



Appeal Decision

Site visit made on 24 January 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th February 2023

Appeal Ref: APP/B5480/D/22/3310854

6 Anson Close, Havering, Romford, RM7 8HU

- 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 Sieruta against the decision of the Council of the London Borough of Havering.
 - The application Ref P1024.22, dated 22 June 2022, was refused by notice dated 22 August 2022.
 - The development proposed is the erection of a replacement conservatory extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a replacement conservatory extension at 6 Anson Close, Havering, Romford, RM7 8HU in accordance with the terms of the application, Ref P1024.22, dated 22 June 2022, 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: Drg Nos PL-000, PL-001, PL-002, PL-003, PL-004, PL-005, PL-006, PL-007, PL-008, PL-009 and PL-010.

Main Issue

2. The main issue is the effect of the proposal on the living conditions at 5 Anson Close, with particular regard to visual impact.

Reasons

3. The appeal property is a two-storey, end of terrace dwelling with a single-storey extension to the rear, which is set away from the boundary by a distance of 0.59m according to an undisputed figure provided by the appellant. Beyond this extension is a further conservatory addition bringing the depth of extensions beyond the original rear wall of the property and nearest to the boundary with No 5 to a total of around 6.5m. The proposed conservatory would have an eaves height equivalent to the existing and would measure an additional 0.71m in depth, but constructed with a square footprint, rather than replicating the hexagonal form of the existing.
4. Part 5 of the Council's *Residential Extensions and Alterations Supplementary Planning Document* (SPD), adopted in 2011, deals with rear extensions. It states that, as a general rule, terraced houses can be extended from the rear

wall of the original dwelling by up to 3m. It goes on to state that conservatories of lightweight construction, with no solid flank wall, are visually less intrusive than traditional rear extensions and therefore a more flexible approach to depth may be taken.

5. The combined depth of proposed extensions would measure over 7m beyond the original rear wall of the property. This would far exceed the normal guidelines within the SPD. However, according to the SPD, the lightweight form of the proposed conservatory with glazed walls, as shown on the application drawings and described on the application form, means that rigorous application of the Council's guidelines need not apply.
6. In addition to this, I attribute some significant weight to the current situation where a similar form of development already exists. There is no evidence to suggest that the existing arrangement has diminished the neighbour's living conditions to any significant degree. With this in mind I note that there was no neighbour objection raised to the proposal when the planning application subject to this appeal was being considered by the Council. Furthermore, the new conservatory would follow the side alignment of the rear extension and would therefore remain to be set away from the common boundary with No 5, further helping to minimise its visual impact when seen from the adjoining land, including in the outlook from the nearest ground floor window.
7. When all of this is weighed in the balance, I am not persuaded that the proposal would result in any meaningful change beyond the existing arrangement. I therefore find that the proposal would not have any adverse effect on the current living conditions at No 5 in terms of being overbearing or visually intrusive. By so doing the proposal would not conflict with Policy 7 of the Havering Local Plan 2016-2031, adopted in 2021, which seeks to protect the amenity of existing and future residents.

Conditions

8. A condition specifying the relevant plans is necessary as this provides certainty. The proposal is explicitly for a conservatory style extension that would be mostly glazed. A condition to require the materials to match the existing building, as suggested by the Council, would therefore be unreasonable and unnecessary.
9. The Council has suggested a condition that would require details of proposed fences and boundary treatments to be submitted for approval. However, the proposal would not affect the boundary between the appeal site and No 5. No such details are therefore necessary.

Conclusion

10. For the reasons given, I am satisfied that there would be no harm to the living conditions at 5 Anson Close. Accordingly, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR