



Appeal Decision

Site visit made on 5 January 2017

by **Peter D Biggers** BSc Hons MRTPI

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

Decision date: 23 January 2017

Appeal Ref: APP/B5480/D/16/3161674 **218 Lodge Lane, Romford RM5 2EU**

- 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 Scott Richards against the decision of the London Borough of Havering Council.
 - The application Ref P1041.16, dated 21 June 2016, was refused by notice dated 7 September 2016.
 - The development proposed is two storey and single storey rear and front extensions and demolish existing rear and side extension.
-

Decision

1. The appeal is dismissed in respect of the front extensions.
2. The appeal is allowed in respect of the rear extensions and planning permission is granted for two storey and single storey rear extensions and demolish existing rear and side extension at 218 Lodge Lane, Romford RM5 2EU in accordance with the terms of the application, Ref P1041.16, dated 21 June 2016, and the plans and documents submitted with it, so far as relevant to that part of the development hereby permitted subject to the conditions at Schedule A.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area of Lodge Lane.

Reasons

4. The appeal property stands on the northern side of the junction of Lodge Lane and Turpin Avenue. The surroundings generally comprise 2 storey residential properties, mainly terraced on the west side of Lodge Lane but built in a mixture of styles and types on the east side. However the appeal property itself is part of a short terrace of 3, flat-fronted, dwellings constructed in brick, render and tile with tile hanging to the frontage. The properties on the east side of Lodge Lane generally observe a common building line set back from the road although Nos 218 to 222 stand slightly forward of other properties to the north and south along the road. Although some properties in the vicinity have small front porch extensions, such as at No 220, there did not appear to be any 2 storey front extensions to terraced houses as proposed at No 218.
 5. The *National Planning Policy Framework* (the Framework) attaches great importance to seeking a high quality of design. Policy DC61 of the *Havering Local Development Framework core Strategy and Development Control Policies* (DCP) is consistent with paragraph 64 of the Framework in requiring development to maintain, enhance or improve the character and appearance of the local area. Specifically in respect of extensions and alterations, the Council has published a
-

Supplementary Planning Document – *Havering Residential Extensions and Alterations* (SPD) to ensure such development is appropriate in its context. Generally the guidance discourages front extensions other than small porch extensions. It does however acknowledge that there may be circumstances, for example on detached dwellings or where there is an irregular building line, where a small front extension extending a metre beyond the building line might be acceptable. However this is not the case here as No 218 is terraced, broadly observes the building line and the proposed front extension would be 2 metres beyond the building line.

6. It has been put to me that the larger than average plot size, being on a corner, means that the front and side garden can easily accommodate the proposed extension. However it is not a simple matter of space for the extension. The effect of the 2 storey extension would be incongruous and would disrupt the broadly uniform character and appearance of the terrace and the similar semi-detached pair on the south side of Turpin Avenue. Moreover viewed from either direction along Lodge Lane, but particularly from the south where the site is more open, the proposed height and depth extending in front of the building line would be a discordant element and visually intrusive in the street scene. As such the impact on character and appearance of the front extensions would be unacceptable and contrary to DCP policy DC61, the Framework and the guidance set out in the SPD.
7. I accept that the appellants, in proposing the front extensions, are seeking to make sustainable and effective use of their existing home, an objective which is encouraged by the Framework. However this social benefit would not outweigh the adverse impact the proposed extensions would have on the character and appearance of the property and Lodge Lane.
8. In terms of the rear extensions the proposed design, being subordinate to and reflecting the gabled form of the main roof, would not be out of keeping with the character and appearance of the host dwelling and would be in accordance with policy DC61. The Council concluded that the rear extensions would be acceptable in terms of their impact on character and appearance and I have no reason to disagree.

Other Matters

9. The neighbouring third party has raised concerns regarding the impact of the rear extensions on living conditions for them as occupiers of No 220 particularly in respect of the impact of the 2 storey extension on light levels and overlooking.
10. Although the proposed extension would be located on the south side of No 220 I am satisfied that its impact on sunlight to the house and garden would not be significant. This is because the two storey extension would only have a 3 metre depth and would be set back from the common boundary with No 220. When the sun is in the south it is at its highest point and the set-back means there would be limited overshadowing other than for a short period of the day in the winter when the sun is lower in the sky. By the time the sun moves towards the southwest and west it is the existing houses, Nos 218 and 220, that would cause overshadowing of the gardens rather than the extension.
11. With regard to the potential for overlooking there are already 2 first floor windows in the rear elevation of No 218 that look eastwards over the garden of No 220. The extension would not involve any additional windows and a condition could be imposed removing permitted development rights to ensure no additional windows were inserted, particularly in the north facing side of the extension.

12. Although the single storey extension would extend up to the plot boundary, No 220 already has a 3 metre deep conservatory extension which for privacy reasons has a full height brick wall facing No 218. The proposed single storey extension would be deeper than normally allowed extending to 4.75 metres but, given the existing conservatory extension at No 220 and the fact that the pitched roof of the extension would slope away from the boundary, this depth would be acceptable. The extension would not therefore be overbearing on the adjacent property.

Conditions and Conclusions

13. The proposed rear extensions, which are acceptable both in terms of their impacts on character and appearance and on living conditions for neighbouring occupants, are clearly severable both physically and functionally from the proposed front extensions. I will, therefore, issue a split decision allowing the appeal insofar as it relates to the rear extensions but dismissing it in relation to the front extensions.
14. I have considered the conditions suggested by the Council against the advice in the *Planning Practice Guidance* (the Guidance) and for their clarity. A condition requiring development to be carried out in accordance with the submitted plans is necessary as this provides certainty that the development would be carried out in the form proposed. A condition requiring matching materials to be used on the external surfaces of the building should also be imposed to protect the character and appearance of the dwelling and of the surroundings to the development. In order to protect the present and future occupants of the neighbouring property at No 220 Lodge Lane from loss of privacy a condition removing permitted development rights in respect of inserting additional windows in the north and east facing side of the rear extensions is necessary.
15. I have considered the matters before me and, for the reasons given above, I conclude that the appeal should be dismissed in relation to the front extensions. However, in relation to the rear extensions, the appeal should succeed and planning permission be granted.

P. D. Biggers

INSPECTOR

Schedule A – Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans so far as relevant to that part of the development hereby permitted: NJH:2016-LL-ZXX 01(RevA); NJH:2016-LL-ZXX 02 (RevB); NJH:2016-LL-ZXX 03.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window or other opening (other than those expressly authorised by this permission) shall be constructed on the north and east facing elevation of the rear extension hereby permitted.