitors can access and use the habitable rooms and a WC within the entrance storey of the dwelling (or the principal storey where the entrance storey does not contain a habitable room).

e. Where the habitable rooms and the WC are located on the entrance storey, access between them is step free.

f. Wall-mounted switches and socket outlets in habitable rooms are reasonably accessible to people who have reduced reach.

The ground floor utility rooms could be converted into a suitable ground floor bath/shower room to meet the requirements of Building Regulation Requirement M4(3).

1.5. The rationale for the resubmission is in response to the new appeal rules which restrict the extent of any appeal submission in terms of length of the statement of case. In addition, there is a restriction on any further supporting information over and above that which was submitted at application stage being used in support of an appeal case.

1.6. This planning supporting statement together with all the associated documents will therefore comprise, in turn, a proxy appeal statement.

1.7. It also cites the new NPPF of August 2026 which was published post the last decision.

1.8. The previous application was refused for the following single reason:

1 The proposed development would, by reason of its form, siting, and layout appear incongruous, cramped and out of character with the prevailing pattern of neighbouring development making it

harmful to the character and appearance of the surrounding area and would therefore be contrary to Policies 10, 7 and 26 of the Havering Local Plan 2016-2031 and also the NPPF which requires fundamentally that development add to the overall quality of the area whilst also establishing or maintaining a strong sense of place

1.9. The plan pack submitted in support of this application, and consequently of this identical resubmission, comprises as follows:

- **FORM Architecture plan 2127/01:** existing site location, block plan, streetscene and garage elevations;
- **FORM Architecture plan 2127/02:** proposed block plan, streetscene and dwelling layout;
- **FORM Architecture 2127/03:** proposed landscaping plan.

1.10. The scheme comprises part of the rear garden area of no. 159 Collier Row Lane. The host property is a 2-storey end of terrace property facing east.

1.11. It lies at the junction of Collier Row Lane and Kenway.

1.12. The site is within a sustainable location within defined settlement limits and also a predominantly residential area.

1.13. The host property lies almost opposite a small parade of local shops and a bus stop.

1.14. Locationally the site is a comparatively short distance due north of Romford town centre.

1.15. The host property has a long rear garden culminating with a single-storey garage adjoining the flank elevation of the nearest Kenway property, namely no. 2.

1.16. The application proposal is for the demolition of the garage and the erection of a single-storey building.

1.17. The proposed dwelling is a 2-bedroom 4-person bungalow with a net internal area of 70 square metres therefore meeting the NDSS minimum requirement of 70 square metres.

1.18. The garden area is annotated as 62 square metres and so exceeding, by some significant margin, the local planning authority's minimum standard of 5 square metres for 1-2 person occupancy with an extra 1 square metre to be provided for each additional occupant. In summary 7 square metres is required and 62 square metres is provided.

1.19. There is additionally a single off-street parking space and cycle and refuse is provided in the rear garden behind a close-boarded fence. Full details of the proposed cycle store are incorporated on plan 03.

1.20. The proposed landscaping plan shows the retention of a significant proportion of the pre-existing hedging to the frontage with a small pedestrian access in the centre of it.

1.21. Materials of construction are annotated as painted render finish, plain clay tiles and black uPVC windows. The design is articulated with 2 projecting gables and a centrally located doorway.

1.22. In respect of planning history other than the recent refusal of which this is an identical submission the officers report records application W0030.26 for a 2-bedroom dwelling designed to accommodate up to 3 persons. We were not agents for this proposal [*and the documents in respect of the submission are not on the statutory planning register and so we make no comment upon it*].

2.0 PLANNING POLICY

2.1. The statutory Development Plan comprises as follows:

- **The Havering Local Plan, 2016-2031,** adopted November 2021;
- **At strategic level, the London Plan of March 2021,** namely the spatial development strategy for Greater London.

2.2. The local planning authority rely upon the following discrete policy context in support of its two reasons for refusal:

- **Policy 7:** Residential Design and Amenity;
- **Policy 10:** Garden and Backland Development; and,
- **Policy 26:** Urban Design.

2.3. As the policy compendium is relatively brief it is set out in totality as follows:

Policy 7 Residential design and amenity

Residential development should be of a high design quality that is inclusive and provides an attractive, safe and accessible living environment for new residents whilst ensuring that the amenity and quality of life of existing and future residents is not adversely impacted.

To protect the amenity of existing and future residents the Council will support developments that do not result in:

i. Unacceptable overlooking or loss of privacy or outlook;

ii. Unacceptable loss of daylight and sunlight; and

iii. Unacceptable levels of noise, vibration and disturbance.

To ensure a high quality living environment for residents of new developments, the Council will support residential developments that:

iv. Meet the National Space Standards and the London Plan requirement for floor to ceiling heights;

v. Are sited and designed to maximise daylight and sunlight;

vi. Incorporate an appropriate level of high quality, usable green infrastructure and amenity space that is designed to be multi-functional and offer a range of environmental benefits and leisure and recreation opportunities;

vii. Provide both balconies and communal amenity space in flatted schemes; and

viii. Maximises the provision of dual aspect accommodation unless exceptional circumstances are demonstrated;

In any development affordable and market housing will be expected to have the same external appearance and equivalent amenity in relation to views, daylight, noise and proximity to open space.

New developments should promote independent living by utilising designs which can allow for alterations to be made in the future. The Council will require 90% of new build housing to meet Building Regulation requirement M4(2) 'Accessible and Adaptable Dwellings', with the remaining 10 percent meeting Building Regulation requirement M4(3) 'Wheelchair User Dwellings'.

The Council will support and encourage proposals which provide adaptations enabling residents to live independently and safely in their own homes

Policy 10 Garden and backland development

Proposals for residential development on garden and backland sites in Havering will be supported when they:

i. Ensure good access and, where possible, retain existing through routes;

ii. Retain and provide adequate amenity space for existing and new dwellings;

iii. Do not have a significant adverse impact on the amenity of existing and new occupants;

iv. Do not prejudice the future development of neighbouring sites;

v. Do not result in significant adverse impacts on green infrastructure and biodiversity that cannot be effectively mitigated and;

vi. Within the Hall Lane and Emerson Park Character Areas as designated on the Policies Map, the subdivision of plots and garden development will not be supported, unless it can be robustly demonstrated that the proposal would not have an adverse impact on the character of the area and that the proposed plot sizes are consistent with the size, setting and arrangement of properties in the surrounding area

Policy 26 Urban design

The Council will promote high quality design that contributes to the creation of successful places in Havering by supporting development proposals that:

i. Are informed by, respect and complement the distinctive qualities, identity, character and geographical features of the site and local area;

ii. Are of a high architectural quality and design;

iii. Provide creative, site specific design solutions;

iv. Respect, reinforce and complement the local streetscene;

v. Provide active streets, good sight lines and natural surveillance;

vi. Are designed in accordance with the principles of Secured by Design;

vii. Respond to distinctive local building forms and patterns of development and respect the visual integrity and established scale, massing, rhythm of the building, frontages, group of buildings or the building line and height of the surrounding physical context;

viii. Fully integrate with neighbouring developments, existing path and circulation networks and patterns of activity particularly to accommodate active travel;

ix. Provide well-defined public realm with defensible private spaces;

x. Are built of high quality, durable, robust, low maintenance materials that integrate well with surrounding buildings;

xi. Provide a high standard of inclusive access for all members of the public;

xii. Demonstrate adequate on-going maintenance and management arrangements; and

xiii. Make use of design competitions or other creative processes that can improve the design quality.

The council will require development proposals of a strategic nature to be subject to Design Review

2.4. In addition, it is important that the Development Plan is read in the round and there is a critical housing imperative to this case and in view of this we quote the following references from the adopted Local Plan.

