
Appeal Decision

Site visit made on 7 July 2021

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2021

Appeal Ref: APP/M1595/D/20/3264679

1 Fanns Rise, Purfleet, RM19 1GP

- 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 Mrs U Wokoh against the decision of Thurrock Borough Council.
 - The application Ref 20/01344/HHA, dated 7 October 2020, was refused by notice dated 26 November 2020.
 - The development proposed is the erection of a single-storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made retrospectively and at the time of my visit the extension was substantially complete externally, apart from the roof.

Main Issues

3. The main issues are the effect of the development upon the character and appearance of the area, and upon the living conditions at 3 Fanns Rise, with particular regard to visual impact and light.

Reasons

4. The appeal property is an end-of-terrace, two-storey dwelling. The addition is to the rear and spans the full width of the plot. It occupies a typical rear back garden setting and has the appearance of a conventional, flat roof, single-storey residential extension. Although the rear gardens to these properties slope down, away from the rear elevations of the houses, the gradient is not significant and to my mind the extension does not appear overly large in relation to the appeal property.
5. During my visit I was struck by the narrow proportions of No 3 Fanns Rise. This dwelling, along with the other mid-terraced properties at Nos 3-13 (odd) is noticeably narrower than the two end dwellings, including the appeal property at No 1. The rear elevation of No 3 has a single, glazed opening at ground floor comprising a pair of patio-style doors with windows to either side. The

application drawings do not accurately depict the smaller dimensions of No 3, which is incorrectly shown as having the same width as No 1.

6. I note that the Council has stated that the extension complies with the guidelines contained within their *Residential Alterations & Extensions SPD – July 2017* insofar as its height has not exceeded a vertical plane inclined at 45 degrees from the middle of the closest ground floor window and that the depth has not exceeded a horizontal plane inclined at 60 degrees from the middle of the closest window. The appellant has relied upon this conclusion and the application drawings seek to demonstrate this further by depicting a 60-degree line projected from the mid-point of the patio doors to No 3 which just clears the depth of the extension at 3.7m. However, given the inaccuracy of the drawings, I cannot rely on this assessment.
7. No 3 is clearly narrower than No 1. As such, the window positions of No 3 are closer to the shared boundary with No 1 compared with the dimensions shown on the application drawings. I am not persuaded by any substantive evidence within the appeal submissions to indicate that the extension complies with the Council's guidelines for avoiding any unacceptable impact on adjacent properties from single-storey extensions. Furthermore, based upon my own observations, due to the extension's height, depth, and proximity to the boundary, I find that the scale and bulk of the flank wall adjacent to No 3 appears excessively large and with an undue overbearing presence. Whilst there is no evidence to demonstrate that levels of daylight within No 3 have been impacted to any significant degree, due to the limited outlook from the ground floor of the neighbouring property and the narrow proportions of the plot's width, I consider the overbearing visual presence of the extension to be harmful to the neighbour's living conditions.
8. I have noted the appellant's assertions that a single-storey extension of greater height could be constructed as permitted development. Be that as it may, there is nothing to suggest that a taller, single-storey extension is likely to be built as a fallback position. Neither do I consider the option of constructing an alternative extension under permitted development to be justification for allowing a development that is harmful to the living conditions at the neighbouring property.

Conclusions

9. I have not found the extension to be harmful to the character or appearance of the area. As such, there is no conflict with Policies PMD2 or CSTP22 of the Council's Core Strategy and Policies for Management of Development (as amended) January 2015 insofar as they relate to the quality of design within the local context. However, Policy PMD1 states that development will not be permitted where it would cause unacceptable effects on, amongst other things, the amenity of neighbouring occupants. The harm to the living conditions at 3 Fanns Rise means that the development is in clear conflict with Policy PMD1. This conflict with the development plan means that the extension does not represent the sustainable form of development that is supported by the National Planning Policy Framework.
10. Accordingly, for the reasons given, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR