

Appeal Decision

Site visit made on 14 November 2016

by Grahame Gould BA MPhil MRTPI

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

Decision date: 28th November 2016

Appeal Ref: APP/B5480/D/16/3154738

75 Meadow Road, Romford, Havering RM7 0LR

- 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 Mr P Mazzreku against the decision of the Council of the London Borough of Havering.
 - The application Ref P1825.15, dated 8 December 2015, was refused by notice dated 25 April 2016.
 - The development proposed is part double storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A rear dormer has been constructed, an addition that is not shown on the application drawings. I have, however, taken account of the dormer's presence in reaching my decision.

Main Issues

3. The main issues are the effect of the development on: the living conditions for the occupiers of 73 Meadow Road (No 73), with particular regard to whether the extension would be overbearing; and the character and appearance of No 75 and the surrounding area.

Reasons

Living Conditions

4. The development would involve the construction of a 3.0 metre deep and 3.3 metres wide first floor extension, which would occupy part of the width of a recently constructed single storey rear extension. The appeal property (No 75) is a mid-terraced house and the flank wall of the extension would be constructed hard up against the shared boundary with No 73, an end of terrace property.
 5. Nos 73 and 75 are comparatively narrow properties that also have narrow gardens. The first floor extension, when taken with No 75's ground floor extension, would result in the No 73's rear patio area, in particular, becoming very enclosed on its western side, with the result that these additions would dominate the outlook from this part of 73's garden. I therefore find that the first floor extension's presence would be overbearing for No 73's occupiers,
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resulting in unacceptable harm being caused to those occupiers' living conditions.

6. As part of my site visit I looked out from No 73's kitchen and rear bedroom windows. Having regard to the position of the aforementioned windows, relative to the depth and height of the first floor extension, I consider there would be no unacceptable losses of outlook or light for the occupiers of No 73 within the interior of that property.
7. Although there is a part width first floor rear extension at No 69, I consider that the circumstances of that addition are not comparable with the appeal development. That is because No 69 is a semi-detached house and there is some separation between that property and the shared boundary with the end of terrace dwelling at No 67.
8. I accept that the siting of the extension relative to No 77 would not be harmful to the living conditions for that property's occupiers.
9. For the reasons given above I conclude that the development would be harmful to the living conditions of the occupiers of No 73. There would therefore be conflict with fourth core planning principle referred to in paragraph 17 of the National Planning Policy Framework (the Framework) because the development would not secure a good standard of amenity for all existing and future occupants of a building. I also find that there would be some conflict with the Council's Residential Extensions and Alterations Supplementary Planning Document of 2011 (the SPD) in that the outlook from No 73's garden would not be maintained because of the extension's height and proximity to the shared boundary.
10. The second reason for refusal cites conflict with Policy DC61 of the Havering Core Strategy and Development Control Policies Development Plan Document of 2008 (the DPD). However, I find Policy DC61 not be relevant because while it refers to overshadowing, loss of light and overlooking/loss of privacy, amongst other things, it does not refer to avoiding development that may have an overbearing effect.

Character and Appearance

11. The first floor extension, given its width, height and roof design, would of itself have a subservient appearance relative to No 75. However, the context for this extension has been altered with the construction of the dormer, which occupies the full width and height of No 75's rear roof slope. This dormer has left No 75 with the appearance of being a flat roofed three storey property when viewed from the rear.
12. The construction of the first floor extension would, in my opinion, provide some relief to the dormer's unduly bulky appearance by drawing attention away from the dormer. I therefore find, on balance, that the first floor extension would not be harmful to the character and appearance of No 75. The scale of the first floor extension would be comparatively modest and I find that it would not appear as an incongruous addition with the area surrounding No 75 and in this respect it would share some of the visual attributes of No 69's first floor extension.
13. For the reasons given above I conclude that the development would not be harmful to the character and appearance of No 75 or the surrounding area

and as such there would be no conflict with Policy DC61 of the DPD or the SPD.

Conclusions

14. While I have found that the extension would not detract from the character and appearance of No 75 and the surrounding area, it would be harmful to the living conditions for the occupiers of No 73. That harm would give rise to conflict with part of the Framework and as such I find that when the Framework is read in the round this would not be a sustainable form of development. I therefore conclude that the appeal should be dismissed.

Grahame Gould

INSPECTOR