2.5. In respect of the spatial strategy the Plan advises as follows:

Key features of the spatial strategy

Housing Growth

Delivery of at least 18,930 high quality homes over the 15 year Plan period;

2.6. And in addition Policy 3 concerns housing supply and is set out in totality as follows:

Policy 3 Housing supply

Ensuring an adequate supply of high quality housing in Havering is essential in ensuring that the borough is a place where people want to live and where residents are able to stay and prosper. The Council will take a pro-active approach to increasing the amount housing within the borough and will

encourage the effective and efficient use of land by reusing previously developed land.

In line with the London Plan housing target for Havering, at least 12,505 (3) new homes will be built in Havering over the first 10 years of the Plan period. This will include the delivery of at least:

i. 5000 homes on major sites in the Romford Strategic Development Area;

ii. 3,000 homes on major sites in the Rainham and Beam Park Strategic Development Area;

iii. 300 homes through the intensification and renewal of existing Council housing estates outside of the Strategic Development Areas;

iv. 1,500 homes on other major sites outside of the Strategic Development Areas and Council housing estates; and

v. 1500 homes on small sites across the borough and through vacant units returning to use.

The delivery of new homes will also be achieved by:

vi. Promoting mixed use development in town centres and designated out of town centre locations;

vii. Prioritising all non-designated land for housing when it becomes available;

viii. Supporting the re-use of brownfield sites when they become available;

ix. Supporting residential and mixed use development proposals around stations where it is compatible with the character of the local area. Major development proposals around stations will be subject to design review;

x. Supporting appropriate development of infill, under-utilised and vacant sites in the borough's sub-urban areas;

xi. Resisting the net loss of residential development;

xii. Supporting initiatives to bring back empty residential properties into use;

xiii. Supporting self-build initiatives; and

xiv. Seeking to optimise residential output and densities consistent with the density matrix set out in the London Plan.

xv. Delivery will be phased over the 15 year plan period as follows:

Table 1 Phased Targets

Table 1 Phased Targets

	Phase 1	Phase 2	Phase 3
Targets for net additional homes	2016/17 - 2020/21	2021/22 - 2025/26	2026/27 - 2030/21
Minimum dwellings per annum	700	1,801	1,285*
Total	3,500	9,005	6,425
10 Year Total	12,505		

The London Plan: the strategic component of the Development Plan

2.7. Whilst the strategic planning context is not relied upon by the local planning authority it is, nonetheless, still relevant.

2.8. Policy GG1 concerns building strong and inclusive communities where criterion (G) states as follows:

> **G** ensure that new buildings and the spaces they create are designed to reinforce or enhance the identity, legibility, permeability, and inclusivity of neighbourhoods, and are resilient and adaptable to changing community requirements

2.9. Policy GG2 concerns making the best use of urban land; the most relevant criterion of which is (C) which reads as follows:

> **C** proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling

2.10. In addition, Policy GG4 deals with delivering the homes that Londoners need and this is prefaced by paragraph 1.4.5 which reads as follows, with our emphasis added:

> 1.4.5 To meet the growing need, London must seek to deliver new homes through a wide range of development options. Reusing large brownfield sites will remain crucial, although vacant plots are now scarce, and the scale and complexity of large former industrial sites makes delivery slow. Small sites in a range of locations can be developed more quickly, and enable smaller builders to enter the market. Building more housing as part of the development of town centres will also be important, providing homes in well-connected places that will help to sustain local communities.

2.11. And policy GG4 itself:

GG4 Delivering the homes Londoners need to create a housing market that works better for all Londoners, those involved in planning and development must:

A ensure that more homes are delivered

B support the delivery of the strategic target of 50 per cent of all new homes being genuinely affordable

C create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing

D identify and allocate a range of sites to deliver housing locally, supporting skilled precision-manufacturing that can increase the rate of building, and planning for all necessary supporting infrastructure from the outset

E establish ambitious and achievable build-out rates at the planning stage, incentivising build-out milestones to help ensure that homes are built quickly and to reduce the likelihood of permissions being sought to sell land on at a higher value.

2.12. Policy D3 concerns optimising site capacity through the design-led approach where the relevant criteria are as follows:

Form and layout

1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions

Quality and character

11) respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character

12) be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well

2.13. Table 4.1 sets out up to date ten-year targets for net housing completions (2019/20-2020/29) where Havering has a target of 12,850 in total.

2.14. In addition, the recently adopted strategic planning policy context has a specific policy in respect of small sites which reads as follows, with our emphasis:

Policy H2 Small sites

A Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to:

1) significantly increase the contribution of small sites to meeting London's housing needs

2) diversify the sources, locations, type and mix of housing supply

3) support small and medium-sized housebuilders

4) support those wishing to bring forward custom, self-build and community led housing

5) achieve the minimum targets for small sites set out in Table 4.2 as a component of the overall housing targets set out in Table 4.1.

B Boroughs should:

1) recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites

2) where appropriate, prepare site-specific briefs, masterplans and housing design codes for small sites

3) identify and allocate appropriate small sites for residential development

4) list these small sites on their brownfield registers grant permission in principle on specific sites or prepare local development Orders

2.15. Table 4.2 which follows this policy sets out ten-year targets for net housing completion arising from small sites which are defined within the policy as being below 0.25 hectares in size.

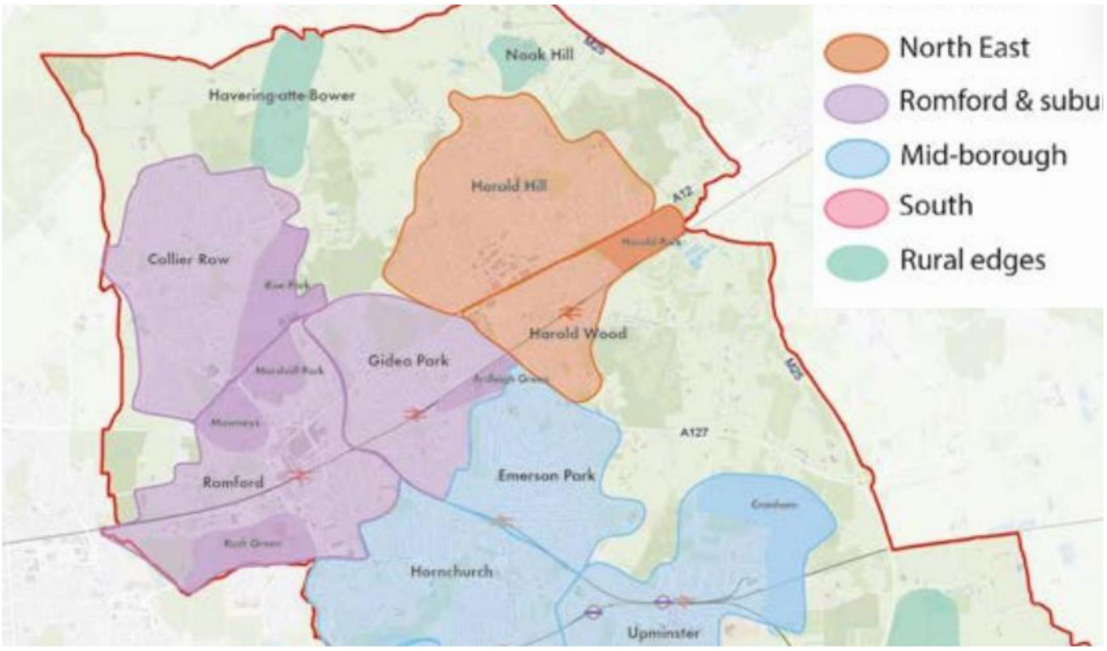
2.16. Havering has a target of 3,140 units from such sites and clearly this is an important contribution in respect of the overall 12,850 target.

Other material considerations

2.17. The local planning authority also cite the Havering Character Study 2024.

2.18. This is a study as the name suggests and does not have Development Plan status. It was not clear whether or not it went to public consultation and it seems that it is a design-related document prepared internally.

2.19. Section 2 of the document is entitled **"Identifying Character"** and the site is part of the Romford and Suburbs categorisation and we attach below an extract from Figure 8:


North East
Romford & subu
Mid-borough
South
Rural edges
Nook Hill
Havering-atte-Bower
Harold Hill
Collier Row
Harold Wood
Gidea Park
A127
Romford
Emerson Park
Hornchurch
Upminster

3.0 ASSESSMENT AND CONCLUSION

3.1. Prior to addressing the single reason for refusal we confirm a number of key matters of common ground.

3.2. It is agreed that the scheme meets relevant NDSS standards and that all technical requirements in respect of refuse and cycle provision are dealt with in an appropriate and unobjectionable manner. We have previously alluded to the fact that the garden size at 62 square metres is significantly above the minimum requirement of 7 square metres.

3.3. There is no highway objection.

3.4. The scheme has an offsite space. This of course deprives the host property of that space, however, the host property already has on-site parking to the frontage.

3.5. The principle of optimising housing output in established residential areas is equally agreed. The local planning authority also accepts that this is a tilted balance case and set out its housing figures within the officer's delegated report. In doing so it confirms a housing delivery test figure of 61% and 3.4-year supply of deliverable housing sites.

3.6. We would add that since this refusal the new HDT (2025 measurement published in August 2026) confirms a 40% figure.

3.7. Whilst this matter is agreed we take the housing position much further and start by making the point that this local planning authority has never had a housing land supply that meets the housing delivery test or provides a 5-year housing land supply. It has consequently fallen short on a long-term basis.

3.8. The current HDT figure is 40% and this is clearly materially below the 75% figure. This is down from the 61% the year before.

3.9. The 2022 measurement had Havering at 55%.

3.10. The 2021 measurement had Havering at 46%.

3.11. The 2020 measurement had Havering at 36%.

3.12. The 2019 measurement had Havering at 33%.

3.13. In addition to this the local planning authority does not have a five-year housing land supply and we submit below two quotes from the Inspector's report into what is now the adopted Local Plan, 2021.

> **81.** Due to the persistent under delivery of housing in the past, the Council have justifiably included within its 5-year supply calculations a buffer of 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land. This buffer has been added to the shortfall. Using the 'Sedgefield' approach to addressing past shortfall, where the under-delivery in earlier years is made up in the first 5 years of the Plan period, the HPS 2019 identifies a 5.34 years' supply of housing on adoption of the Plan.

> **85**. Ordinarily, the demonstration of a 5-year supply of deliverable housing land is a prerequisite of a sound plan in terms of the need to deliver a wide choice of homes. However, in the circumstances of this Plan, where the housing requirement has increased at a late stage in the examination, I ultimately conclude that the Plan, as proposed to be modified, is sound in this regard subject to an immediate review.

3.14. Therefore, in October 2021 there was a reference to persistent under delivery and also the promise of an imminent review of the Local Plan.

3.15. Now, in 2026 namely five years later there is no published consultation in respect of the Local Plan and the HDT confirms a position still far short of what is needed and the figures are significantly down from the position last year.

3.16. There are real consequences arising from these figures.

3.17. These may be hidden problems, however, not providing enough homes for local people is a real and fundamental failing.

3.18. In this context we note that the NPPF 2026, as a matter of broad summary, places a real emphasis on the provision of new housing.

3.19. In response to the view that the 1 net additional unit makes a minor contribution we attach two appeal decisions as **documents 1 & 2** respectively as follows:

- **A 2021 appeal in relation to a site in Redbridge;**
- **A 2025 appeal in relation to a site in Maldon.**

3.20. The fact that they cover different planning authority areas and the fact that they are individual cases are both irrelevant. These appeals are submitted to highlight the proper weight to be attributed to new housing in the context of a shortfall.

3.21. The first quote below is from the Redbridge appeal **(document 1)** and the second from the Maldon appeal **(document 2)** with our emphasis added:

> **27.** In its favour, the scheme would make a contribution to housing supply in an accessible location. Whilst that contribution would be modest, this is nonetheless significant in a borough which is failing to deliver sufficient housing. The adverse impacts of granting permission would not significantly and demonstrably outweigh this benefit when assessed against the Framework's policies taken as a whole. The scheme therefore benefits from the presumption in favour of sustainable development.

