

Appeal Decision

Site visit made on 22 September 2022

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2022

Appeal Ref: APP/B5480/D/22/3301769

18 Parkway, Havering, Romford RM2 5NT

- 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 David Atkinson against the decision of the Council of the London Borough of Havering.
 - The application Ref P0164.22, dated 3 February 2022, was refused by notice dated 25 April 2022.
 - The development proposed is single storey rear extension to enlarge kitchen/dining room area and single storey rear extension to reshape elevation.
-

Decision

1. The appeal is allowed and planning permission is granted for single storey rear extension to enlarge kitchen/dining room area and single storey rear extension to reshape elevation at 18 Parkway, Havering, Romford RM2 5NT. The permission is granted in accordance with the terms of the application Ref P0164.22, dated 3 February 2022, subject to the conditions included in the Schedule at Annexe A.

Main Issue

2. The main issue is whether the proposed extensions would preserve or enhance the character or appearance of the Gidea Park Conservation Area, in which the appeal property is located.

Reasons

3. The conservation area comprises a large part of the residential suburb known as Gidea Park, with the estate established by the 1910/11 and 1934 Gidea Park Exhibition houses. No 18 Parkway is a substantial detached dwelling that has undergone a number of alterations and extensions. Nonetheless, overall it reflects the spacious garden suburb character of the area and, therefore, makes a positive contribution to the wider character of the conservation area.
 4. The extension to the right of the appeal property, seen from the rear, would replace the existing conservatory. While the rounded, glazed appearance of the conservatory would be materially altered with a more solid built form, the height and depth would remain the same. As such, this extension would represent a limited change, which would remain subordinate to the main part of the dwelling.
-

5. The extension to the other side involves a more substantive change in terms of the additional depth and width of built development to the rear. It would, however, be of the same height and depth as the extension to the other side and would not add sufficient bulk or mass to upset the proportions of the large dwelling in its current form. The hierarchy of fenestration would be respected and with appropriate materials matching the existing dwelling, the extensions would integrate appropriately.
6. I note the concerns that due to the encroachment into the garden the extensions would erode the spacious character of the area. However, both extensions would be contained within the existing terrace and would not reduce the size of the garden to the extent that this would result in material harm or would otherwise fail to preserve the spacious character of the area. Moreover, while the visibility of development in a conservation area is not determinative, the limited height of the extensions means that they would not readily be seen from neighbouring properties.
7. Therefore, for the above reasons, I conclude that the proposed extensions would preserve the character and appearance of the Gidea Park Conservation Area. Consequently, there is no conflict with Policy 28 of the Havering Local Plan 2016-2031 (2021), which concerns the effects of development on heritage assets, or with Policy 26 of the Local Plan, which includes the requirement for high architectural quality and design.
8. In reaching this conclusion I am mindful of the statutory requirement that in exercising planning functions in conservation areas special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area¹.

Conclusion and Conditions

9. I have found in the appellant's favour with regard to the main issue and, therefore, for the reasons given the appeal should succeed.
10. Of the Council's suggested conditions, I have imposed the standard time condition and, to ensure the proper implementation of development in accordance with the submitted details, one requiring development to be carried out in accordance with the approved plans. I agree that a condition requiring external materials to match those of the existing dwelling is necessary in the interests of the character and appearance of the area.
11. Restricting the use of the roofs of the extensions for amenity purposes is necessary in the interests of the privacy of neighbouring occupiers. I agree, therefore, with the suggested condition.
12. The Council suggests a condition to control any additional windows in the flank elevations of the extended dwelling. However, additional ground floor windows would not result in a loss of privacy due to their low level and boundary screening between properties. For this reason, the suggested condition restricting permitted development rights concerning window installation is not necessary in circumstances where there is not clear justification to do so².

¹ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

² As required by paragraph 54 of the National Planning Policy Framework.

13. Finally, a condition is suggested to ensure that measures are in place to protect trees that might be affected by the development. As I saw at the inspection there is at least one mature tree close to the position of the proposed extensions and I agree that it is necessary to ensure that this is properly protected. As the necessary measures must be secured before development begins, a pre-commencement condition is appropriate in these circumstances. The appellant has provided a substantive response accepting the proposed condition and, therefore, in accordance with the relevant legislation it can be imposed³.

J Bell-Williamson

INSPECTOR

Annexe A

Schedule – conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) Development shall be carried out in accordance with the following approved plans: PL-6036_01 (location plan), PL-6036_05 (ground floor plan), PL-6036_06 (elevations), PL-6036_06A (elevations) and PL-6036_07 (site plan).
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) The roof area of the extensions hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.
- 5) No works shall take place in relation to any of the development hereby approved until a scheme for the protection of trees and vegetation on the site and vicinity of the shared boundary with the neighbouring properties has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around the trees and vegetation, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees and vegetation. Such agreed measures shall be implemented before development commences and kept in place until the approved development is completed.

[End of Schedule]

³ The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018.