The Planning Inspectorate

Appeal Decision

Site visit made on 31 August 2021

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 September 2021.

Appeal Ref: APP/B5480/D/21/3275409
7 Ashlyn Grove, HORNCHURCH, RM11 2EG

- 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 Raghav Kalra against the decision of the Council of the London Borough of Havering.
- The application Ref. P0157.21, dated 31 January 2021, was refused by notice dated 29 March 2021.
- The development proposed is single storey side extension to create study and gym space.

Decision

1. The appeal is allowed and planning permission is granted for single storey side extension to create study and gym space at 7 Ashlyn Grove, HORNCHURCH, RM11 2EG, in accordance with the terms of the application, Ref. P0157.21, dated 31 January 2021, subject to the following conditions:

   1) The development hereby permitted shall begin not later than three years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 site location plan; 7AG-FP200 Rev 01; 7AG-FP210 Rev 01; 7AG-FP212 Rev 00; 7AG-FP220 Rev 01; 7AG-FP221-1 Rev 02; 7AG-FP221-2 Rev 02; and 7AG-FP222 Rev 00.

   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.

   4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening shall be formed in the flank wall of the extension hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Procedural Matter

2. Since the appeal was lodged a revised National Planning Policy Framework (the Framework) has been published. However, as the policies of most relevance to this proposal have not changed fundamentally it has not been necessary to seek further comments from the parties.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the appeal property and the surrounding area.

Reasons

4. The appeal property is a semi-detached dwelling located on a prominent corner plot at a crossroads, with Helen Road to the side. The building is in a primarily residential area, but the street scene is mixed, with a range of dwelling styles in the vicinity. The dwelling, a shed and a rear outbuilding are already sited forward of the 'building line' of the dwellings to the rear, which front Helen Road.

5. Within the vicinity there are a range of extensions built up to side boundaries, and as such the gaps between buildings are modest. Dwellings on the opposite side of the crossroads have side projections close to Helen Road, albeit a degree of separation is maintained. However, at the southern end of Ashlyn Grove, and within sight of the appeal property, two corner properties[1] have two-storey side extensions built up to the side boundary, one of which appears to be recently constructed[2].

6. The proposed side extension would be well-designed in itself and amongst other criteria, would respond to distinctive local building forms and patterns of development, and respect the scale, massing and height of the surrounding physical context as sought by Policy DC61 of the Havering Core Strategy and Development Control Policies Development Plan Document 2008 (DPD). It would complement the amenity and character of the area through its appearance, materials used, layout and integration with surrounding land and buildings. The proposal would be recessed behind the front wall of the house and although deep, would retain a degree of subservience to the host dwelling.

7. The proposal would comply with the guidance in the Havering 'Residential Extensions and Alterations' Supplementary Planning Document 2011 (SPD) for single storey side extensions to be set back from the main building line to create a break in the façade. However, the proposal would conflict with the requirement for the flank wall to be set back at least one metre from the back edge of the footway and to not project forward of the building line of properties along the adjoining street in order to maintain the building line. However, the appeal property is already set closer to Helen Road than the dwellings which front it, and therefore the 'building line' is already staggered. The gap between the appeal property and the dwelling behind is such that the difference in proximity to the road has little impact on the character and appearance of the street scene. The replacement of the existing shed would be an enhancement.

8. Moreover, it is evident from examples visible in the immediate locality, and those identified by the appellant in surrounding streets, that there is some flexibility in the application of the guideline. This is consistent with paragraph 128 of the Framework, which in essence advises that design guides and codes aimed at creating a consistent and high quality standard of design should allow for a suitable degree of variety. Despite its prominent location, in the context of other local extensions the proposal would not appear incongruous, nor detrimental to the visual character of the building.

[1] 151 and 153 Squirrels Heath Lane
[2] The appellant advises that planning permission was granted under application ref. P1375.19

9. I therefore conclude that the proposal would be of sufficiently high quality design to respect the character and appearance of the appeal property and the surrounding area, and would accord with the aims of DPD Policy DC61.

Conditions

10. In addition to the standard time limit, I have attached a condition specifying the approved drawings as this provides certainty. It is also appropriate to control materials to match the existing dwelling, in order to safeguard the character and appearance of the development and the area. With some modification to wording, I have also attached the Council's suggested restriction on further openings in the side wall of the extension, in the interests of preserving the privacy of other residents.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed.

H Lock

INSPECTOR