3.22. And the later appeal:

> **20.** The adverse impact of granting planning permission has been found to be harm to the character and appearance of the area through encroachment of housing into the countryside. The principal benefit of the scheme would be the provision of two new homes, which would contribute to the national objective to boost the supply of homes, and would also contribute to the supply in the District. This is particularly important given the very significant undersupply of land for homes reported by the Council. While the proposal would make only a modest contribution to the identified shortfall, it would nonetheless make a positive contribution with some tangible effect. Given the severity of the situation, I ascribe this benefit significant weight. Other benefits may arise from the proposal which attract some weight, including the economic benefit associated with the construction process and ongoing expenditure into the local economy by future residents.

3.23. We now turn to character and appearance and in doing so address the single reason for refusal.

3.24. This can be distilled into the following limbs:

- **It would appear incongruous, cramped and out of character with the prevailing pattern of neighbouring development;**
- **Consequently it would be harmful to the character and appearance of the surrounding area;**
- **It is contrary to the following policies (as set out in the order within the decision notice):**
  - **Policy 10: Garden and Backland Development;**
  - **Policy 7: Residential Design and Amenity;**
  - **Policy 26: Urban Design.**

3.25. We start by introducing in more detail the two precedents as set out in the design and access statement, plus two further examples to which we also wish to refer.

3.26. As **Document 3** we enclose the plans and appeal decision in respect of the 25th May 2021 approval at 106 Pettits Lane, Romford, RM1 4ER. This was determined under the terms of local planning authority reference **P1500.20** and Inspectorate reference **APP/B5480/W/21/3267232.**

3.27. As **Document 4** we enclose the plans and appeal decision of the 1 Cromer Road, Hornchurch scheme. Under the terms of local planning authority reference **P1547.21** and Inspectorate reference **APP/B5480/W/22/3298632**. Both appeals were pursued by this firm and both schemes designed by FORM Architecture, the current scheme's architects.

3.28. We accept that each application is determined on its own individual merits and each site is different.

3.29. However, what both these appeal decisions show is that long garden areas within settlement limits can, in certain circumstances, accommodate additional built form in the interests of making the best use of urban land and meeting housing figures. Both the schemes were unique and less traditional than the current scheme and we also note that the Cromer Road site fell within a designated conservation area.

3.30. We also refer to an appeal dismissal on a back-land site in respect of the medical centre at 36-40 Collier Row Lane. This was refused by the local planning authority pursuant to **P0017.16** and dismissed at appeal in December, 2026 pursuant to **APP/B5480/W/16/3158788.** We cite this as it was the specific highway objection to the scheme that led to the refusal, and, in terms of character and appearance the scheme was seen to be acceptable.

3.31. The appeal decision and plans are attached as **Document 5** and we enclosed screenshots of the scheme below:



3.32. And in terms of character the Inspector concluded as follows:

> **5. There is nothing in the height of the proposed houses or in the topography of the site to suggest that they would be any more prominent or dominant than any other house which surrounds the site. They would exist, where none presently exists, and they could be seen from within the gardens of neighbouring houses as can all the other houses which surround the site but that is not a sufficient reason to dismiss this appeal.**

3.33. With all this background we make the following points in relation to the application scheme.

3.34. The site is not within a conservation area, nor within an area of special residential character (*and as we address policy 10 we do note that the local planning authority does employ such designation in certain parts of the borough*), and there are no listed buildings or their settings to take into account.

3.35. The character of the immediate context is mixed with examples of 2-storey development and bungalow development sitting alongside each other. In this regard we particularly refer to the 2 bungalows at no. 1 and 3 Kenway, almost opposite the application site: see google image below (the blurred image covering one of the properties is at source):

