



Appeal Decision

Site visit made on 18 March 2026

by **S F Barnes MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th April 2026

Appeal Ref: APP/B1550/D/25/3374759

197 Ferry Road, Hullbridge, Essex SS5 6JY

- 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 Ross Matthews against the decision of Rochford District Council.
 - The application Ref is 25/00394/FUL.
 - The development proposed is a single storey rear extension, front porch and unattached garden room.
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Decision

1. The appeal is dismissed insofar as it relates to the single storey rear extension.
2. The appeal is allowed and planning permission is granted insofar as it relates to the front porch and unattached garden room at 197 Ferry Road, Hullbridge, Essex SS5 6JY in accordance with the terms of the application, Ref 25/00394/FUL, so far as relevant to that part of the development hereby permitted 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 approved plans: 2025-P02 and 2025-P03.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

3. The appellant's submission includes indicative amended plans for the proposed single storey rear extension. Whilst the revised proposal remains a single storey extension, it would be substantially different in its size and shape to what was considered by the Council.
4. The Procedural Guide¹ is clear that the appeal process should not be used to evolve a scheme. As the appeal is being dealt with under the Householder Appeals Service, there is no provision for the Council to comment on any part of the appeal submission. Accepting the amended plans would be procedurally unfair to the Council. Accordingly, I have not accepted the plans and have determined the appeal on the same basis as the Council made its decision.

¹ Procedural Guide: Planning appeals – England. For appeals relating to applications dated on or before 31 March 2026.

Main Issue

5. The Council has no objection to the proposed front porch and unattached garden room. Given their modest scale, siting and complementary appearance, I concur with its assessment.
6. Therefore, the main issue is the effect of the proposed single storey rear extension on the living conditions of neighbouring occupiers at 195 Ferry Road (No 195), with particular regard to outlook and access to light.

Reasons

7. The appeal site comprises a two-storey, semi-detached dwelling in an established residential area. As with its counterpart semi at No 195, this property is set within a long garden plot and has a rear projection sited well clear of the shared boundary.
8. The proposed extension would result in a tall, flat-roofed addition projecting a length of approximately 5.2 metres from the existing rear elevation and along the shared boundary with No 195. Due to its height, length and siting, the proposal would be a significant presence over the set of tall, glazed doors at the rear elevation of No 195. These patio doors provide outlook and light to a deep room that is used as a living room. The area immediately to the rear of the building is used as a patio to the garden, contributing to the enjoyment of this space.
9. The appeal is not accompanied by any technical daylight and sunlight assessment. However, the submitted plans indicate that the proximity and height of the proposal to the neighbouring patio doors at No 195 would likely significantly reduce the daylight that would be able to enter the room they serve. This is likely to mean the room would be experienced as gloomier by its occupants, causing harm.
10. The favourable, south-facing sun orientation of the neighbouring property's rear garden and rooms would ensure that sunlight received by these spaces would be maintained to an acceptable level. However, this would not justify a harmful effect on access to daylight.
11. The outlook available from the patio doors at No 195 is broadly directed over its rear garden. Therefore, the siting of the proposal would not unduly restrict the outlook from the room served by these doors. However, the proposal's side wall would be a considerable presence in the outdoor patio area to rear of No 195 and between the shared boundary and its existing rear projection. The height and length of the proposal's side wall would result in a level of enclosure to this part of the garden that would erode its overall enjoyment value, resulting in harm.
12. Whilst current occupiers of No 195 may support an alternative, amended proposal, that is not the scheme before me. Additionally, I am not convinced that any perceived improvement to privacy of users of the garden at No 195 would overcome the harm I have identified. The representation in support of the appeal therefore carries limited weight and has not led me to an alternative conclusion.
13. For these reasons, I conclude that the proposed single storey rear extension would have a harmful effect on the living conditions of neighbouring occupiers at No 195, with particular regard to outlook and access to light. This would conflict with relevant provisions of Policy DM1 of the Rochford District Council Development Management Plan (2014), which amongst other things seeks to ensure that development positively contributes to residential amenity.

Conditions

14. As regards the front porch and unattached garden room, in the interests of certainty I have imposed the standard time limit for commencement and a condition requiring that the development is carried out following the approved plans. In the interests of the character and appearance of the area, I have also imposed a condition requiring external surface materials to match those used in the existing dwelling.

Conclusion

15. The proposal before me comprises three distinct elements: (i) a single-storey rear extension, (ii) a front porch and (iii) an unattached garden room. The Council has no concern regarding the latter two elements; these would involve distinct and separate building operations from the proposed rear extension and do not involve interrelated changes to internal layout. Consequently, I am satisfied that these parts of the scheme are severable and capable of being granted planning permission independently of the disputed rear extension.
16. For the reasons given above, having considered the development plan as a whole and having regard to all other matters, I conclude that the appeal should be dismissed insofar as it relates to the single storey rear extension, and allowed insofar as it relates to the front porch and unattached garden room.

S F Barnes

INSPECTOR