
Appeal Decision

Site visit made on 11 November 2020

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 27 November 2020.

Appeal Ref: APP/B5480/D/20/3251235

29 Percy Road, Romford RM7 8QX

- 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 Tariq Din against the decision of the Council of the London Borough of Havering.
 - The application Ref P0644.19, dated 16 April 2019, was refused by notice dated 28 January 2020.
 - The development proposed is part two storey side and rear extension and retention of single storey extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. During the determination of the application, the council changed the description of development. I note that the appellant did not agree to this. I have considered the proposals and appellants case (particularly in relation to their arguments around permitted development). However, I have decided to use the council's description of development, as shown on the decision notice, for the purposes of clarity and precision. I do not consider any party is prejudiced by this.

Main Issues

3. The main issue is the effect of the proposals on character and appearance.

Reasons

4. Percy Road is a residential street with a strongly suburban character. The two storey dwellings that run along it are generally arranged in fairly short terraces, occasionally punctuated by side garages, or, as in the case of the appeal site, a single track vehicular and pedestrian access leading to rear gardens within each terraced row. At the site visit, I was able to view the appeal site easily from this rear access, together with the neighbouring gardens and wider area.
5. No.29 is an end of terrace, two storey house. Like its neighbours, it is set behind a front garden with a further private rear garden. The extension that has been built is flat roofed and single storey and runs the full width of the house, joining a further flat roofed side extension that has also been constructed.

6. Policy DC61 (Urban Design) of the London Borough of Havering Core Strategy Development Control Policies Development Plan Document (2008) (CS) seeks developments that enhance the character and appearance of the area. In particular, it is supportive of developments that respond to distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding physical context.
7. At the site visit, I noticed that a number of neighbouring properties had been subject to various extensions, most of which were generally at ground floor level. The neighbouring property at No.27 had a double and single storey rear extension. However, having seen the extension in situ, it is apparent to me that its cumulative scale is considerably larger than those associated with the surrounding properties.
8. I note the appellants argument, in relation to the existing prior approval (Ref Y0026.19). Clearly the appellants benefit from permitted development in line with this and this is not a matter in dispute by the council.
9. I also note the appellant's point in respect of the cumulative allowances in relation to the original dwelling, where they state: '*[once] the extension is built, then it becomes an integral part of the house and any further extension should be seen on its own rather than together with the permitted development already been built*'. However, I do not agree. When considering the impact on character and appearance, the cumulative impact of such development, whether as permitted development or as development subject to separate planning permission is, in part, measured against the scale of the original dwelling.
10. I consider the extension to have a substantial cumulative scale against the original dwelling. In taking the development already implemented and the additional development proposed, I consider it would result in a disproportionate development which would result in harm to the character of the wider area, particularly when viewed from neighbouring rear gardens and the access track to the rear of the property, which is clearly used by many local residents. I therefore consider the appeal proposals to be in conflict with policy DC61 of the CS.

Other Matters

11. I am aware that the appellant has chosen to implement the further proposed extension, as they state that were unable to wait for the council's decision to be issued. However, such an undertaking is clearly at the appellant's risk. Whilst I appreciate the appellant's perspective, their issue with the length of time taken to determine the application is a matter between the council and appellant and it does not alter my conclusions here.

Conclusions

12. For the reasons given, and having regard to all other matters raised, the appeal is dismissed.

Sian Griffiths

INSPECTOR