

# Appeal Decision

Site visit made on 18 June 2021

**by N McGurk BSc (Hons) MCD MBA MRTPI**

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

**Decision date: 12 July 2021**

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**Appeal Ref: APP/B5480/D/21/3270650**  
**37 Beechfield Gardens, Romford, RM7 0EJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).
  - The appeal is made by Mr Mohammad Mughal against the decision of the Council of the London Borough of Havering.
  - The application Ref Y0441.20 dated 24 December 2020, was refused by notice dated 5 February 2021.
  - The development proposed is described as 'Demolish existing single storey rear extension. Proposed single storey rear extension.'
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## Decision

1. The appeal is dismissed.

## Procedural Matters

2. The provisions of the GPDO, under Article 3 (1) and Schedule 2, Part 1, Class A, Paragraph A.4 (7) require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises, taking into account any representations received. I have determined the appeal on the same basis.
3. The description of development above is taken from the application form. In the decision notice, the Council describes the development as a 'Single storey rear extension with an overall depth of 6m, a maximum height of 3.28m, and an eaves height of 2.91m. (PRIOR APPROVAL).'

## Main Issue

4. The main issue in this case is the effect of the proposed development on the amenity of the occupiers of 39 Beechfield Gardens.

## Reasons

5. The appeal property is a two storey end of terrace dwelling. It is located along Beechfield Gardens in a residential area.
  6. Like other dwellings along Beechfield Gardens, the appeal property is set back from the road behind a front parking area and it has a long garden to the rear.
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7. The proposed development would replace an existing conservatory to the rear of the property. It would be considerably more substantial than and would project considerably further to the rear than the conservatory and would extend across the full width of the original dwelling.
8. As a consequence of extending across the width of the dwelling, the projection of the proposed development to the rear would be within the immediate proximity of the appeal property's boundary with its attached neighbour, No 39.
9. The proposed extension would project beyond the rear elevation of No 39 and I find that the combined effect of the immediate proximity of the proposal, its projection and its height would result in the creation of a "wall of development" that would appear unduly dominant from and would have an overbearing impact on, the outlook from the rear of No 39.
10. The harm arising from the above would be exacerbated as a result of the proposal being located to the south of No 39's rear patio area. I find that this factor, together with the height, immediate proximity and overall scale of the proposal, would inevitably lead to a reduction in the amount of daylight received by this area and there is no substantive evidence before me to the contrary.
11. For these reasons, the proposal would cause unacceptable harm to the amenity of the occupiers of No 39.

### **Conclusion**

12. For the reasons given above, I conclude that the appeal should be dismissed.

*N McGurk*

INSPECTOR