



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/22/3310163

1A Hamilton Drive, Havering, Romford, RM3 0UX

- 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 A Smith against the decision of the Council of the London Borough of Havering.
 - The application Ref P1218.22, dated 22 July 2022, was refused by notice dated 20 September 2022.
 - The development proposed is addition of first floor to outbuilding including alteration to roof, dormer, and rooflights.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the Council description of the development in the above banner heading as it accurately describes the development proposed.

Main Issue

3. The main issues are:
 - The effect of the proposal on the character and appearance of the existing dwelling and the surrounding area; and
 - The effect of the proposal on the living conditions of occupiers of Nos 119 and 121 Southend Arterial Road, with particular reference to outlook.

Reasons

Character and appearance

4. The appeal property is a detached dwelling which has a relatively low eaves and ridge height but accommodates some living space at first floor level. It is located within a large, irregular shaped plot. The appeal property is of a different design and appearance to surrounding development which comprises mainly of two storey detached, semi-detached and terraced housing.
5. There are several outbuildings in the rear garden of the appeal property. The appeal proposal involves adding a first floor to an existing flat roof outbuilding which is sited to the west of the dwelling.

6. The Council's Residential Extensions and Alterations Supplementary Planning Document (2011) (SPD) whilst non-statutory provides useful design guidance for residential outbuildings. It states that the outbuilding should be subordinate in scale to the existing dwelling and to the plot, and the Council will consider factors such as the scale, height, proximity to boundaries, roof design, finishing materials and prominence in the street scene or rear garden environment.
7. The existing flat roofed building has a low eaves height and an irregular footprint. It is adjacent to the north western boundary of the site, beyond which is a railway embankment. Whilst the existing building has a relatively large footprint and incorporates a lantern on its roof, it does nonetheless sit comfortably within its garden environment and due to its low height, appears subordinate to the main dwelling on the site.
8. The proposed first floor extension would add considerably to the height and overall size and scale of the outbuilding. Whilst the eaves height would remain the same, the building would have a steep pitched roof with a ridge height of about 5.6 metres. A wide dormer window is also proposed on its front elevation, with rooflights on the side elevations.
9. In my view, the proposed additional storey to the outbuilding would result in a building which would stand out as an incongruous feature within its suburban garden setting. I reach this conclusion largely due to the high ridge height together with the prominent dormer window which, in my view, would result in a building that would be visually dominant and would not be sufficiently subordinate to the modest scale and appearance of the existing dwelling. Whilst some other nearby dwellings benefit from outbuildings within their rear gardens, none of these appear to be of the same scale and height as the proposed extended outbuilding.
10. The appeal proposal would not be visible from any of the adjoining roads and the building is set in from the boundaries of the site with surrounding residential dwellings. However, views of it are likely to be obtained from rear windows and the rear gardens of the nearby dwellings along Southend Arterial Road and Hamilton Drive where the scale and height of the proposed development would be apparent, resulting in it appearing out of keeping with the surrounding rear garden environment.
11. Thus, the proposal would have a harmful effect on the character and appearance of the existing dwelling and surrounding area. Accordingly, it fails to comply with Policy 26 of the Havering Local Plan 2021 (LP), the SPD and the National Planning Policy Framework which, amongst other things, requires development to be of a high quality design, and to respond to distinctive local building forms and patterns of development and respect the visual integrity and established scale, massing and height of surrounding physical context.

Living conditions

12. The outbuilding is sited about 8.2 metres from the boundary of the site with Nos 119 and 121 Southend Arterial Road. There is an overall separation distance of about 17.8 metres between the rear elevation of the outbuilding and the rear elevation of No 119 which is the closest residential dwelling.
13. Given the distances set out above and the intervening features such as a greenhouse, small trees/shrubs and the boundary enclosure, I am satisfied that

the proposed extended building would not dominate the outlook from Nos 119 and 121 Southend Arterial Road to an unacceptable degree. Moreover, as there are no first floor windows facing Nos 119 and 121, I am content that no loss of privacy would occur.

14. Whilst the proposed dormer window would face towards the terraced houses in Hamilton Drive, given the separation distance of around 32 metres, I am satisfied that there would be no material loss of outlook or overlooking of these dwellings.
15. I therefore find that the proposal would not have a harmful effect on the living conditions of the occupiers of neighbouring properties with particular reference to outlook. Thus, it complies with Policy 26 of the LP, the SPD and paragraph 130(f) of the National Planning Policy Framework insofar as they seek to protect the amenity of existing and future residents.

Conclusion

16. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR