

Appeal Decision

Site visit made on 21 October 2020

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 October 2020

Appeal Ref: APP/B5480/D/20/3251945

10 Christchurch Avenue, Rainham, RM13 8JB

- 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 Shakil Kamruzzaman against the decision of the Council of the London Borough of Havering.
 - The application Ref P1511.19 dated 3 October 2019, was refused by notice dated 28 January 2020.
 - The development proposed is a double storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of neighbouring occupiers, with regards to outlook.

Reasons

Character and appearance

3. The appeal property is a two-storey semi-detached dwelling constructed from brick, with a tiled roof.
 4. The property is located in a residential area, characterised by the presence of two-storey semi-detached dwellings along the same side of Christchurch Avenue as the appeal property and a mix of two-storey semi-detached and terraced dwellings along the opposite side of the street.
 5. Houses are set back from the road behind parking areas and/or gardens. During my site visit, I observed that this set-back combines with the presence of gaps, either at ground floor or first floor level, between pairs of properties to afford the area a sense of spaciousness.
 6. The proposed development would extend the appeal property to the side at a two-storey height. The resulting development would significantly erode the gap between the appeal property and its neighbour, No 8 Christchurch Avenue.
 7. The effect of this would be increased as a result of the angle between the two properties, as No 8 "turns the corner" towards Burwood Gardens, such that a
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significant terracing effect would arise, with the remaining gap between the dwellings appearing largely indiscernible from various locations. Consequently, the proposal would reduce the area's sense of spaciousness, to the harm of local character.

8. Further to the above, the proposal would only be set down very slightly from the ridge height of the host property and the proposed first floor extension would not be set back from the host property's first floor front elevation. As a result of this, along with the overall scale of the proposal, I find that the proposed development would draw attention to itself as a large and bulky addition which would fail to appear subservient to the host property, contrary to guidance set out in the Havering Residential Extensions and Alterations Supplementary Planning Document (2011) (the Council's Extensions and Alterations SPD).
9. Taking all of the above into account, I consider that the proposed development would harm the character and appearance of the area, contrary to the National Planning Policy Framework (the Framework); London Plan (2016) Policy 7.4; Core Strategy¹ Policy DC61; and the Council's Extensions and Alterations SPD, which together amongst other things, seek to protect local character.

Living conditions

10. The proposed development would extend the appeal property, at two-storey height, towards No 8. As above, No 8 is located on a corner plot and this results in an awkward relationship with the appeal property, such that the proposed extension would, due to its height, width and proximity, result in the visual effect of appearing to "loom" over No 8's rear garden and closest windows.
11. As such, the proposal would be detrimental to the outlook that the occupiers of No 8 currently enjoy from their property. The harm arising in this respect adds to the identified harm to local character and leads to the conclusion below.
12. Taking this into account, I find that the proposed development would harm the living conditions of neighbouring occupiers, with regards to outlook, contrary to the National Planning Policy Framework (the Framework); London Plan (2016) Policy 7.4; Core Strategy Policy DC61; and the Council's Extensions and Alterations SPD, which together amongst other things, seek to protect residential amenity.

Conclusion

13. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

¹ Havering Core Strategy and Development Control Policies Development Plan Document (2008).