



Appeal Decision

Site visit made on 7 March 2023

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th March 2023

Appeal Ref: APP/B5480/D/22/3309599

102 Waverley Crescent, Havering, Romford, RM3 8AJ

- 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 Nadiya against the decision of the Council of the London Borough of Havering.
 - The application Ref P0998.22, dated 20 June 2022, was refused by notice dated 21 September 2022.
 - The development proposed is described as retention of side and rear canopies.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on the living conditions of future occupiers of the host dwelling and the occupiers of neighbouring properties, with particular reference to outlook.

Reasons

Character and appearance

3. The appeal property is a two storey semi-detached dwelling with a single storey extension to the rear of about 6 metre depth. It is located in an area comprising of similar dwellings, some of which have been extended to the rear.
4. The side and rear canopies have already been constructed. The side canopy extends along the full depth of the existing dwelling where it then joins with the rear canopy. The rear canopy extends a further 4 metres beyond the existing extension to the dwelling and also extends across the full width of the plot.
5. In my view, the width of the rear canopy, together with its combined depth with the existing extension to the dwelling, results in a form of development that overwhelms and is disproportionate in size to the original host dwelling. Moreover, I find the poor-quality construction of the canopies, with extensive clear polycarbonate roofing sheets and side panels to be significantly at odds

with the character and appearance of the existing dwelling and the garden environment of the wider surrounding area.

6. I acknowledge from the aerial photographs provided by the appellant that there are other examples of extensions constructed with similar materials along Waverley Crescent. These include the adjacent dwelling at 104 Waverley Crescent which has a rear extension constructed of similar materials. There is also a timber construction to the rear of the conservatory at 100 Waverley Crescent. However, I do not have any information regarding the planning status of these structures or indeed when they were constructed. In my view, neither structure would justify further inappropriate development that is harmful to existing character. Moreover, the rear canopy at the appeal property extends much further into the rear garden environment than those on the adjacent dwellings and accordingly, is more visually prominent and harmful.
7. Thus, I conclude that the proposal has a harmful effect on the character and appearance of the surrounding area. Accordingly, it fails to comply with Policies 7 and 26 of the Havering Local Plan 2021 (LP) which, amongst other things, requires development to be of a high-quality design.

Living conditions

8. The side canopy runs adjacent to the side boundary of the site with 100 Waverley Crescent. The canopy has a mono pitched roof with a maximum height of about 2.5 metres where it meets the wall of the existing dwelling, sloping down to around 1.9 metres along the side boundary. The side and rear canopy extends well beyond the rear elevation the conservatory to the rear of No 100. The rear canopy in particular would be noticeable above the fence due to its height of approximately 2.68metres, sloping down to 2.2 metres towards the rear.
9. The rear canopy is similarly sited on the side boundary with 104 Waverley Crescent. It projects beyond the rear extension to No 104 by its full depth of 4 metres.
10. The canopies would not result in any material loss of light to the neighbouring dwellings due to their limited height and lightweight construction. However, I find that due to the excessive projection of the rear canopy beyond the rear elevations of Nos 100 and 104, together with its siting on the boundaries and its poor-quality construction and materials, result in it being visually intrusive and as such, harmful to living conditions of the occupiers of both neighbouring dwellings.
11. I acknowledge that the current occupiers of the appeal property fully utilise the area beneath the canopies, I nonetheless consider that the rear canopy detracts from the outlook of the existing dwelling, due to its excessive size and poor construction. Whilst the Council also allege within their officer report that the proposal would result in a loss of amenity space for occupiers of the dwelling, the dwelling is sited within a deep plot and other satisfactory outdoor space is retained.
12. However, my overall conclusion on this issue is that the proposal would have a harmful effect on the living conditions of future occupiers of the host dwelling and on the occupiers of neighbouring properties with particular reference to outlook. Thus, I find that it conflicts with Policies 7 and 26 of the LP which

together seek high quality design which protects the amenity of existing and future residents.

Other matters

13. I note the appellant's comments that the canopies optimise the use of the site and make the effective use of land. However, I have found that the canopies are not of a good design and do not safeguard or improve the environment, thereby conflicting the National Planning Policy Framework (2021) as a whole.
14. I also acknowledge that the extension allows for the harvesting of rain water which is a positive aspect of the scheme. However, this matter does not override my concerns as set out above.

Conclusion

15. For the above reasons, the appeal is dismissed.

J Davis

INSPECTOR