The Planning Inspectorate

Appeal Decision

Site visit made on 16 May 2017

by Helen Cassini BSc(Hons) DipTP MRTPI

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

Decision date: 05 June 2017

Appeal Ref: APP/B5480/D/17/3170847
98 Corbets Tey Road, Upminster RM14 2BA

- 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 Greg Player c/o KMDS Designs against the decision of the Council of the London Borough of Havering.
- The application Ref P1919.16, dated 15 November 2016, was refused by notice dated 26 January 2017.
- The development proposed is the demolition of existing garage and construction of double storey side extension, single storey rear extension and reconfiguration of internal layout.

Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing garage and construction of double storey side extension, single storey rear extension and reconfiguration of internal layout at 98 Corbets Tey Road, Upminster RM14 2BA in accordance with the terms of the application, Ref P1919.16, dated 15 November 2016, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: PL-5452 -11 Location Plan; PL-5452_12 Existing Floor/Roof Plan(s); PL-5452_13 Existing Elevations; PL-5452_14 Proposed Floor/Roof Plan(s); PL-5452_15 Proposed Elevations; PL-5452_16 Proposed Site Plan.

    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 host building, in respect of materials, colour, texture, profile and thereafter retained.

    4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, roof light, door or other opening, other than those expressly authorised by this permission, shall be constructed in the side facing south elevation of the dwelling hereby permitted.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. I am mindful of the planning history in relation to the site. In particular, the previously approved scheme for the demolition of the existing garage and construction of a two storey side extension and single storey rear extension approved in 2016[1].

4. In relation to semi-detached dwellings, the London Borough of Havering Residential Extensions and Alterations Supplementary Planning Document 2011 (the SPD) states that 'two storey side extensions should be set back at least one metre from the front wall of the dwelling at first floor level, to create a break in the roofline and façade, and avoid a terracing effect'. The Council have confirmed that the reason for refusing the planning application relates solely to the lack of set back at first floor level and have raised no concern in relation to the additional components of the application. Based on both observations made during the site visit, and from the submitted evidence, I similarly find the additional aspects to be appropriate additions to the appeal dwelling.

5. The appeal site is part of a row of similar pairs of semi-detached dwellings, which are set back from the highway behind driveways and gardens. This side of the street is characterised by the generally uniform design and form of the properties. However, it was evident that a number of dwellings in proximity to the appeal site have been extended at first floor level. As such, the original spacing between properties has been eroded.

6. The guidance contained within the SPD relating to the set back of two storey side extensions is in place to ensure that extensions avoid a terracing effect. It is acknowledged that the extension would not result in any set back or a break in the roof line and façade. In addition, the gap at first floor between the host dwelling and the neighbouring property at No 100 would be reduced. Nonetheless, a visible degree of separation would remain and would therefore ensure that a significant terracing effect would not occur.

7. The extension would appear distinct and, due to the relatively modest scale, would appear be subservient to the host dwelling. The design would also reflect the appearance of the appeal dwelling. In addition, given the number of similar extensions in proximity to the appeal site, the rhythm and character of the street would not be significantly altered.

8. For these reasons, the proposal would integrate comfortably with the host dwelling and prevailing character and appearance of the area. Accordingly, no material conflict arises with the provisions of Policy DC61 of the London Borough of Havering Core Strategy and Development Control Policies Development Plan Document 2008 and the SPD. Taken together these policies, amongst other things, require development to reinforce and respect the existing development pattern and that of surrounding buildings and does not result in an undesirable terracing effect.

[1] Council reference P1322.16

Conditions

9. I have considered the conditions suggested by the Council against the tests of the National Planning Policy Framework and advice provided in Planning Practice Guidance. I find them to be reasonable and necessary in the circumstances of this case, although minor amendments to the wording of some have been necessary.

10. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans in order to provide certainty. A condition relating to materials is appropriate in the interests of safeguarding the character and appearance of the area. Finally, it is considered that the provision of windows and openings in the side flank elevation should be subject to control in order to protect the living conditions of neighbouring residential occupiers.

Conclusion

11. For the reasons set out above, and taking account of all other matters raised, I conclude, subject to conditions, that the appeal should be allowed.

Helen Cassini

INSPECTOR