



Appeal Decision

Site visit made on 13 March 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 April 2024.

Appeal Ref: APP/B5480/D/24/3336494
30 Southern Way, Romford RM7 9PA

- 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 Joynoor Hussain against the decision of the Council of the London Borough of Havering.
 - The application Ref P1388.23, dated 10 September 2023, was refused by notice dated 5 January 2024.
 - The development proposed is described as a part retrospective, ground floor rear extension and part first floor extension.
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Procedural matters

1. While the appellant has described the proposal as in the above heading, the Council has additionally referred to a front porch. From my inspection of the plans, I consider that the Council's description more fully reflects the development sought. I have assessed the appeal scheme on that basis.
2. The development appears to be substantially complete. It has been constructed broadly in accordance with the plans although some differences were evident at the unaccompanied site visit. In particular, the side walls of the ground floor rear extension were notably taller than those depicted on the drawings. The Council appears to have assessed the development both as built and as shown on the plans. Therefore, I will take the same approach.

Decision

3. The appeal is dismissed insofar as it relates to the erection of a ground floor rear extension and part first floor extension.
4. The appeal is allowed, and planning permission is granted for the erection of a front porch at 30 Southern Way, Romford RM7 9PA in accordance with the terms of the application Ref P1388.23, dated 10 September 2023, subject to the following conditions:
 - 1) That part of the development hereby permitted shall be carried out in accordance with the following approved plans: Ref PL01, PL02, PL03 Rev A, PL04 Rev A, PL05, PL06, PL07 and PL08.
 - 2) The materials to be used in the construction of the external surfaces of the front extension hereby permitted shall match those used in the existing building.

Main issues

5. The Council raises no objection to the front porch. I, too, find this element of the appeal scheme acceptable because it is modest in scale and appropriate in design and general appearance. It respects the visual character of the existing dwelling and other nearby properties, some of which have a similar feature in their front elevation. On that basis, the porch does not conflict with the planning policies and guidance cited by the Council.
6. Consequently, the main issues are the effect of the rear extension, as built and proposed, on the character and appearance of the host building and the local area; and on the living conditions of the occupiers of 28 and 32 Southern Way with regard to outlook, visual impact, light and sense of enclosure.

Reasons

Character and appearance

7. Planning permission for a part single storey, part 2-storey extension is sought to the rear of the appeal property, which is an end of terrace dwelling within a predominantly residential area. The new ground floor element extends across the full width of the host building and outwards from the main rear wall by about 6-metres. There is also a much smaller new first floor component set back from the rear wall below.
8. When seen from the back garden of No 30, the rear elevation of No 30 is overwhelmed by the considerable scale and mass of the extension, the bulk of which is accentuated by the visually strong horizontal lines of their flat roofs and overhanging eaves. The overall size of the new addition could not reasonably be described as subordinate to the house, which is expected of extensions in the Council's Supplementary Planning Document, *Residential Extensions and Alterations* (SPD). For these reasons, the rear extension, as built and proposed, unduly distorts the proportions and spoils the intrinsic character of the appeal property, even taking into account the roof level alterations and sizeable dormer that have been introduced at the rear of No 30.
9. In reaching this conclusion, I have had regard to the use of appropriate external materials. I also saw that several properties along Southern Way include large rear extensions although none were the same or very similar to the appeal scheme. I have also considered the examples of rear extensions to which the appellant has referred and provided photographs, some of which he says have been approved by the Council. Nevertheless, it is a central planning principle that each development should be assessed on its own merits. Having done so, I conclude on the first main issue that the development, as built and proposed, causes significant harm to the character and appearance of the host building and the local area.
10. Accordingly, it conflicts with Policy D4 of The London Plan, Policy 26 of the Havering Local Plan 2016-2031 (LP) and the advice within the Council's SPD. These policies and guidance promote high quality design and aim to ensure that all new development respects the character of the site and the local area. The appeal scheme is also at odds with the policies of the National Planning Policy Framework, which state that development should be sympathetic to local character and add to the overall qualities of the area.

Living conditions

11. The new flank wall of the ground floor extension is up to the shared rear boundary with the attached property, which is 32 Southern Way. By projecting well beyond the rear elevation of this neighbouring dwelling, the rear extension partly encloses some of its back garden and the development would be visible from both here and its ground floor windows.
12. Because the extension is roughly to the north of No 32, there would be no significant loss of natural light to the rear of this neighbouring property. However, the considerable depth, height, and close proximity of this new flank wall, as built and as proposed, would cause it to dominate the outlook for the occupiers of No 30. This would be most pronounced in oblique views from the ground floor window of No 32 closest to the common boundary with the site and from the back garden nearest to this house. In these views, the considerable expanse of new brick wall would cause it to overbear and unduly heighten a sense of enclosure for the occupiers of No 32.
13. The extension would also be close to the rear of 28 Southern Way, which is situated on the opposite side of the site to No 32. Nevertheless, I attach some weight to the notable gap between Nos 28 and 30 that is established by the passageway that runs between these adjacent properties. Having regard to this separation, and the ground floor extension at the back of No 28, I consider that neither the height nor depth of the extension, as built and as proposed, would feel oppressive, dominate outlook, increase a sense of enclosure nor lead to an appreciable loss of sunlight or daylight. Therefore, the living conditions of the occupiers of No 28 would not be materially reduced.
14. Nevertheless, I conclude on the second main issue that the living conditions of the occupiers of No 32 would be significantly harmed. Therefore, the development conflicts with LP Policies 7 and 26, and the guidance within the Council's SPD insofar as they aim to safeguard residential amenity.

The front porch

15. From my inspection of the plans, the porch is clearly severable from the rear extension, which is objectionable. Therefore, I can issue a split decision that grants planning permission solely for it. As this element of the appeal scheme is largely complete, there is no need to impose the standard time limit condition. It is, however, necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, a condition is also imposed to require matching external materials.

Conclusion

16. The rear extension, as built and proposed, conflicts with the development plan. There are no material considerations, including the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be dismissed in relation to this part of the development.
17. For the reasons set out above, I also conclude that the appeal should be allowed to erect a porch at the front of No 30 subject to conditions.

Gary Deane INSPECTOR