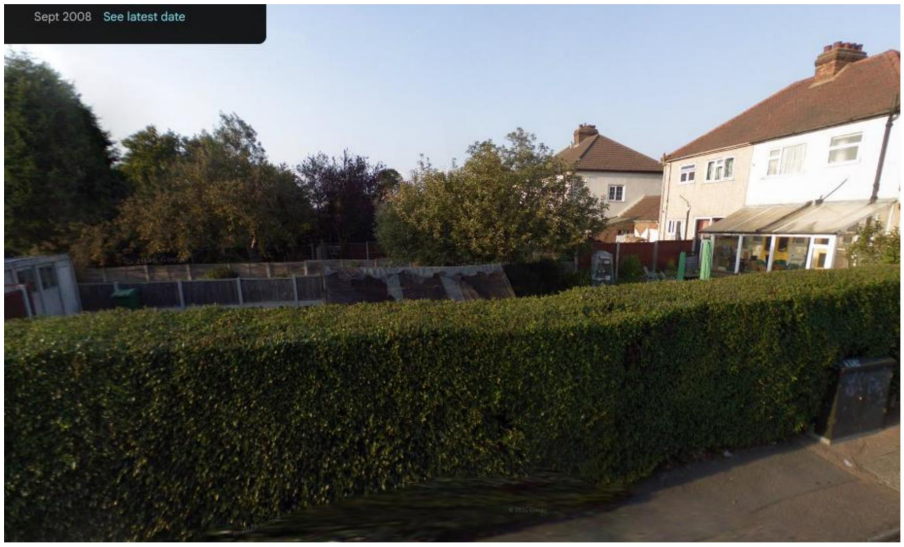


3.36. Visually there are a number of prominent dormers to the rear of the properties fronting Colliers Row Lane which back onto the application site and which therefore form a component of local character and local distinctiveness.

3.37. There are additionally a multiplicity of outbuildings within the local context to include the garage opposite and that on the application site to be demolished. These are not particularly large structures, yet, still comprise a layer of development and there are a number of other examples.

3.38. The hedgerow to the frontage of the application site is a defining feature and the majority of this is to be retained with only a small section lost for pedestrian access. This is a mature feature and dated Google images show that this was in

place as early as 2008 and it was as high as it is currently by 2020, see images below (top image 2018; bottom image 2020):





3.39. We stress that we are not seeking to hide the bungalow as this type of structure in this location is entirely appropriate; rather as the hedge is a feature of some benefit the sensible and proportionate design response is to retain it [in making this point we note that the proposed street scene extract on plan 2127/02 deliberately excludes it as otherwise the impact of the new built form would not be readily assessed].

3.40. In addition, there is an allegation made in the context of the last refusal that there is a failure to respect the building line. There is a modest projection to the front

of the cited building line but the building is single-storey sitting alongside much taller 2-storey development and so is a subsidiary structure. There is also a pre-existing single-storey built form on both sides of the road which projects forward of the established building line. The Pettits Lane appeal scheme did not respect its building line and the Cromer Road appeal scheme was sited forward of its neighbour and the pre-existing garages. In short, this matter is not determinative.

3.41. We therefore conclude with a policy 10 assessment.

Proposals for residential development on garden and backland sites in Havering will be supported when they:

3.42. The policy is permissive as a starting point with the usual caveat that the support is predicated upon meeting the relevant policy criteria.

i. Ensure good access and, where possible, retain existing through routes;

3.43. There is no highway objection and the site lies within a sustainable location.

ii. Retain and provide adequate amenity space for existing and new dwellings;

3.44. There is no issue with amenity space either that proposed for the new dwelling or the residual for the host dwelling.

3.45. Both are comfortably in excess of standards.

iii. Do not have a significant adverse impact on the amenity of existing and new occupants;

3.46. This is not an issue in contention.

iv. Do not prejudice the future development of neighbouring sites;

3.47. This is not an issue in contention.

v. Do not result in significant adverse impacts on green infrastructure and biodiversity that cannot be effectively mitigated and;

3.48. This is not an issue in contention.

vi. Within the Hall Lane and Emerson Park Character Areas as designated on the Policies Map, the subdivision of plots and garden development will not be supported, unless it can be robustly demonstrated that the proposal would not have an adverse impact on the character of the area and that the proposed plot sizes are consistent with the size, setting and arrangement of properties in the surrounding area

3.49. The site does not fall within any of these special character areas.

3.50. **By way of conclusion** we therefore submit that the proposal accords with the material provisions of the Development Plan.

3.51. The benefits of the new housing are significant.

3.52. In making this point we have submitted two appeals which confirm the position and both were for a small number of units.

3.53. There is now no threshold level to the tilted balance and the local planning authority is one which is constrained by Green Belt where there is significant pressure for new housing development. We cover the new NPPF shortly and note that the "new" tilted balance only now relates to development within settlement limits regardless of the housing position in any event.

3.54. The addition of a new house also delivers additional benefits as follows and we articulate these mindful of the three limbs to sustainable development as expressed at paragraph 17 of the NPPF (2026):

- The short-term economic benefits arising from the construction process and purchase of materials as well as the use of local labour;
- The conveyancing process with selling and buying;
- The short-term and long-term benefits of fitting out with new carpets, curtains, white good, kitchens and bathrooms;
- The long-term replacement of such items and redecoration and investment int the properties generally;
- The long term and consistent payment of utilities, insurances and Council Tax;
- The long terms sustainability of local shops and services as well as the local bus service;
- Contribution to the local labour market by the residents and potential for them to also provide employment;
- Subsequent resale.

3.55. We also address the new NPPF (August 2026) and start with policy S3 which reads as follows:

S3: Presumption in favour of sustainable development

1. Decisions on development proposals should apply a presumption in favour of sustainable development. This means:

a. Policy S4 in this Framework should be applied when considering development proposals within settlements;

b. Outside settlements, policy S5 should be applied; and

c. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

3.56. In terms of S4, this reads as follows:

S4: Principle of development within settlements

1. Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

2. In applying policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations where the development proposal would:

a. Have a substantial adverse impact in relation to:

i. The allocation or safeguarding of land or buildings for particular uses in the development plan, unless there is no reasonable prospect of an application coming25 forward for the allocated use, or there is evidence that the safeguarding is no longer appropriate; or

ii. The application of the policies in this Framework for existing recreational land and facilities (HC7), Local Green Space (HC8), areas of particular

importance for biodiversity and geodiversity (N6), Protected Landscapes (N4) and development within residential curtilages (L2(1)(d)).

b. Involve the whole or partial loss of undeveloped land which is used for a cemetery or burial ground; or for water storage and/or flood risk management (unless suitable compensatory provision is made that does not increase the risk of flooding either on or off-site); or

c. Fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

3.57. This is very strong language and this is the language which should be applied to this assessment: the test at S4 (1) is that the benefits would need to be substantially outweighed by adverse effects and whilst the list from 2 (a) is not a closed list, the application comes no where near to falling within the parameters stated.

3.58. Finally L2 acknowledges the role of garden land in providing dveleopment opportunities and reads as follows:

L2: Making effective use of land

1. Substantial weight should be given to the benefits where a development proposal would achieve one or more of the following:

3.59. And as relevant:

iii. Where the development would involve the use of residential curtilages, not occupy more than twice the footprint of all the existing buildings on the site, and, following development, would retain at least 50% of the non-developed area within the curtilage of the existing buildings38; unless additional development can be accommodated without harm to the overall character of the area,

and taking into account the availability of infrastructure and the importance of locating development in sustainable locations (in accordance with policy TR3).

3.60. These provisions are met and one also needs to take into account the front garden.

3.61. We also note that this self build is to meet the applicant's specific requirements and in this regard there is further support from the NPPF in the following terms (*and whilst this is not a major dveleopment the contribution is still important*):

HO5: Meeting the needs of different groups

1. The development plan should, at the most appropriate level, set out policies to address the housing needs of different groups (including, but not limited to, those assessed under policy HO1). This should include:

b. Setting out the proportion of housing on major developments to be delivered to requirements M4(2) and M4(3) of the Building Regulations. Requirements should meet or exceed local levels of need, and should ensure that no less than 40% of homes on major developments are delivered to M4(2) standards (subject to any appropriate exemptions set out in the development plan);

3.62. The proposal therefore accords with the material provisions of the development plan and the sustainability credentials of the NPPF.