



Appeal Decision

Site visit made on 9 November 2021

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd December 2021

Appeal Ref: APP/B5480/D/21/3278754
33 Heather Avenue, Romford RM1 4SU

- 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 Ajitha Arunthavarjah against the decision of the Council of the London Borough of Havering.
 - The application Ref P0857.21, dated 2 May 2021, was refused by notice dated 29 June 2021.
 - The development proposed is a rear extension to provide bedroom and ensuite for disabled person.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on (a) the character and appearance of the host property and its surroundings and (b) the living conditions of the occupiers of the neighbouring property, no. 35 Heather Avenue.

Reasons

3. The appeal site comprises a mid-terrace property. It has a flat-roofed single storey rear addition, extending to just over 3 metres in depth. The dwellings either of the appeal site have both been extended with single storey rear additions, though that to the west at No. 35 is of very modest depth.
4. The Council's Residential Extensions and Alterations SPD, 2011, (SPD) provides detailed guidance to support the relevant policies of the Core Strategy and Development Control Policies DPD, 2008, (CSDCP). It aims to ensure that householder development is sympathetic to the existing property and the street scene and does not detrimentally affect the living conditions of neighbouring properties. It recommends that, as a general rule, houses can be extended from the rear wall of the original dwelling by up to 3 metres in depth for a terrace house. Any greater depth required should be within an angle of 45 degrees, take from the 3 metre dimension on the property boundary in order to ensure a reasonable level of amenity is afforded to neighbouring properties.

Character and appearance

5. The proposal would result in a single storey addition of a total depth of just over 6 metres from the rear wall of the original dwelling, extending right up to both side boundaries. This would be a significant depth of extension, almost equivalent to the depth of the original house. However, given its flat-roofed design, its overall mass would be kept to a minimum and it would not be

significantly greater in scale than the existing single storey addition at the adjoining property, no. 31. Furthermore, a reasonable amount of garden area would be retained, despite the existence of a large outbuilding at the bottom of the garden. Overall, in this context, I consider that the proposal would not constitute an incongruous extension nor would it detract from the garden environment.

6. Therefore, I find that the proposal would not have a harmful impact on the character and appearance of the host property and its surroundings. It would comply with CSDCP Policy DC61 and Policies D3 and D4 of the London Plan (2021) which seek to ensure that development maintains, enhances and improves the character and appearance of the area by responding to local building forms and pattern and grain of development and respects the scale, massing and height of the surrounding physical context.

Living conditions

7. The proposed addition would only extend a modest depth beyond the existing rear extension at no. 31, therefore the property most affected in this respect would be no. 35. This property only has a very modest rear addition such that the majority of the flank wall of the proposed extension would be visible. Whilst the flank wall of the existing rear addition at the appeal property already impacts on this property, the proposal would result in a significant additional depth of extension, with a wall of just over 4.6 metres depth and 3 metre height replacing the existing flank wall on the boundary.
8. This would be likely to not only impact on the outlook from the rear window of this property, but also more significantly, on the adjoining garden area, laid out as a patio. Given its orientation and height, I do not consider that it would impact unacceptably on sunlight. However, it would introduce a high wall, of much greater height than would normally be the case with a boundary feature such as a fence, of solid appearance. Such an overbearing feature would unacceptably detract from the enjoyment of this garden area and to a lesser extent, from the outlook from the rear of the property.
9. I therefore find that there would be a harmful impact on the living conditions of the occupiers of the adjoining property and the proposal would therefore fail to comply with CSDCP Policy DC61 and LP policies D3 and D4 which seek to ensure that development complements the amenities of adjoining properties. It would also fail to satisfy the guidance in the SPD.

Other Matters

10. I note that the extension is proposed to meet the needs of a disabled person and this factor weighs significantly in favour of the proposal. However, it seems to me that there may be alternative design options that could provide for this need. In any event this factor is not sufficient to outweigh the harm identified.

Conclusions

11. Overall, therefore, I conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR