



Appeal Decision

Site visit made on 3 October 2023

by L Reid BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 November 2023

Appeal Ref: APP/B5480/D/23/3324082

159 St Andrews Avenue, Hornchurch RM12 5ED

- 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 Mustafa Suhel against the decision of the Council of the London Borough of Havering.
- The application Ref P2096.22, dated 16 January 2023, was refused by notice dated 24 March 2023.
- The development proposed is demolition of existing rear shed and construction of two storey front, side & part one/two rear extension.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the two storey front, side and rear extension on the character and appearance of the area, and the effect of the two storey side and rear extension on the living conditions of the occupants of No. 161 St Andrews Avenue with particular reference to outlook.

Reasons

Character and appearance

3. No. 159 St Andrews Avenue is a two storey semi-detached house which sits in a plot that is set at an angle as it follows the bend of the road and has a splayed boundary to one side. The house has a wide frontage with a modest rear garden area which is constrained by the angled boundary treatment. Due to the open frontage, the front and side of the house are prominent in the street. The house and its adjoining neighbour share a simple design which are in general harmony with each other in terms of their scale and massing which contributes to the character and appearance of the area. The surrounding area is residential in character consisting of two storey semi-detached and terraced houses, some of which have been altered and extended.
4. The proposal would extend the house by wrapping around the front, side and rear elevations. The extension at the front of the house would bring two storey development forward of the existing front building line with a gable roof added to the front elevation. Whilst the first floor of the side extension would be set back from the front elevation, it would be flush with the front extension on the ground floor. The extensions would be set down from the main roof ridge, however, the eaves of the extensions would be level with the eaves of the existing roof. As such, by virtue of the design, the extensions would be viewed as one large addition, despite the set back and lower roof ridge.

5. Even if I were to accept that the two storey side extension would be less than half the width of the house, it would be connected to the front and rear extensions and the combined width would be greater than more than half the width of the house. The cumulative footprint, scale and massing of the extensions would result in the house having a bulky and elongated appearance. As the house is prominent in the street, the increased massing would make the house considerably more substantial and thereby more dominant within the street scene. Through a combination of the bulky form and size of the extensions, the proposal would present as an incongruous feature.
6. My attention has been drawn to other houses in the area which have been extended, one of which is at No. 161 St Andrews Avenue, next door to the appeal site. I viewed these examples when I visited the appeal site.
7. I saw that the extension at No. 161 St Andrews Avenue, is not directly comparable to the appeal proposal as a whole, as it relates to a two storey side extension with no further extensions at the front or rear of the house. Whilst it is a large extension, it appears to not extend beyond the front elevation and is more subservient than the proposal, with a lesser impact on the street scene.
8. The other examples referred to relate to houses that are in less prominent positions in the street scene with two storey front extensions that have hipped roofs and are not connected to a two storey side extension. I appreciate that within the area there are some examples of houses that have been extended. However, in the immediate area, I neither saw nor am I referred to, examples of houses that have been extended with a combined two storey front, side and rear extension. As there are notable differences between the appeal proposal and the examples highlighted by the appellant, these do not alter my findings. In any event, I must come to my decision based on the circumstances of the appeal site and the details of the development proposed in this case.
9. I therefore conclude that the proposal would have a significant harmful effect on the character and appearance of the area. It would conflict with Policy 26 of the Havering Local Plan (2021) (the LP) which amongst other things, requires development to be of a high architectural quality and design, with a scale, massing and height that respects the surrounding context and complements the local street scene.

Living conditions

10. The orientation of the house and relationship with No. 161 St Andrews Avenue means that the rear elevation of that house is angled towards No. 159 and can be seen from the rear windows and garden area. Due to the gap between the two houses and the low boundary treatment, there is a relatively open aspect when standing in the rear garden of No. 161, despite the built-up context. However, this would be curtailed by the presence of the extension.
11. The two storey side and rear extension would substantially rise above the boundary fence, would extend across more than half of the rear elevation, and would extend further to the rear than the rear elevation of No. 161. Its height, depth, scale and massing would therefore combine to create an extension that is of a size that would have a significant impact on the outlook from No. 161. In particular, the extension would appear unduly dominant as it would be viewed from the rear-facing patio windows and garden area at close proximity and would therefore dominate the rear of No. 161.

12. The appellant states that the two storey rear extension is not proposed beyond the 45-degree angle line. However, the 45-degree angle line is primarily used to assess light, and this is not a contested matter in this case. Given the angle of the properties, compliance with this would therefore not be sufficient to prevent a loss of outlook to No. 161.
13. I therefore conclude that the proposal would have a significant harmful effect on the living conditions of the occupants of No. 161 with particular reference to outlook and therefore conflicts with Policy 7 of the LP which amongst other things, seeks to protect the amenity of existing residents.

Other Matters

14. I note that the appellant has discussed the proposal with neighbouring occupiers. However, a lack of objections from neighbours is not a determinative factor.
15. The appellant raises concerns regarding how the Council handled the planning application, however, this would not alter my conclusions on the merits of the proposal.

Conclusion

16. For the above reasons, I find that the proposal conflicts with the development plan, read as a whole. There are no material considerations that have been shown to carry sufficient weight to indicate a decision otherwise in accordance with it. I therefore conclude that the appeal should be dismissed.

L Reid

INSPECTOR