



Appeal Decision

Site visit made on 8 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/21/3277216

107A Chestnut Avenue, Hornchurch, RM12 4HH

- 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 Mukat Brahlilka against the decision of the London Borough of Havering.
 - The application Ref.P0118.21, dated 25 January 2021, was refused by notice dated 30 March 2021.
 - The development proposed is a first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension at 107A Chestnut Avenue, Hornchurch, RM12 4HH in accordance with the terms of the application, Ref. P0118.21, dated 25 January 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01 - Existing & Proposed Floor Plan/Elevation and 01 - Location Plan, both dated December 2020.

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 107 Chestnut Avenue with particular regard to outlook and light.

Reasons

Character and appearance

3. The appeal site is a two storey house which is located at the end of a terrace on the corner of Chestnut Avenue and Saunton Road. Its immediate neighbour is 107 Chestnut Avenue which is also a two storey house. The dwellings in the area are not of one house type but there is some uniformity of design and siting around the appeal site and its immediate neighbours. Both 107A and 107 have adjacent rear gardens. The rear of both properties at first floor level and above can be viewed from Saunton Road.

4. There is an existing two storey rear element at 107A, but the proposal is to substitute part of that with a first floor rear extension which has a sloping roof and dormer window on the section closest to no.107. No.107 has been extended at the rear at ground floor level. At first floor level it has two rear-facing windows on the original building line.
5. In terms of impact on the character and appearance of the host dwelling and the surrounding area, the proposal would not appear too bulky, or high or over dominant. Notwithstanding the *Residential Extensions and Alterations Supplementary Planning Document* (2011), which advises that two storey rear extensions should be set in from the common boundary with any attached dwelling by no less than 2 metres and should project no more than 3 metres, the western cheek of the dormer would be set in by about 0.5m, the face of the dormer would be set in from the ground floor rear elevation and the cat-slide roof would keep bulk to an acceptable extent. The pitched roof to the dormer and its lower profile would also be sympathetic to the appearance of the host dwelling.
6. Consequently, I conclude on this issue that the proposal would maintain the character and appearance of the host dwelling and the local area in line with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document (adopted 2008).

Living conditions of occupants of 107 Chestnut Avenue

7. A two storey rear extension built up to the common boundary of an adjacent attached dwelling is not generally acceptable. I have referred to the SPD above which I have taken into account.
8. However, in this particular case, the sloping roof and position and design of the proposed dormer would ensure that there is a 45 degree angle allowing light to reach the rear facing first floor windows of 107. This would also ensure that the proposal is not unduly overbearing or dominant or overshadowing when viewed from those windows in 107. Furthermore, the design of the proposal would provide an extension which is not unduly imposing for occupants of no.107 when it is viewed from their rear garden.
9. Consequently, I find the proposed length, depth and height of the proposal to be acceptable in terms of impacts on living conditions of the occupants at 107 with particular regard to outlook and light, and I find there would be no conflict with Policy DC61 of the aforementioned DPD.

Conditions

10. I have had regard to advice in National Planning Practice Guidance when considering conditions. For the avoidance of doubt, I have attached a condition requiring the development to be carried out in accordance with the approved plans.

Conclusion

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

Megan Thomas Q.C.

INSPECTOR