The Planning Inspectorate

Appeal Decision

Site visit made on 29 March 2022 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 June 2022

Appeal Ref: APP/B5480/D/21/3281399
6A Tweed Green, Romford, RM1 4BG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).
- The appeal is made by Mr Ali Shah against the decision of the London Borough of Havering Council.
- The application Ref J0023.21, dated 21 June 2021, was refused by notice dated 6 August 2021.
- The development proposed is an additional storey to dwelling with a maximum height of 10.4m.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. In the interest of accuracy, the description of development used in the header above is based on that used on the Council's decision notice.

Background and Main Issues

4. The GPDO sets out clearly the matters against which a proposal can be assessed. In this case, the Council found that the impact on the amenity of adjoining premises and the external appearance of the dwellinghouse would be unacceptable which would be contrary to sections AA.2 (3)(a)(i) and AA.2 (3)(a)(ii) of the GPDO respectively.

5. The first reason for refusal stated on the decision notice relates to the creation of an additional window on the proposed second floor of the south facing elevation of the appeal dwelling which would not adhere to condition AA.2 (2)(b). The appellant has submitted Drawing Nos. R1.2021/001/01 and R1.2021/001/02 which indicate the removal of this window. On this basis, I am satisfied that the appellant has submitted sufficient information to establish that the development would comply with the provisions set out in AA.2 (2)(b).

6. Therefore, the remaining main issues in this appeal are:

    - The external appearance of the dwellinghouse; and

- the impact of the proposal on the amenity of any adjoining premises.

Reasons for the Recommendation

External Appearance

7. The appeal site comprises a detached two-storey dwelling located on the southern side of Tweed Green. The western side elevation of the property fronts Havering Road (B175). The property is designed in a mock-Tudor style with extensive half-timbering and white render and elements of brickwork. Due to this design, which contrasts with the brick or render used at surrounding properties, the appeal dwelling appears prominently in the street scenes.

8. The area is also strongly characterised by the consistency of two-storey building heights. In this context the appeal dwelling would appear excessively bulky and tall as a result of the additional storey. Whilst the proposed half timbering, render and brickwork would harmonise well with the existing façades, and the extension would retain the same roof pitch as the existing dwelling, the resultant dwelling would appear unacceptably top-heavy. Furthermore, the resultant dwelling would appear prominently in the street scenes given its location at the end of Tweed Green and adjacent to Havering Road. The proposed extension would thus constitute a disproportionate and incongruous addition to the host dwelling that would have an adverse visual impact on its external appearance when seen in its context.

9. I note that the appellant states that permitted development legislation specifically allows for upward extensions and I appreciate that the proposal meets the technical limitations in section AA.2 (2). However, it is only permitted development if the dwellinghouse has an appropriate external appearance. An assessment of the external appearance of the dwelling is not limited to a consideration of the impact of the development on the subject property itself, but also includes the impact of the resultant dwellinghouse on the locality, which in this case I have found to be harmful.

10. Given the above, the development would not be acceptable in terms of its external appearance and would not comply with Class AA.2 (3)(a)(ii) of the GPDO. It would also conflict with the aims of section 12 of the National Planning Policy Framework (NPPF) which seeks to ensure proposals are well-designed.

Neighbouring Amenity

11. Due to the separation distance between the appeal dwelling and the neighbouring property and given the rearwards orientation of the buildings towards the southwest, the neighbouring occupants would not experience an unacceptable reduction in light penetration as a result of the proposed increase in height of the appeal property. I also find that the resultant dwelling would not appear dominant or overbearing as it would not sit on the common boundary and would thus be sufficiently set-back from the neighbouring dwelling.

12. Furthermore, the proposal would only allow oblique views towards the rear garden of the neighbouring property that would not result in harmful overlooking or a loss of privacy for the neighbouring occupants.

13. For the above reasons, I conclude that the proposed development would not adversely impact on the amenity of adjoining premises. It would therefore comply with AA.2 (3)(a)(i) of the GDPO and adhere to the guidance set out in the NPPF which requires developments to ensure a high standard of amenity.

Recommendation

14. Although the proposal would accord with part AA.2 (3)(a)(i), it would fail to comply with part AA.2 (3)(a)(ii) of the GPDO. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed and prior approval should be refused.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR