
Appeal Decision

Site visit made on 8 November 2016

by Beverley Wilders BA (Hons) PgDurp MRTPI

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

Decision date: 30 November 2016

Appeal Ref: APP/B5480/D/16/3157189

19 Squirrels Heath Avenue, Romford RM2 6AD

- 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 & Mrs Matharu against the decision of the Council of the London Borough of Havering.
 - The application Ref P0721.16, dated 3 May 2016, was refused by notice dated 18 July 2016.
 - The development proposed is single and two storey rear extensions, porch, external alterations, replacement windows and re-roofing.
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Decision

1. The appeal is dismissed insofar as it relates to the single and two storey rear extensions. The appeal is allowed insofar as it relates to the porch, external alterations, replacement windows and re-roofing and planning permission is granted for a porch, external alterations, replacement windows and re-roofing at 19 Squirrels Heath Avenue, Romford RM2 6AD in accordance with the terms of the application, Ref P0721.16, dated 3 May 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans insofar as they relate to the porch, external alterations, replacement windows and re-roofing: 001, 002, 003, 004, 005, 006, 007 Rev A, 008 Rev A, 009, 010, 011 and 012.
 - 3) No development shall take place until details / samples of the materials to be used in the construction of the external surfaces of the approved development have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

Procedural Matter

2. The proposal incorporates various elements and I am satisfied that each element is clearly severable from the other such that I can consider them separately in reaching my decision.
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Main Issues

3. The main issues are the effect of the proposal on:

- The living conditions of the occupiers of 17 Squirrels Heath Avenue having regard to outlook;
- The character and appearance of the host building and the surrounding area.

Reasons

Living conditions

4. The appeal property is a detached two storey dwelling with detached dwellings to either side. It is located very close to the side boundary with and side elevation of 17 Squirrels Heath Avenue. The side elevation of No 17 contains two dormer windows serving a bedroom facing towards the appeal site. The position of one of these windows means that the outlook from it is already compromised by the two storey part of the appeal property. However the rearmost window currently has an open outlook above the existing single storey rear extension at the appeal site.
5. Though I note that the proposed two storey rear extension would be set in from the side elevation of the appeal property nearest to No 17, it would still nevertheless be positioned very close to the side dormer windows at No 17. This close position together with the height and depth of the proposed two storey rear extension would result in a significant loss of outlook from the rearmost dormer window and a further reduction in the outlook from the other dormer window. At my visit I noted the presence of another dormer window in the rear elevation of No 17 close to the side dormers. However I am not satisfied that the limited evidence provided about the purpose of this rear window clearly demonstrates that the adverse impact of the proposed two storey rear extension on the outlook from the side dormer windows would not be materially harmful to the living conditions of the occupiers of No 17.
6. The proposed front porch is small in scale and this together with its position set away from the side boundaries means that the porch together with the external alterations, replacement windows and re-roofing that also from part of the proposal would not adversely affect the living conditions of neighbouring occupiers.
7. Taking the above matters into consideration, I conclude that the proposed single and two storey rear extensions would have a significant adverse effect on the living conditions of the occupiers of 17 Squirrels Heath Avenue having regard to outlook. This aspect of the proposal is therefore contrary to the development plan and in particular Policy DC61 of the Havering Core Strategy and Development Control Policies Development Plan Document (CSDCPDPD) and to guidance contained within the Havering Residential Extensions and Alterations Supplementary Planning Document (SPD). This policy and guidance seek, amongst other things, to protect the amenity of an area and the living conditions of neighbours. Though Policy DC68 of the CSDCPDPD was also referred to in the Council's reason for refusal, this is not relevant to living conditions.

Character and appearance

8. The appeal site is located in the Gidea Park Conservation Area (CA). According to the Council the CA contains housing and shops built around a road layout dating from 1910 based on the garden suburb principles and featuring two areas of architectural exhibition and competition housing. The character of the residential parts of the CA is one of individually designed dwellings in mature gardens.
9. The appeal property is a two storey detached dwelling fronting onto and set back slightly from Squirrels Heath Avenue. It is fairly substantial in scale and is positioned reasonably close to the neighbouring dwellings meaning that views from the road of the rear of the dwelling and appeal site are limited. The Council has raised no objections to the effect of the porch, the external alterations, replacement windows and re-roofing on the character and appearance of the host building and the surrounding area and I have no reason to disagree with their findings.
10. The Council has however raised concerns regarding the proposed single and two storey rear extensions with particular regard to scale, depth, width and roof form. Though the depth of the rear extension would be relatively large compared to the appeal property, it would not extend across the full width of it and would have a lower ridge height meaning that it would be subservient to the host building. The extension would be constructed in materials to match the rest of the host building. Though the rear extension would incorporate a crown roof I note that there is another example of a similar roof in the immediate vicinity and in any event, in this case the roof would be located at the rear of the host building and would not be prominent. Consequently having regard to the scale, design and discrete location of the proposed rear extension it would not appear incongruous, dominant and visually intrusive in the streetscene or in the rear garden environment.
11. Taking the above matters into consideration, the proposal would not have an adverse effect on the character and appearance of the host building and the surrounding area, including the CA. It therefore complies with the development plan and in particular policies DC61 and DC68 of the CSDCPDPD. These policies seek to ensure, amongst other things, that development maintains, enhances or improves the character and appearance of the local area and preserves or enhances the character and appearance of Conservation Areas.
12. Though I note that the proposal does not comply with all of the guidance relating to extensions within the SPD, the SPD notes that the guidance is not prescriptive and that well designed solutions which may not meet all the design criteria can still make a positive contribution to the character of the existing property and the streetscene. For the reasons stated I am satisfied that the proposal complies with the broad aims of the SPD of ensuring that development is sympathetic to the existing property and streetscene.

Conditions

13. I have had regard to the conditions suggested by the Council. I have imposed a condition specifying the approved plans as this provides certainty. I have also imposed a condition requiring samples of building materials to be submitted. This is having regard to the location of the site within a

Conservation Area and to ensure that the impact on the character and appearance of the host building and surrounding area is acceptable. I have not imposed the suggested conditions relating to the insertion of new windows, obscure glazing or restricting the use of the proposed flat roof on the single storey extension as these conditions are not necessary bearing in mind that permission is not being granted for the rear extension.

Conclusion

14. For the above reasons and having regard to all matters raised, I conclude that the appeal is dismissed insofar as it relates to the single and two storey rear extensions and is allowed insofar as it relates to the porch, external alterations, replacement windows and re-roofing.

Beverley Wilders

INSPECTOR