



Appeal Decision

Site visit made on 8th October 2021

by Megan Thomas Q.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 01 November 2021.

Appeal Ref: APP/B5480/D/21/3277741

24 Stewart Avenue, Uxminster RM14 2AF

- 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 Alex Elmer against the decision of the London Borough of Havering.
 - The application Ref.P0580.21, dated 25 March 2021, was refused by notice dated 21 May 2021.
 - The development proposed is a first floor side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are the effect of the proposal on character and appearance of the host dwelling and the wider area, and the effect on the living conditions of the occupants of 26 Stewart Avenue with particular regard to outlook.

Reasons

Character and appearance

3. The appeal site is a two storey semi-detached dwelling located on the northern side of Stewart Avenue with a large rear dormer extension in a hip-to-gable end roof. It also has a large ground floor rear extension which extends the full width of the first floor plus the width of the former garage. The attached garage has been converted to habitable accommodation.
4. The house is set back from the road with off street parking at the front on a paved forecourt. It has a long rear garden with a garden office. No.26 is located to the west of the appeal site and is also semi-detached, paired with no. 28.
5. The proposed development would be a side extension at first floor level that would be set back about 1m behind the front elevation of the former garage and would be flush with the flank wall of the former garage. It would have an eaves height that would match the host property and a hipped roof with gable end to the front. The rear section of the roof above the side extension would have pitched roof slopes to match the roof slopes of the house. The extension would be rendered and would have roof tiles to match the host property.

6. The resulting roof profiles would be visually awkward when viewed from the front or the rear. The combination of hipped and gable roof design of the proposal against the newly-converted hip-to-gable end of the main roof would exacerbate the prominence of the resulting two-storey side extension. From the rear garden the additional mass of the first floor addition would cumulatively result in a very bulky and block-like rear elevation appearance, which adds to my concerns.
7. There would be a loss of some symmetry and harmony with no.22, its semi-pair, but this is less of a concern than the adverse impacts I have identified above.
8. On this issue, I conclude that the proposal would harm the character and appearance of the host dwelling and the wider area and would be contrary to policies D3 and D4 of The London Plan (2021), policy DC61 of the London Borough of Havering Core Strategy and Development Control Policies DPD (adopted 2008) and the Borough's *Residential Extensions and Alterations* Supplementary Planning Document (2011).

Living Conditions of Occupants of 26 Stewart Avenue

9. Whilst no.26 has a side extension, the dwelling is set forward of the building line of no.24 nearer the road and its rear elevation sits significantly behind the main rear elevation of no.24. Increasing the flank elevation of no.24 as proposed to add the first floor side extension at the height proposed would result in an unacceptable sense of enclosure for the occupants of no.26. It is acknowledged that at the rear the proposal would not protrude beyond the main rear elevation of no.24, however, notwithstanding that, viewed from the rear garden of no.26, the resulting development would be unduly overbearing.
10. On this issue, I conclude that the proposal would unacceptably harm the living conditions of the occupants of no.26 Stewart Avenue, by reason of loss of outlook and would be contrary to policy D3 of The London Plan (2021) and the aforementioned SPD.

Other Matters

11. I have borne in mind that the additional living space that would be facilitated by the development would enhance amenity for occupants of the house, and I have looked closely at the spatial relationships and designs of other dwellings and their extensions in Stewart Avenue. Those representations do not, however, alter my view that planning permission for the proposal should be refused.

Conclusion

12. Having taken into account all representations made, and for the reasons given above, I dismiss the appeal.

Megan Thomas Q.C.

INSPECTOR