



Appeal Decision

Site visit made on 26 March 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th April 2023

Appeal Ref: APP/B5480/D/22/3311987

10 Deyncourt Gardens, Upminster RM14 1DE

- 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 James Dyson against the decision of the Council of the London Borough of Havering.
 - The application Ref P1512.22 dated 7 September 2022, was refused by notice dated 10 November 2022.
 - The development proposed is part two storey, part single storey side and rear extension to include 1 x rear dormer and roof lights, changes to front driveway and rear garden, following demolition of side garage and side and rear conservatories.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council changed the description of development from that stated on the application form in the interests of clarity. I consider that the amended description accurately describes the appeal scheme and accordingly I have adopted the amended description in the heading above.

Main Issues

3. The main issues in this appeal are:
 - (i) the effect of the proposed development on the character and appearance of area; and
 - (ii) the effect of the proposed first floor rear extension on the living conditions of the occupants of neighbouring properties.

Reasons

Character and Appearance

4. The site is a semi-detached property within a predominantly residential area characterised by properties of various designs. Pairs of semi-detached properties share similar features and I observed during my site visit that within the immediate area first floor side extensions were predominantly set back at first floor.
5. The Havering Residential Extensions and Alterations Supplementary Planning Document (2011) (the SPD) provides guidance in relation to two storey side

extensions these should be subordinate to the original dwelling, set back at least a metre at first floor from the front wall to create a break in the roofline and façade, and at least a brick course set back at ground floor.

6. The symmetry of semi-detached houses and spacing between pairs are important considerations. The adjoining property and appeal site are not identical nonetheless there is a harmony to their appearance. The proposed development whilst set back from the projecting two storey front gable feature, is in line with the main elevation, a break is not proposed in the roofline. This combined with the set back of a two storey side extension on the adjoining property would unbalance the front elevation and would not be subservient to the existing property.
7. The Council have not raised any issue with regard to the single storey rear extension, I do not disagree.
8. The SPD contains guidelines that two storey rear extensions should be set in from the common boundary with any attached dwelling by not less than 2 metres, and should project no more than 3 metres. However, in exceptional local circumstances rear extensions of a greater depth up to a maximum of 4 metres may be acceptable.
9. The Council have confirmed that the proposed first floor rear extension depth would be increased from a previously approved scheme¹ to 4m. The proposed rear dormer has also increased in size from that previously approved. The proposed rear extensions would add mass to the property. Notwithstanding this other large extensions exist within the immediate area. I find that the design and form of the rear extensions would therefore not be incongruous with the property or surrounding area.
10. Nevertheless on the basis of the lack of set back of the front elevation I conclude that the proposed development would harm the character and appearance of area. There is conflict with Policy 26 of the Havering Local Plan 2016-2031 (2021) (the Local Plan) which amongst other things seek to ensure developments are of high quality design which complement the local streetscene.
11. There is also conflict with the Hall Lane Policy Area Supplementary Planning Document (2009) and the SPD which seek to ensure amongst other things that developments are complementary to the existing dwelling and area.

Living Conditions

12. The Council confirm that the proposed first floor rear extension is set off the shared boundaries by approximately 2.6m.
13. I understand that a slightly smaller first floor rear extension has been approved at the appeal site, however due to proximity of the proposed first floor extension to the adjoining property I find that the increased depth by virtue of its design and mass would be intrusive and oppressive to the occupiers of No. 12 Deyncourt Gardens.
14. No. 8 Deyncourt Gardens built form is separated from the appeal site, notwithstanding this I observed during my site visit that a pergola exists within

¹ Application ref: P1453.21

the private amenity space of No. 8 adjacent the shared boundary. I find that the proposed first floor rear extension due to the scale and positioning would be a prominent feature to the occupiers of No. 8.

15. I conclude that the proposed first floor rear extension would harm the living conditions of the occupants of neighbouring properties. There is conflict with Policy 7 of the Local Plan and the SPD which amongst other things seeks to protect the amenity of existing and future residents.

Conclusion

16. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR