



Appeal Decision

Site visit made on 19 September 2024 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2024

Appeal Ref: APP/B5480/D/24/3346212

16 Victory Road, Rainham, Havering RM13 7RS

- 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 Peter Seales against the decision of the Council of the London Borough of Havering.
 - The application Ref is P0345.24.
 - The development proposed is described as 'proposed two storey rear/side extension with new roof form over to create extra bedrooms and a larger living space whilst maintaining x2 parking spaces to front driveway'.
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Decision

1. The appeal is dismissed.

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.

Preliminary Matters and Main Issue

3. The description above is taken from the application form and whilst it varies from the decision notice, the difference is not fundamental. The ability of any party to make their case in respect of the appeal scheme would not be prejudiced by me referring to it in these terms.
4. The Council's reason for refusal refers to the proposed side and rear extension implying that they do not object to the scheme's other elements. I have no reason to disagree, and my recommendation therefore focusses on the same, specifically its effect on the living conditions of the occupiers of Number 14 Victory Road (No.14) with particular regard to outlook.

Reasons for the Recommendation

5. The appeal site is a detached dwelling set between others on a road that is predominantly residential. No.14 is alongside the driveway of the appeal site separated by a boundary wall. The properties both have rear extending gardens. No.14 benefits from a patio area to its immediate rear.
6. The proposal would introduce a two-storey wall very close to the patio. It would be largely featureless except for a first floor bathroom window and ground floor door. The somewhat looming effect of the height, proximity and run of the extension would appear overbearing to users of the rear garden of No.14. Its scale and plainness would make the experience of the garden oppressive and

garner a strong sense of enclosure, detrimentally affecting the outlook therefrom. The extension would run at direct right angles to the rear elevation of No.14 which would also have an unacceptable overbearing effect to the outlook experienced from its rear windows.

7. The proposal would therefore cause harm to the living conditions of the occupants of No.14 contrary to Policy 7 of the Havering Local Plan 2021 and the general aims of the Residential Extensions and Alterations Supplementary Planning Document which are concerned with preventing an unacceptable loss of outlook amongst other things.

Other Matters

8. There may be some aspects of the proposal that meet the requirements of the development plan and that there may be benefits in terms of energy performance. These would be both a lack of harm and limited in their overall scope given the scale of the proposals in the grand scheme. They would not therefore be capable of outweighing the harm that would be caused to the living conditions of the occupants of the neighbouring property as a result of the proposal and to which I attach substantial weight.

Conclusion and Recommendation

9. For the reasons given above, the appeal scheme would conflict with the development plan and there are no sufficiently weighty material considerations to indicate a decision other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR