



Appeal Decision

Site visit made on 21 May 2024

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th June 2024

Appeal Ref: APP/B5480/D/24/3338832

7 Lichfield Terrace, Havering, Upminster, RM14 3JT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Leigh Dreher of KMDS Group against the decision of the Council of the London Borough of Havering.
 - The application Ref is P1555.23.
 - The development proposed is erection of a double storey side extension, single storey rear extension with part first floor, front porch with canopy and internal reconfiguration.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. Lichfield Terrace is characterised by semi-detached properties, which sit comfortably within moderate plots. The road is open in nature as a result of the deep front gardens, the width of the road, and spacing between plots. In this section of the road, the semi-detached properties closest to junctions, have a simple modest design with render and brick detailing providing visual interest. In contrast, the properties in-between, have two storey bays, oriel windows at first floor and porches. Despite differences between the pairs of semi-detached properties, there is good symmetry within each pair, providing a pleasing suburban character, typical of inter war housing.
4. The proposed development would result in the property expanding the full width of the site, thus eroding the feeling of the house comfortably sitting within its plot. This combined with the bulk and scale of the development would make it present as visually cramped. When viewed from Chester Avenue, the proposed development will appear as an imposing and incongruous two storey wrap around extension, built up to the boundary. The full width of the ground floor extension combined with the two storey elements, add to the scale and bulk of the development, emphasising its imposing nature, which is uncharacteristic of the street scene.
5. When viewed from Lichfield Terrace, the width of the two-storey side extension combined with the canopy would unacceptably unbalance the appearance of the semi-detached pair.

6. The appellant questions the status of the Council's Residential Extensions and Alterations Supplementary Planning Document (SPD), and the Council's reliance on it. Whilst I note the Council intend to update the SPD, it is not clear that the current document, no longer applies. I agree that the SPD is guidance rather than a mandatory checklist and this is corroborated in para 1.13 of the document which states that '*the guidance is a material consideration for decisions on planning applications*'.
7. The appellant provides examples where Inspectors have allowed development, contrary to the SPD. These are presented to illustrate that the document is guidance, rather than a firm unbending requirement. The appeals provided (APP/B5480/D/223304620 and APP/B5480/D/17/3189436) justify deviation from the SPD, where there is no harm arising from the development proposed. This is also true of the planning applications referred to (P0291.22 and P0681.21). In contrast, I have found harm to the character and appearance of the area from failure to adhere to the guidance. Whilst the SPD is only a guide, the design principles within it, and in particular the need for a sensitive approach on corner plots is relevant.
8. The appellant further asserts that the development plan policies are not prescriptive. Whilst they may not be, they do require an assessment of the development, which I have carried out. I find that the proposed development fails to accord with Policy 26 of the Havering Local Plan, in so far as it requires development to respect, reinforce and complement the local street scene and respect the visual integrity and established scale, massing and rhythm of buildings.
9. Reference is also made to the fallback position of the extant planning permission (P0709.23). There is a real prospect that this permission will be implemented. It is claimed that the differences between the schemes are negligible, but in my view, the differences are material. The approved scheme would be less imposing on the open nature of the street scene compared to the development sought. The extant permission would therefore have a less harmful effect on the character and appearance of the area, as such it does not provide justification for the appeal scheme.
10. The Council refer to a dismissed appeal at 5 Macdonald Avenue (APP/B5480/D/15/3132653). I agree with the appellant, that the nature of the development and the character and appearance of the area, is materially different from the appeal scheme, and therefore the relevance of this decision is limited. Photos of other properties built to the side boundaries are also provided but none of these appear to be part of the character of the appeal site's context. No 1 Lichfield Terrace is not a corner plot, 6 Boyd Close is a detached dwelling, 47 Chester Avenue is adjacent to an alley rather than being an open character corner plot and No 8 Peterborough Avenue is part of a semi-detached pair, where both properties have been extended to the side. In any event, each scheme must be considered and determined on its individual merits.
11. For the reasons identified above, I conclude that the proposed development would result in harm to the character and appearance of the area. The proposed development is therefore contrary to Havering Local Plan Policy 26 and the Council's Residential Extensions and Alterations SPD. The Council refer to Local Plan Policy 7 which refers to protecting the amenity and quality of life

of existing and future residents, but this is not relevant to the main issue in this appeal.

Conclusion

12. The proposal would conflict with the development plan when read as a whole and the other considerations before me, do not indicate that I should make a decision other than in accordance with the development plan. For the reasons given above the appeal should be dismissed.

V Goldberg

INSPECTOR