



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: 23 October 2023

Appeal Ref: APP/B5480/D/23/3323908

4 Ferndown, Hornchurch RM11 3JL

- 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 T.M.D.S Limited against the decision of the Council of the London Borough of Havering.
- The application Ref P0011.23, dated 2 January 2023, was refused by notice dated 5 April 2023.
- The proposed development is demolish existing garage; single storey rear and side extension involving conversion of attached garage to habitable use; first floor side and rear extension and creation of habitable loft involving raising of roof height; relocated front porch with new door entrance.

Procedural Matter

1. The Appellant has referred to a certificate of lawful development that has recently been permitted for a single storey rear extension at the appeal property (Council ref: D0162.23 granted 6 June 2023). I have taken this into account in my decision below.

Decision

2. The appeal is allowed and planning permission is granted for the demolition existing garage; single storey rear and side extension involving conversion of attached garage to habitable use; first floor side and rear extension and creation of habitable loft involving raising of roof height and relocated front porch with new door entrance at 4 Ferndown, Hornchurch RM11 3JL, in accordance with the terms of application ref: P0011.23 dated 2 January 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 shall relate to the following approved plans: Drawing No.1 (existing ground floor plan), Drawing No.2 (existing first floor plan), Drawing No.3 (existing rear elevation), Drawing No.4 (existing other side elevation), Drawing No.5 (existing front elevation), Drawing No.6 (existing side elevation), Drawing No.7 Revision A (proposed ground floor plan), Drawing No.8 Revision A (proposed first floor plan), Drawing No.9 Revision A (proposed roof plan), Drawing No.10 Revision A (proposed front elevation), Drawing No.11 Revision A (proposed rear elevation), Drawing No. 12 Revision A (proposed other side elevation), Drawing No. 13 Revision A (proposed side elevation) and Drawing No.14 (location plan and block plan).

- 3) No development shall take place until samples / details of the materials to be used in the external faces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be used in the implementation of the development.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modifications) no window or other opening, other than those shown on the approved plans, shall be inserted in the flank (side) walls or roofslopes of the development hereby permitted.
- 5) The roof area of the single storey rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Main Issues

3. The main issues are the impact 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 2 Ferndown.

Reasons

4. The appeal site comprises a two-storey detached dwellinghouse with attached flat roofed single storey side addition. It is of relatively modest proportions with front gable end facing the street. It is located on the southern side of Ferndown close to its junction with Barleycorn Way which runs northwards from Ferndown. It occupies a central position within a small group of two storey dwellings comprising nos. 2, 4 and 6 Ferndown that can be readily seen within the streetscene at the junction of Ferndown and Barleycorn Way albeit set back behind small open grassed verges with trees which mark the junction between the two roads.
5. The above group of three properties are of somewhat similar appearance in that they all have front facing gable elevations of similar ridge height but otherwise they are a mixture of render and brick elevations. Nos. 2 and 4 have similar attached single storey elements containing the garage whereas no. 6 has been extended to the side with first floor additions with hipped roof.
6. The wider streetscene is of mixed character and appearance, predominantly two storey detached dwellings though of varying size and design, some of strikingly modern appearance.

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 side extensions should not interrupt the rhythm of the streetscene and should

reflect the design of the host dwelling. They should generally be set in from the common boundary, avoid overlooking and otherwise consider neighbouring amenity in respect of overshadowing and outlook.

8. The proposed extensions would add considerable bulk to the dwelling, in particular to its eastern side introducing a wider gable front and increased height ridge, some 0.8 metres higher than the existing ridge which currently is of similar height to both neighbouring properties. However, the overall enlarged gable-fronted design would reflect that of the existing dwelling and those either side. The increased width and ridge height would not, in my opinion, appear incongruous or unduly dominant, nor out of scale with its neighbours, particularly given that the adjoining dwelling, No. 6, has also been extended to the side. Furthermore, whilst it would add bulk and height to the host dwelling and thus could not be described as subservient, the resulting dwelling would be well proportioned and provide a balanced frontage to the street scene.
9. Concern has been expressed regarding the resulting height of the dwelling and that this would set a precedent; however, I saw on my site visit that there is no predominant uniform pattern to the surrounding built form, either in terms of height or design. Indeed, I saw a noticeable variation of height between some dwellings along Barleycorn Way and to the east of the appeal site along Ferndown where some dwellings were considerably higher than the neighbouring property.
10. Overall, therefore, I find that the proposal would not be harmful to the character and appearance of the host dwelling and wider area. It would accord with Policies 7 and 26 of the Havering Local Plan (2021) (HLP) which seek high design quality that provides attractive living environments and contributes to the creation of successful places in Havering through, amongst other things, development that respects and complements the distinctive qualities, character and features of the site and local area, reinforces the local streetscene and responds to and respects the established scale, massing, rhythm of the building frontages, groups of buildings or building line. It would also satisfy the aims and objectives the REA SPD.

Living conditions

11. The dwelling on the appeal site is set back further into the plot than the neighbouring property at No. 2. The proposed single storey rear extension would result in the dwelling having a rear building line considerably further back relative to the rear building line of this neighbouring property. However, both this property and the proposed extension itself would be set away from the common boundary such that there would be a reasonable gap retained between them. This would ensure that the extension would not appear overbearing in relation to this adjoining property.
12. The upper part of the extension and the extent of its rearward depth would be visible above the boundary fence but given the gap to be retained it would not appear unacceptably overbearing. In addition, given its single storey height and orientation relative to No. 2, it would not have a significant effect on sunlight or daylight.
13. In this regard it is also relevant that the LDC recently granted (as noted above) was for a single storey rear extension of similar depth and height. Thus, this

element of the proposal could be erected as permitted development in any event.

14. Overall, I consider that 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 daylight / sunlight or outlook. It would also accord with the REA SPD.

Conclusions

15. Conditions to ensure that the development accords with the approved plans, are necessary in the interests of proper planning and clarity. The Council has suggested a condition to require matching materials though the plans appear to indicate the use of brickwork to the elevations of the extensions whilst the front elevation of the existing dwelling is rendered. Therefore, a condition to require details / samples of the materials to be used is considered necessary in the interests of the visual amenity of the streetscene. The Council has also suggested conditions to prevent the insertion of additional openings to the flank (side) elevations and to prevent the flat roof area to the rear being used for amenity purposes. I agree that both are necessary in the interests of the privacy of the occupiers of the adjoining properties.
16. A neighbour has expressed concern that the rooflights could afford some overlooking of their property, but these are shown to be positioned at a high level on the roofslope and it is unlikely that they would result in any loss of privacy, therefore a condition to require obscure glazing would not be necessary.
17. I therefore conclude that this appeal should be allowed and planning permission granted.

P B Jarvis

INSPECTOR