

Appeal Decision

Site visit made on 15 March 2022

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2022

Appeal Ref: APP/B5480/D/21/3289321

1 Sunny Mews, Romford RM5 3PN

- 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 & Mrs S Miah against the decision of the Council of the London Borough of Havering.
 - The application Ref P1174.21, dated 16 June 2021, was refused by notice dated 19 November 2021.
 - The development proposed is 'residential annex for aging parent'.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed annex on the character and appearance of the appeal site and surrounding area; and the effect on the living conditions of the occupiers of No 65 Chase Cross Road, with regard to outlook.

Reasons

Character and Appearance

3. The appeal property is a two storey detached dwelling located in a residential road of mixed property types. The surrounding area is predominantly residential in character.
4. Policy 26 of the Havering Local Plan 2016-2031 (2021) concerning urban design requires development to be of a high design quality and to complement local character. The *Residential Extensions and Alterations* Supplementary Planning Document (SPD) says that an extension of the house or conversion of an outbuilding may provide an opportunity to accommodate dependent relatives whilst allowing them some degree of independence¹. This is the intention in this case and, as the Council indicates, the dependency between occupation of the annex and main dwelling could be secured by a condition.

¹ Paragraph 9.1.

5. The SPD also states that the size and scale of the accommodation to be provided should be proportionate to the main dwelling². The proposed annex would take the form of a single storey linear extension to the side and predominantly the rear of the host dwelling. More generally, the SPD indicates that as a general rule, detached dwellings can be extended from the rear wall of the original dwelling by up to four metres in depth, to ensure the extension is subordinate to the original dwelling³.
6. The proposed annex would extend beyond the rear wall of the host dwelling by over 15 metres, which is a significantly greater depth than the SPD indicates is appropriate to be subordinate. The extension would have a relatively low profile with a flat roof and be of limited width. As such, it would not be a bulky addition to the appeal property. It would, however, due to its excessive depth and linear built form relate poorly to the traditional scale and appearance of the host dwelling. As a result, it would appear as an incongruous addition that would detract from the overall appearance of the dwelling and, due to its excessive depth, would not be subordinate to it.
7. Moreover, there are no other examples of similar forms of domestic extension in the surrounding area, which would result in the annex appearing uncharacteristic within the residential setting. While the appellants draw attention to development at Nos 59 and 61 Chase Cross Road, it is not clear that alterations to the rear of these properties are of comparable form or extent as the appeal proposal.
8. The annex would not be visible from the public realm due to the height of the side boundary fence, but it would be seen from surrounding properties and their gardens. From these views, the incongruous appearance of the annex in the form of an uncharacteristic highly linear extension to the host dwelling would be readily apparent.
9. I acknowledge that the current proposal seeks to respond to concerns raised about an initial proposal for a separate annex building and that the intention is to provide support to a dependent family member. However, these matters are not sufficient basis to overcome the harm that has been found would result from the particular form of annex proposed in this case.
10. Accordingly, for these reasons, I conclude that the proposed annex would have an unacceptably harmful effect on the character and appearance of the appeal site and surrounding area. Consequently, the proposal is contrary to Policy 26 of the Havering Local Plan 2016-2031 (2021) and to the SPD, as described above.

Living Conditions

11. The proposed annex would result in an uninterrupted solid brick wall some 15 metres deep running along the shared garden boundary with the neighbouring property, No 65 Chase Cross Road. While the building would have a flat roof, it would be close to three metres in height and, therefore, would be visible above the boundary fence.

² Paragraph 9.2.

³ Paragraph 5.3.

12. The extent and visibility of the wall next to the neighbouring garden would result in it being a dominant and overbearing feature that would harmfully affect the reasonable use and enjoyment of the garden. As such, I conclude that the proposal would result in material harm to the living conditions of the occupiers of No 65 Chase Cross Road, with regard to outlook. Policy 26 of the Local Plan referred to by the Council does not directly address residential amenity. However, to the extent that the proposal would not respect or complement the distinctive character of the area, with open rear gardens unaffected by neighbouring development, the proposal would be contrary to the policy.

Conclusion

13. For the reasons given, it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR