

Appeal Decision

Site visit made on 28 September 2021

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2021.

Appeal Ref. APP/B5480/D/21/3276578
73 Upper Rainham Road, Hornchurch RM12 4BS

- 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 S Jahan (of Pristine Care London Ltd) against the decision of the Council of the London Borough of Havering.
 - The application ref. P0079.21, dated 15 January 2021, was refused by notice dated 15 March 2021.
 - The development proposed is described on the application form as "*Proposed single storey ground floor side extension*".
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Decision

1. The appeal is dismissed.

Procedural matter

2. In July 2021, after the submission of this appeal, a new version of the National Planning Policy Framework (the Framework) was published, replacing the 2019 edition. I have had regard to this document, but it is evident that the substance of the Framework, as it relates to the sole main issue in this case, has not changed. In such circumstances, I am satisfied that there is no requirement to seek the views of the parties on the revised Framework, and that in taking such an approach no prejudice to any party would arise.

Main issue

3. The main issue is the impact of the proposed development upon the character and appearance of the dwelling and its surroundings.

Reasons

4. The appeal property is a 2-storey semi-detached house situated on the junction between Upper Rainham Road and Strathmore Gardens. The surrounding area is residential in character.
 5. The 2-storey gable end of the appeal property faces towards Strathmore Gardens, being separated from the footway there by a narrow side yard which is partly occupied by a very small single-storey, flat-roofed structure. After the demolition of this structure, the proposal is to add a single-storey ground floor side extension across the full depth of the 2-storey gable end and up to the
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- edge of the footway. It would be finished with a crown roof, the top of the which would be flat, covered in felt and reach 3.2 m high.
6. The Framework advises that good design is a key aspect of sustainable development; so, development should add to the overall quality of the area and be visually attractive as a result of good architecture and sympathetic to local character. I consider that the appeal proposal is ill-judged in these important respects.
 7. In very general physical terms, the proposed single-storey addition would not threaten the locally distinctive 2-storey semi-detached built form and would be visually subordinate to that surrounding built form and would maintain a distinction between private and public space.
 8. Even so, it is apparent that another important quality to this area's local distinctiveness is the fairly open and pleasant aspect to the street scene in close proximity to the road junction. The largely open side yard at no. 73 contributes to that spatial quality. This side of the house is highly prominent in the public realm. The replacement of the very small single-storey, flat-roofed structure in the side yard with the far larger and taller proposed addition would be a step in the wrong direction. In taking up all the space at the side of the house, the extension would noticeably and detrimentally erode the spacious vistas to the street scene on both approaches along Strathmore Gardens and would not relate positively to its wider context.
 9. By reason of the proposed extension's prominence, awkward roof treatment and alignment following the angled boundary with the footway, overall height in such close proximity to the footway and lateral spread up to the front elevation of the house, I consider that the development would be a bulky and visually intrusive feature which would seriously detract from the character and appearance of the house and mar the streetscape hereabouts. Although it is intended to utilise matching joinery detailing and external materials, this would not overcome the adverse effects that I have described.
 10. There would be an infringement of the guidelines for side extensions found in the Council's Residential Extensions and Alterations Supplementary Planning Document, adopted in March 2011. As well as not reflecting the roof style of the original house, the extension would not be set back from the main building line or set in at least 1 m from the back edge of the footway to the side in a situation where the host dwelling is already forward of the building line along Strathmore Gardens. The conflict with these local design standards confirms the decision I have reached in this particular case.
 11. I could not detect any local extension project identical to what is proposed under this appeal scheme. At no. 71, on the opposite side of the junction, a rear extension with a crown roof does project out to the footway but it is of limited depth and overlaps the original flank wall by only a nominal amount. There are no binding local precedents for the appeal proposal in the available evidence put before me.
 12. Viewed as a whole, I consider that the proposed extension would not represent a visually attractive solution that would add to the overall quality of the area. The development would not be sufficiently respectful of or complementary to the existing building's character and form, the local character and street scene

and the setting of the site. I therefore find on the main issue that the proposed development would harm the character and appearance of the dwelling and its surroundings. As the development would not deliver good design and would fail to maintain, enhance or improve the character and appearance of the local area, there would be conflict with the aims of Policy DC61 of the Council's Core Strategy and Development Control Policies Development Plan Document 2008 and of Policies D3 and D4 of the London Plan 2021.

13. There would not be compliance with the key design themes in the Framework insofar as they relate to achieving well-designed places. The scheme may fulfil the social dimension of sustainable development as set out in the Framework by providing more internal living space at ground floor level and offer a limited economic benefit to the building trade, but the environmental dimension would not be fostered given the harm I have found under the main issue.
14. The Council, correctly in my view, did not identify an excessive loss of amenity for neighbouring properties for any reason. The lack of harm in that regard does not outweigh the harm I have found under the main issue.
15. My finding on the main issue is decisive to the outcome of this appeal. There is conflict with the development plan. The harm cannot be mitigated by the imposition of planning conditions and it is not outweighed by other material considerations. For the reasons given above and taking into account all other matters raised and the absence of objections from local residents, I conclude that this appeal should not succeed.

Andrew Dale

INSPECTOR