



Appeal Decision

Site visit made on 3 April 2025

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 April 2025

Appeal Ref: APP/B5480/D/24/3355667

42 Woodbridge Lane, Romford, RM3 9JF

- 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 Egidijus Rauba against the decision of the Council of the London Borough of Havering.
 - The application Ref is P0885.24.
 - The development proposed is erection of single storey rear extension 5.0m deep with flat roof/installation of EWI system to rear and front facade.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of single storey rear extension 5.0m deep with flat roof/installation of EWI system to rear and front facade at 42 Woodbridge Lane, Romford, RM3 9JF, in accordance with the terms of the application, Ref P0885.24, and 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 the following approved plans: 801 Proposed Block Plan Location Map and 301 Proposed Plans and Elevations.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window or other opening (other than those expressly authorised by this permission) shall be formed in the flank walls of the extension hereby permitted.
 - 4) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Procedural Matters

2. The reason for refusal does not specify conflict with any planning policy, and does not identify the “usual guidance” to which it refers. However, the Council’s delegated report lists as relevant Policy 7 and Policy 26 of the Havering Local Plan 2016 (LP), Policies D1 and D4 of The London Plan 2021 (TLP), and the Havering ‘Residential Extensions and Alterations’ Supplementary Planning Document 2011 (SPD). Copies of these documents were supplied with the Council’s questionnaire and I have taken them into account in my decision.

3. In July 2024, the Council issued a decision confirming that its Prior Approval was not required for a 'single storey rear extension with an overall depth of 5m, a maximum height of 2.9m, and an eaves height of 2.7m' (ref. Y0161.24).
4. Since the appeal was lodged a revised National Planning Policy Framework, and further revisions, have 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

5. The main issue is the effect of the proposal on the living conditions of neighbouring residents, with particular reference to access to light and outlook.

Reasons

6. The appeal property is a mid-terrace house located within an area which appears cohesive as a result of its prevalence of simply designed, brick-finished terraces. There is a rear access path below an archway which separates the ground floors of the appeal property and 44 Woodbridge Lane (No.44). The appeal property is fully attached to 40 Woodbridge Lane (No.40).
7. Paragraph 5.3 of the Council's SPD advises that, as a general rule, houses can be extended from the rear wall of the original dwelling by up to 3 metres in depth for a terrace house, and that any greater depth should be within an angle of 45 degrees, taken from the 3 metre dimension on the property boundary, in order to ensure a reasonable level of amenity is afforded to neighbouring properties. The proposed depth would exceed this guidance by some margin and would breach a 45-degree line in relation to the neighbouring dwellings.
8. As indicated by the 'north' point shown on drawing no. 801, Nos. 40 and 44 are positioned due south and due north of the appeal property. As such, access to light for No. 40 would not be materially reduced. Although there would be some potential impact on light reaching No. 44, the two properties are separated by the rear access path, and the proposed extension would be set away from the shared boundary fence. In this context, the adverse impact on light reaching that property would not be significant.
9. This separation would also mitigate to a degree any adverse effect on outlook for occupants of No.44. The visual impact and sense of enclosure would be greater for occupants of No.40, which would abut the proposed extension. Given the proposed depth of the proposal, this would likely result in an unacceptable loss of outlook for occupants of No.40, in conflict with LP Policy 7. However, the extension the subject of this appeal is very similar to that for which Prior Approval was found not to be required under application ref. Y0161.24. Although the appeal extension includes a rooflight and is of different external materials, the dimensions stated on the submitted plans are the same in both applications. As such, were this appeal to fail, I consider that there is a more than theoretical prospect that an extension of the size proposed in this appeal would be built. The effect on neighbouring residents would effectively be the same in both cases.
10. The Council's delegated report confirms that it has no concern regarding the proposed front and rear external wall insulation system. Despite the flush façade of

the terrace of which the appeal property forms part and the uniformity of the brickwork, there are some examples in the wider area of alternative external materials to this type of terraced house. As such, I share the Council's conclusion on this point.

11. I therefore conclude that the proposed rear extension would have the potential to diminish outlook for neighbouring occupants in conflict with LP Policy 7. However, as the effect would be the same as the 'fallback position' of the Prior Approval scheme subject of application Y0161.24, this is a material consideration which would outweigh this policy conflict. It justifies the determination of the appeal other than in accordance with the development plan.
12. On the issue of the living conditions of neighbouring residents, I find no conflict with the strategic policies of The London Plan, namely D1 and D4, nor with LP Policy 26.

Conditions

13. In addition to the standard time limit, I have attached a condition specifying the approved drawings as this provides certainty. The Council has requested a condition that external materials shall match those of the existing building. However, the submitted plans and application form specified the alternative materials to be used, and the Council's report and decision did not raise any concerns on this point. As such, the suggested condition would be unnecessary and unreasonable.
14. However, in the interests of maintaining the privacy of adjacent residents, and with some modification to wording for clarity and precision, I have attached the suggested conditions restricting the use of the extension roof and the installation of flank windows into the extension. Although these restrictions do not apply to the 'fallback' Prior Approval scheme of application Y0161.24, I consider their imposition to meet the tests of necessity and reasonableness in this express grant of planning permission.

Conclusion

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

H Lock

INSPECTOR