



Appeal Decision

Site visit made on 3 February 2020

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2020

Appeal Ref: APP/B5480/D/19/3238494 92 Mildmay Road, Romford RM7 7DB

- 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 Gaurav Aggarwal against the decision of the Council of the London Borough of Havering.
 - The application Ref P0815.19, dated 21 May 2019, was refused by notice dated 16 September 2019.
 - The development proposed is a single storey side return extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side return extension at 92 Mildmay Road, Romford RM7 7DB in accordance with the terms of the application, Ref P0815.19, dated 21 May 2019, 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: D13 Location Plan, PL01, PL02, PL03 and PL04.
 - 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.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area, and on the living conditions of nearby occupiers, with particular regard to outlook and natural light.

Reasons

3. The appeal building is a traditional, 2-storey, semi-detached dwelling on the northern side of Mildmay Road, close to its junction with Palm Road to the west. It has a rectangular shaped rear garden, similar to its joined neighbour, No 94 and its other next door neighbour No 90, to the east. Nos 92 and 90 are separated by two gated footpaths leading to their rear gardens from Mildmay Road, with solid timber panel fencing marking the boundary. This is a suburban area, with a mix of dwelling types and designs, many of which have been extended in the past.
4. When I visited the site, it was clear that some works had been undertaken to the appeal building and its joined neighbour No 94. These included the

demolition of both single-storey rear extensions shown on the existing drawings, and the removal of part of the boundary fence between the properties.

5. I note from the evidence that planning permission has been granted at No 94 for a rear extension extending some 4.0 metres from the 2-storey rear outrigger¹, with a similar sized extension approved at the appeal site².
6. The appeal extension would be some 0.9 metres deeper than the previously approved extension at No 92, but would have a similar design and height, and would be constructed from similar materials. It would also be positioned a similar distance from the boundary with both next door properties as the previously approved scheme. In my view, the differences between the appeal proposal and the previously approved extension at the appeal site are not significant.
7. The height, massing, design and position of the proposed extension would be subordinate to the appeal building and would not be out of keeping with the character and appearance of the area.
8. No substantive evidence has been provided to demonstrate that the proposed extension would cause overshadowing or loss of natural light. The height and position of the proposal, to the north of the buildings on Mildmay Road, means that this is unlikely to be the case.
9. The proposed extension would reduce the outlook from parts of Nos 90 and 94 somewhat. However, the height, massing and position of the proposed extension, separated from No 90 by footpaths and a boundary fence, and projecting only a short distance beyond the approved extension at No 94, means that its impact would not cause undue harm to nearby occupiers. There would be some conflict with parts of the guidance contained in the Residential Extensions and Alterations Supplementary Planning Document 2011. However, in this case, such limited conflict would be tolerable.
10. For these reasons, the proposed development would have an acceptable impact upon the character and appearance of the area, and on the living conditions of nearby occupiers, with particular regard to outlook and natural light. It would, therefore, accord with Policy DC61 (urban design) of the Havering Core Strategy and Development Control Policies Development Plan Document 2008.

Conditions and Conclusion

11. In addition to the standard commencement condition, conditions specifying the approved drawings and requiring the external materials to match those on the existing building would be necessary for reasons of certainty, and to protect the character and appearance of the area.
12. For the reasons given above, and taking into account all matters raised, I conclude that the appeal is allowed.

Andrew Parkin

INSPECTOR

¹ LPA Ref. P0176.19

² LPA Ref. P0064.19, approved 14 March 2019.