



Appeal Decision

Site visit made on 29 August 2024 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2024

Appeal Ref: APP/B5480/D/24/3338545

52 Kingsbridge Road, Romford, Havering RM3 8PA

- 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 Mr S Zala against the decision of the Council of the London Borough of Havering.
 - The application Ref is P1626.23.
 - The development proposed is described as 'part single storey front, part single part two storey side extension with associated internal alterations.'
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Decision

1. The appeal is allowed and planning permission is granted for development described as 'part single storey front, part single part two storey side extension with associated internal alterations' at 52 Kingsbridge Road, Romford, Havering RM3 8PA in accordance with the terms of the application, Ref P1626.23 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing Nos 52KR (22) rev B, 52KR (23) rev B and the location plan.
 - 3) The external materials of the extensions hereby permitted shall match those used in the existing dwelling.
 - 4) The extensions hereby permitted shall not be first occupied until the first-floor window on the rear elevation has been fitted with obscured glazing and no part of that window shall be capable of being opened below 1.7 metres above the internal floor level. The obscured glazing shall be retained thereafter.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the proposal on a) the living conditions of the occupiers of the non-adjointing neighbouring property with specific regard to privacy and outlook and b) the character and appearance of the area.

Reasons for the Recommendation

Living Conditions

4. The appeal site is an end terrace dwelling in a residential area. The non-adjointing neighbour is a semi-detached dwelling on a corner plot where the property is angled away from the appeal property by approximately 45 degrees. There is a good separation distance between the side elevation of this neighbouring property and the boundary of the appeal site although given the alignment of the buildings, the distance lessens to the rear. The existing boundary between the property is close boarded fencing. The windows of the side elevation of the neighbouring property appear to serve a WC and staircase on the first floor and a reception room and WC on the ground floor. The windows of the neighbouring property are angled towards the front of the appeal site given the orientation of the building.
5. Given the orientation of the dwellings relative to one another, the neighbouring garden would be situated to the rear of the proposed extension. There would be one first floor window on the rear elevation that could directly overlook the neighbouring garden. However, a condition can be imposed to ensure that the window is obscure glazed which would address this issue. The outlook from the bedroom window for the occupants of the appeal property would still be acceptable given that it would be dual aspect.
6. The proposed second storey would be stepped in from the boundary at the front and would therefore only meet the boundary on the rear corner of the extension. The outlook from the side windows of the neighbouring property would not be worsened as a result of the proposal given that they would not face directly towards the extension. The relatively modest two storey aspect of the development would not have an overbearing effect for the occupants from those windows because it would be mainly stepped away from the boundary and there is a good separation between the appeal site boundary and the neighbouring building.
7. The proposal would therefore not cause unacceptable loss of privacy or outlook for the neighbouring occupiers in accordance with Policy 7 of the Havering Local Plan 2021 (LP) which seeks to ensure, amongst other things, that the amenity of existing and future residents is not adversely impacted.

Character and Appearance

8. The residential area is made up of predominantly semi-detached and terraced properties. They are mostly set back from the roadside pavement which creates a pleasant sense of spaciousness that contributes positively to the character and appearance of the area.
9. The porch and side extension to the front would be marginally stepped forward from the existing front elevation. The extension would however take a subservient approach to the dwelling with an overall lower ridge height that steps down to single storey closer to the boundary. Given the relatively small size of the extension combined with the space between the appeal property and the neighbouring dwelling, the proposal would not create a cramped appearance.
10. Although there are no properties within the immediate vicinity that have carried out two storey side extensions, the one in this case would not give rise

to harm to the character and appearance of the area for the above reasons. It would therefore meet the requirements of Policies 7 and 26 of the LP which are concerned with respecting and complementing the character of an area amongst other things.

Other Matters

11. The proposed works would not strictly adhere to the sizes set out in the Havering Residential Extensions and Alterations Supplementary Planning Document (SPD). This marginal difference would not however lead to harm as I have explained above and conflict with an SPD does not have the same effect as such with the development plan. My findings are therefore unchanged.

Conditions

12. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for certainty and enforcement purposes. In the interests of the character and appearance of the area, a condition relating to materials to match that of the existing dwelling is also necessary. A condition requiring the first-floor window on the rear elevation of the proposed extension to be obscure glazed prior to occupation is required to protect the privacy of the non-adjointing neighbour when they are using their garden.
13. The Council has suggested a condition to restrict the installation of any windows in the side elevation of the proposed extension. Given the orientation of each property and the stepping in of the first-floor aspect of the extension, this is not considered to be reasonable or necessary. In addition, any new first floor window would be restricted in its glazing type by the conditions of the permitted development regime.

Conclusion and Recommendation

14. For the reasons given above, the appeal scheme would comply with the development plan and there is nothing compelling to suggest otherwise. I therefore recommend that the appeal should be allowed subject to the conditions set out.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, subject to the stated conditions.

John Morrison

INSPECTOR