

---

## Appeal Decision

Site visit made on 3 December 2019

**by Diane Cragg DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 30 December 2019**

---

**Appeal Ref: APP/B5480/D/19/3240494**  
**57 Rothbury Avenue, Rainham RM13 9HY**

- 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 Gurnam Singh against the decision of the Council of the London Borough of Havering.
  - The application Ref P1161.19, dated 29 July 2019, was refused by notice dated 18 October 2019.
  - The development proposed is ground floor rear extension with flat roof.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the development on the living conditions of No 59 Rothbury Avenue with particular regard to light and outlook.

### Reasons

3. The appeal property is a two-storey semi-detached house located within a street of similarly designed semi detached and terraced properties. It has previously been extended to the side and has recently been extended to the rear.
4. The appeal site is located at a bend in the road so that it is set at an angle to its neighbour 59 Rothbury Avenue. The effect of the angle is more pronounced from the rear where the rear corner of the building of No 59 sits close to the joint boundary.
5. In contrast to the appeal site and most other adjacent properties No 59 has a limited rear garden. It has a single storey side addition which extends to approximately half the depth of the side elevation with rear door giving access to the garden. The main rear elevation of No 59 has a pair of patio doors and a door and window facing the rear garden.
6. The proposed extension would project out from the rear of the property by 3 metres replacing the existing panelled fence along the joint boundary. The height is indicated on the drawing as being 3 metres at its front face. The proposed extension would have the effect of significantly enclosing the area to the side of No 59. It would dominate the space behind No 59's extension reducing natural light into that area. Further, the height and depth of the proposed rear projection along the joint boundary would introduce a sense of

confinement within the side area of No 59. It would be an unwelcoming and overbearing feature on the entrance into No 59's rear garden which would be detrimental to their outlook and detract from their living conditions.

7. Whilst I appreciate that the appellant could increase the height of the boundary treatment to 2 metres this is significantly below the height of the proposed extension which at its minimum would be 3 metres in height.
8. Consequently, I conclude that the rear extension would harm the living conditions of No 59 Rothbury Avenue with particular regard to light and outlook in conflict with Policy DC61 of the London Borough of Havering Core Strategy and Development Control Policies Development Plan Document 2008. These policies seek to ensure that development does not result in unacceptable overshadowing or loss of daylight. There would also be conflict with the guidance in the Havering London Borough Residential Extensions and Alterations Supplementary Planning Document (2011) which states that the acceptable depth of single storey rear extensions will depend, among other things, on the proximity to neighbouring dwellings, variation in building line and orientation.

### **Conclusion**

9. For the reasons given above, the appeal is dismissed.

*Diane Cragg*

INSPECTOR