



Appeal Decision

Site visit made on 7 January 2025

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2025

Appeal Ref: APP/B5480/D/24/3349519

3 Manor Road, Romford, RM1 2RA

- 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 and Ms Stephan and Shereen Srikantha and Sally against the decision of the Council of the London Borough of Havering.
 - The application Ref is P0433.24.
 - The development proposed is erection of first floor rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the appeal was lodged a revised National Planning Policy Framework (the Framework) has been published. Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal, and that proceeding without seeking further comments from the parties would not be prejudicial to their cases.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of occupants of neighbouring properties, with particular reference to outlook and visual intrusion.

Reasons

4. The appeal property is a detached house with a layout which provides more accommodation at ground-floor than at first-floor. A single-storey rear section occupies the full width of the site, and is wider than the main house. The dwelling sits between a church hall and an extended dwelling which is occupied as two flats. Both neighbouring buildings project beyond the rear of the appeal dwelling.
5. Although the proposed extension would increase the height and mass of the building close to the church hall, it would not obviously affect any residential use at that site. Given the location of the proposed extension, the neighbouring residents who would be most affected by the proposal would be within 5 & 5A Manor Road, the flats to the south, albeit the Council's officer report focuses primarily on the first-floor flat (No.5).
6. The ground- and first-floor flats have bay windows in their side elevation which face towards the appeal site. I appreciate that 5/5A Manor Road projects deeply past the

rear of the appeal property, as do many of the dwellings further south along this side of the road. However, there is a limited gap between the two-storey bay of 5/5A and the appeal property, such that the increased height and first-floor depth of the building at this point would significantly impact upon the outlook from No.5; and would further reduce the outlook from No.5A, which is already restricted by the existing ground-floor element at the appeal site. As a result, and at such close proximity, the outlook from both flats would be dominated by a high, solid wall that would create an oppressive and overbearing sense of enclosure. This effect would not be mitigated by the oblique views towards the rear gardens from the side panes of the bay windows, nor the use of matching materials to the extension.

7. This impact would be in conflict with Policy 7 of the Havering Local Plan 2016 – 2031 (2021) (LP), which amongst other criteria seeks to ensure that the amenity and quality of life of existing and future residents is not adversely impacted by development in matters including outlook.
8. The appellants advise that the room of No.5 affected would be a kitchen, but a room used for cooking is included in the definition of a 'habitable room' in the glossary to the Council's 'Residential Extensions and Alterations' Supplementary Planning Document 2011 (SPD). A first-floor window to another habitable room also faces eastward into the gap between the buildings.
9. Whilst I consider the proposal would have an adverse impact for residents within the building, I do not share the Council's view that it would materially impact upon the neighbours' enjoyment of their gardens. This is on the basis that Nos 5/5A project to the rear of the appeal property and there is a deep rear garden beyond which would provide some separation from the proposal. Whilst the extension may be large, its scale, bulk and overall depth would not be visually intrusive or overbearing to users of the neighbouring gardens. The effect on the rear garden setting would be comparable to that of the other large additions in the vicinity.
10. Although not cited in the reason for refusal, the Council's officer report refers to the proposal causing loss of light. Given the orientation, with the deep extension of Nos 5/5A located to the south of the appeal site, I am satisfied that the proposal is unlikely to cause material loss of light.
11. I am mindful that no objections to the proposal were submitted by neighbouring residents at the application stage. Nevertheless, LP Policy 7 and paragraph 135 (f) of the Framework seek to create places with a high standard of amenity for existing and future users. As occupants and their opinions change over time, it is appropriate to secure by design reasonable living conditions for all users.
12. I therefore conclude that the proposal would diminish the outlook for neighbouring residents to a degree that living conditions would be harmed, in conflict with the Framework and LP Policy 7, as supported by the SPD. In so doing, it would not be a high quality design as sought by LP Policy 26.

Other Matter

13. Although the officer report finds the extension to be a disproportionately large and visually intrusive addition to the property, the reason for refusal relates to its effect on neighbouring residents. As noted in the officer report, the extension would be set well back from the frontage of the site and would not have a materially harmful impact on the streetscene.

14. Whilst the proposal would exceed the recommended depths set out in the SPD, there is an array of large extensions locally, and I share the appellants view that the proposal would not be out of character. Given my assessment of the effect of the size of the extension on the enjoyment of the neighbouring garden, I do not find that the proposal would detract from the character and appearance of the site and the rear garden setting.

Conclusion

15. For the reasons given above the appeal should be dismissed.

H Lock

INSPECTOR