



Appeal Decision

Site visit made on 6 September 2023

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th September 2023

Appeal Ref: APP/B5480/D/23/3326874
42 Hyland Close, Hornchurch RM11 1DX

- 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 and Mrs Nurul and Shohidul Hoque and Islam against the decision of the Council of the London Borough of Havering.
 - The application Ref P0287.23, dated 17 February 2023, was refused by notice dated 10 May 2023.
 - The proposed development is two storey rear extension and front extension with alterations to the façade.
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Procedural Matter

1. The Council has described the development as “part single, part two storey rear extension, single storey front infill extension, conversion of garage to habitable use, alterations to fenestration and internal layout.”. This more accurately describes the whole development.

Decision

2. The appeal is allowed in part and dismissed in part.
3. The appeal is dismissed insofar as it relates to the part single, part two storey rear extension.
4. The appeal is allowed and planning permission is granted for single storey front infill extension, conversion of garage to habitable use and alterations to fenestration and internal layout at 42 Hyland Close, Hornchurch RM11 1DX, in accordance with the terms of application ref: P0287.23 dated 17 February 2023 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) This permission, which for the avoidance of doubt relates only to the single storey front infill extension, conversion of garage to habitable use and alterations to fenestration and internal layout, shall relate to the following approved plans: PL.2 B (existing and proposed front (east) elevation), PL.3 B (existing and proposed south elevation), PL.4 B (existing and proposed north elevation), PL.5 B (existing and proposed section S-01), PL.6 B (existing and proposed section S-02), PL.7 B (existing ground floor), PL.8 B (proposed ground floor), PL.11 B (existing roof), PL.12 B (proposed roof) and PL.13 B (site and block map).

Main Issues

5. The Council's reasons for refusal relate solely to the proposed rear extensions. Therefore, the main issues are the impact of the rear extensions on (a) the character and appearance of the host dwelling and wider area and (b) the living conditions of the occupiers of the occupiers of No. 44 Hyland Close.

Reasons

6. The appeal site comprises a two-storey detached dwellinghouse which is currently undergoing significant refurbishment. It is located along a residential street of varying size, age and style properties, including detached and semi-detached and some bungalows.

Character and appearance

7. The Councils Residential Extensions and Alterations SPD (2011) (REA SPD) sets out some general design principles including that its main purpose is to ensure that extensions and alterations do not dominate or detract from the character of the original and surrounding houses. It goes on to state that extensions should be subordinate, should respect the original style and detailing of the host property and the materials used should match or complement those used on the original dwelling. With regard to single storey rear extensions, as a general rule detached dwellings can be extended by up to 4 metres depth from the original rear wall to ensure subordination; any greater depth should be within a 45 degree guideline. The guidance goes on to state that two storey rear extensions should have pitched roofs set at right angles to the main roof and generally finished with a hipped end. They should generally be set in from the common boundary, avoid overlooking and otherwise consider neighbouring amenity in respect of overshadowing and outlook.
8. As the existing dwelling has already been extended to the rear the overall effect of the proposal would be to result in a considerable single storey addition, to a total depth of around 8 metres, to the rear of the original dwelling. This would result in an approximate doubling of the depth of the original house. The dwelling whilst detached, is of relatively modest scale occupying a long, narrow plot. Overall, this would create an addition that would be disproportionately large in relation to the original dwelling.
9. Furthermore, whilst a number of properties within the area have been extended to the rear, from what I could see at the site visit and based on the information provided, none are of such depth nor extend so far to the rear. The proposed single storey extension would therefore introduce a form of development that would be out of character with the established pattern of development within the area.
10. With regard to the first-floor element, given that this would extend to a depth of 4 metres with lower hipped roofs than the host dwelling, its overall scale and appearance would be suitably subservient and it would complement the host dwelling and comply with the guidance in the REA SPD.
11. Overall, however, for the reasons set out above, I find that the proposed single storey rear extension would be harmful to the character and appearance of the host dwelling and wider area. It would thereby conflict with Policy 7 of the Havering Local Plan (2021) (HLP) which seeks high design quality that provides attractive living environments and that the amenity and quality of life of

existing and future residents is not adversely affected. For the same reasons, there would also be conflict with the REA SPD.

12. I have had regard to the National Planning Policy Framework (the Framework) as referred to by the Appellant but find that, overall, the rear extension would not accord with its objectives to achieve good design and development that is sympathetic to local character including the surrounding built environment.

Living conditions

13. The proposed ground floor element of the rear extension would create an addition of considerable depth in relation to the adjoining property at No. 44, extending well beyond its rear elevation. However, it would be set in from the common boundary and I saw on the site visit that this boundary consists of a fence with trellis above, to around 2.2 metres in height. There were also a number of trees within the appeal site that adjoin this boundary, though I note that one would have to be removed to facilitate the proposed extension. The rear extension would have some visual impact as its uppermost part would be seen above the boundary fence. However, notwithstanding its considerable overall depth, taking into account its single storey height and that the nearest part of the adjoining property is the garage with openings to habitable rooms set away from the common boundary, I do not consider that it would have a significantly harmful impact in terms of outlook or living conditions generally.
14. In this respect therefore, the proposal would accord with HLP Policy 7 which seeks to ensure that the quality of life of existing and future residents is not adversely affected through, amongst other things, loss of privacy, daylight / sunlight or outlook. It would also accord with the aims and objectives of the REA SPD and the Framework.

Conclusions

15. I agree with the Council that the front extension and garage conversion would have no adverse impact on the character and appearance of the street scene or the living conditions of occupiers of neighbouring properties and thereby accord with relevant policy and guidance. As they are physically separate and severable from the other elements of the proposed development, I intend to issue a split decision, allowing these elements but dismissing the appeal insofar as it relates to the rear extensions.
16. Conditions to ensure that the development accords with the approved plans, which also specify the external materials, are necessary in the interests of proper planning and clarity. In this regard, I note that plan no. PL.2 B relates to the front elevation, albeit appears to be incorrectly described as 'existing and proposed east elevation'. The other conditions suggested by the Council appear to relate to the rear extensions and are not therefore relevant or necessary.
17. I therefore conclude that this appeal should be allowed in part and dismissed in part.

P B Jarvis

INSPECTOR