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PLANNING STATEMENT

Retrospective application under section 73A of the Town and Country Planning Act 1990 for a single storey rear extension

Site	17A Lessington Avenue, Romford, London Borough of Havering, RM7 9EB
Applicant	Mr Adam Altaf
Local planning authority	London Borough of Havering
Ward	Rush Green and Crowlands
Application	Retrospective application under section 73A of the Town and Country Planning Act 1990
Date	October 2026

1. INTRODUCTION

1.1 This Planning Statement has been prepared by Retrospective Planning Experts (RPE) on behalf of Mr Adam Altaf in support of a retrospective planning application, made under section 73A of the Town and Country Planning Act 1990, for a single storey rear extension at 17A Lessington Avenue, Romford RM7 9EB.

1.2 The extension has been built. It was constructed following a determination by the Council on 13 September 2023, under reference Y0200.23, that its prior approval was not required for a single storey rear extension of 6 metres in depth, 3 metres in maximum height and 2.70 metres to the eaves, proposed under Class A of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015. The extension as built departs from that determination, and planning permission is accordingly required to regularise it.

1.3 This Statement describes the site and the development, sets out the planning history and the fallback position that arises from it, identifies the relevant development plan policy, and demonstrates that the development is acceptable and that permission should be granted.

1.4 The applicant remains entitled to construct the extension for which the Council determined that prior approval was not required. The extension as built differs from that entitlement in two respects: it is 600 millimetres deeper, and it incorporates a further part to the rear of the garage containing a utility room and a ground floor shower room and WC. Neither gives rise to any materially greater effect on the character of the area or on the living conditions of neighbouring occupiers, and there is accordingly no planning purpose to be served by refusing permission.

2. THE SITE AND SURROUNDINGS

2.1 The application site comprises 17A Lessington Avenue, a two storey semi-detached dwellinghouse on the southern side of Lessington Avenue in Romford, within the Rush Green

and Crowlands ward. The property has an attached garage and hardstanding to the front providing off-street parking, and a long rear garden extending southwards.

2.2 The surrounding area is wholly residential and comprises inter-war and post-war suburban housing of a broadly consistent two storey form, laid out in pairs and short groups with generous rear gardens. The site is not within a conservation area, does not contain or adjoin a listed building, and is not subject to any landscape, flood risk or nature conservation designation. No Article 4 direction removing permitted development rights for extensions applies to the property.

2.3 The site is bounded on both sides by close-boarded timber fencing of approximately 1.8 metres in height. Ground levels are consistent across the plot and across both shared boundaries; there is no level difference between the application site and either adjoining property.

2.4 The dwelling to the west, No. 17 Lessington Avenue, has a garage positioned along the shared boundary. The dwelling to the east, No. 15A Lessington Avenue, has its own rear addition. Both adjoining properties retain long rear gardens, and single storey rear extensions of comparable form are an established and unremarkable feature of this part of Lessington Avenue.

2.5 The rear elevation of the dwelling, and the rear gardens of the application site and of both adjoining properties, have a southerly aspect. Those gardens therefore receive direct sunlight across the greater part of the day throughout the year.

3. THE DEVELOPMENT

3.1 The development for which permission is sought is a single storey rear extension, shown as built on drawing 501.03. It extends 6.60 metres beyond the original rear wall of the dwelling along its side adjoining No. 15A. The main part of the extension is 5.60 metres wide, and there is a further part to the rear of the applicant's garage measuring 2.65 metres wide and approximately 3 metres deep, its rear wall set back 1.35 metres from the rear elevation of the main part. The extension is a single structure beneath one continuous flat roof. The references in this Statement to a main part and to a further part are used only to distinguish the part of the extension corresponding to the scheme determined under Y0200.23 from the part added to it, and do not denote two separate additions. The further part accommodates a utility room and a ground floor shower room and WC.

Drawing	Title
501.01	Pre-existing plans and elevations, 1:100 and 1:200 @ A3
501.02	Approved plans and elevations (Y0200.23), 1:100 and 1:200 @ A3
501.03	Existing (as built) plans and elevations, 1:100 and 1:200 @ A3
Location plan	Site location plan, 1:1250, submitted with the application

3.2 The extension has a flat roof with an eaves height of 2.700 metres. A pitched glazed lantern is set centrally within the roof, and the maximum height, measured to the apex of that lantern, is 3.000 metres. Both figures correspond exactly to the eaves height and the maximum height determined under Y0200.23, and the approved scheme likewise incorporated a glazed rooflight rising above its eaves line.

3.3 The external walls are finished in smooth render in an off-white colour. The rear elevation is predominantly glazed, with anthracite aluminium bi-fold doors, and the roof is finished in a grey mineral-surfaced membrane with a dark grey fascia. The materials are of good quality and are appropriate to a modern single storey addition at the rear of a suburban dwelling, where they are seen only from within the application site and the immediately adjoining gardens.

3.4 The works commenced in late 2023, shortly after the determination of application Y0200.23, and were completed in November 2025.

3.5 All of the development lies within land in the applicant's ownership and control. No part of the extension is built on or over land in the ownership of any other person, and Certificate A is submitted with the application accordingly.

4. PLANNING HISTORY

4.1 The relevant planning history of the site is set out below.

Reference	Proposal	Decision
Y0156.23	Single storey rear extension with an overall depth of 5 metres, a maximum height of 3 metres and an eaves height of 2.70 metres (prior approval)	Prior approval refused, 20 July 2023
Y0200.23	Single storey rear extension with an overall depth of 6 metres, a maximum height of 3 metres and an eaves height of 2.70 metres (prior approval)	Prior approval not required, 13 September 2023

4.2 Application Y0156.23 sought a determination as to whether the prior approval of the Council was required for a single storey rear extension of 5 metres in depth. That application was refused on 20 July 2023. The refusal did not turn on any assessment of the impact of the extension on the amenity of adjoining occupiers. It arose because the extension as then proposed included an element which extended beyond a wall forming a side elevation of the original dwellinghouse, with the consequence that the proposal fell outside the limits of Class A and could not be determined under the prior approval procedure.

4.3 The Council's own published guidance, Permitted Development: Interpretation Issues - Single Storey Rear Extensions, explains this interpretation and confirms that any rear extension extending beyond a wall forming a side elevation of the original dwellinghouse must not exceed half the width of that dwellinghouse. The determination under Y0156.23 was therefore a question of the scope of permitted development, not a judgment that the extension was harmful.

4.4 A second application, Y0200.23, was submitted for a single storey rear extension of 6 metres in depth, 3 metres in maximum height and 2.70 metres to the eaves, without the element that had taken the earlier scheme outside Class A. On 13 September 2023 the Council determined that its prior approval was not required. No objection was received from any adjoining owner or occupier during the neighbour consultation period.

4.5 The significance of that determination is considerable. The Council has already accepted, through the statutory procedure established for precisely this purpose, that a single storey rear extension projecting 6 metres from the rear wall of this dwelling, standing 3 metres high, is acceptable in its effect on the amenity of the occupiers of the adjoining premises. That conclusion was reached on this site, in respect of this dwelling, and in relation to these neighbours.

4.6 It is not open to the Council to treat that determination as immaterial on the basis that it did not amount to a grant of planning permission. Under paragraph A.4 of Class A the sole matter for the Council's consideration was the impact of the proposed extension on the amenity of adjoining premises. In determining that its prior approval was not required, the Council did not identify any such impact requiring further consideration, and the extension of 6 metres in depth could lawfully have been constructed without any grant of planning permission. The determination is therefore a considered conclusion by the Council, reached on this site and in relation to these neighbours, that an extension of that depth would not harm the amenity of adjoining occupiers.

5. THE FALLBACK POSITION

5.1 The determination under Y0200.23 remains extant and capable of implementation. The larger home extension scheme was made permanent in May 2019, and the determination is not subject to any time limit for completion. The applicant is therefore entitled, without any further

permission from the Council, to construct a single storey rear extension at this property projecting 6 metres from the original rear wall, 3 metres in height and 2.70 metres to the eaves.

5.2 That entitlement constitutes a fallback position which is a material consideration of substantial weight. The Court of Appeal confirmed in Mansell v Tonbridge and Malling Borough Council [2017] EWCA Civ 1314 that a fallback carries weight where there is a real prospect of it being implemented, and that the assessment of that prospect is a matter of planning judgment. Here the prospect is not merely real but immediate: the extension exists, the applicant wishes to retain it, and if permission were refused the applicant would be able and willing to reduce it to the dimensions authorised by Y0200.23 rather than remove it altogether.

5.3 The proper comparison for the purposes of this application is therefore not between the extension as built and no extension at all. It is between the extension as built and the extension which the applicant may lawfully construct in any event. The table below sets out that comparison.

	Approved under Y0200.23	As built
Depth beyond the original rear wall	6.000 metres	6.600 metres
Width of the main element	5.600 metres	5.600 metres
Further part to the rear of the garage	None	2.650 metres wide, approximately 3 metres deep, set back 1.350 metres from the rear elevation
Height to the roof	2.700 metres (eaves)	2.700 metres
Maximum height (to the apex of the lantern)	3.000 metres	3.000 metres

5.4 The extension as built differs from that entitlement in two respects, which are of a different character and are addressed separately. First, it is 600 millimetres deeper, projecting 6.600 metres from the original rear wall rather than 6.000 metres. Its eaves height of 2.700 metres and its maximum height of 3.000 metres are identical to those determined under Y0200.23, and its width is unchanged. In respect of the main part, the additional depth is therefore the only respect in which the approved envelope has been exceeded.

5.5 Secondly, the extension incorporates a further part to the rear of the garage, 2.65 metres wide and set back 1.35 metres from the rear elevation, containing a utility room and a ground floor shower room and WC. That part did not form part of the scheme determined under Y0200.23, and it could not have been constructed under Class A, since it extends beyond a wall forming a side elevation of the original dwellinghouse. The applicant does not rely on the fallback position in respect of it. It falls to be assessed on its own planning merits, and is addressed at paragraphs 7.12 and 7.13 below.

5.6 It follows that the practical consequence of refusing permission would not be the removal of the extension. The applicant would remain entitled to retain an extension projecting 6.000 metres from the original rear wall at the same height and the same width as that built. What refusal would require is the demolition of 600 millimetres at the rear of the extension and the removal of the utility room and ground floor shower room and WC from the rear of the garage. The Council is invited to consider what planning purpose that outcome would serve, given that the resulting building would be materially indistinguishable, in its effect on the character of the area and on the living conditions of adjoining occupiers, from the extension as it stands.

6. PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the area comprises the London Borough of

Havering Local Plan 2016-2031, adopted in 2021, and the London Plan 2021. Policy D3 of the London Plan requires development to respond to local context in its form, scale and layout; for development of this scale it adds nothing of substance to the requirements of the Local Plan policies set out below.

Havering Local Plan 2016-2031

6.2 Policy 7 (Residential design and amenity) requires residential development to be of high design quality and provides that the Council will support development which does not result in unacceptable overlooking or loss of privacy or outlook, unacceptable loss of daylight and sunlight, or unacceptable levels of noise, vibration and disturbance. The test set by the policy is one of acceptability, not of the complete absence of effect.

6.3 Policy 26 (Urban design) requires development to be informed by, to respect and to complement the distinctive qualities, identity and character of the site and local area, to respond to distinctive local building forms and patterns of development, to respect the established scale and massing of the surrounding physical context, and to be built of high quality, durable materials which integrate well with surrounding buildings.

National Planning Policy Framework

6.4 The National Planning Policy Framework is a material consideration. It applies a presumption in favour of sustainable development, requires that decisions be taken in a positive and creative way, and provides that development which is not well designed should be refused.

Section 73A of the Town and Country Planning Act 1990

6.5 Section 73A expressly provides for planning permission to be granted for development already carried out. The application falls to be determined on its planning merits in exactly the same way as any other application. The fact that the development has been built is not itself a reason for refusal, and no adverse inference arises from the retrospective nature of the application.

7. ASSESSMENT

Principle of development

7.1 The development is a single storey rear extension to an existing dwellinghouse within a residential area. Extensions of this kind are an ordinary and expected form of development in suburban Havering, and the Council has already determined, under Y0200.23, that a single storey rear extension of substantial depth at this property is acceptable. The principle of the development is therefore established and is not in issue.

Comparison with the fallback position

7.2 The starting point for the assessment is that the applicant may lawfully construct an extension projecting 6 metres from the rear wall of the dwelling at a height of 3 metres. The question for the Council is not whether an extension of that scale is acceptable at this property, because the Council has already concluded that it is. The question, in respect of the main part, is whether the additional 600 millimetres of depth gives rise to any material additional harm. The further part is addressed separately at paragraphs 7.12 and 7.13.

7.3 It does not. An additional 600 millimetres of projection at the far end of an extension already projecting 6 metres represents an increase in depth of 10 per cent. At that distance from the original rear wall, and at a height of no more than 2.700 metres to the roof deck, the additional projection is negligible in its effect on the outlook, daylight or sunlight enjoyed by either adjoining occupier. Moreover, the full depth of 6.600 metres occurs only along the side of the extension adjoining No. 15A. To the extent that the depth guidance in the Residential Extensions and Alterations SPD is exceeded, the exceedance is attributable almost entirely to a depth which the Council has already accepted under Y0200.23.

7.4 On height the extension as built is identical to that approved. Its eaves height is 2.700 metres and its maximum height, to the apex of the lantern, is 3.000 metres, in each case exactly as determined under Y0200.23. No question of additional impact arises on height.

Design, scale and appearance

7.5 The extension is single storey, subordinate to the host dwelling, and sits well below the eaves of the original building. It is confined to the rear of the property and is not visible from Lessington Avenue or from any other public vantage point. Its flat roof, simple rectangular form and predominantly glazed rear elevation are characteristic of contemporary single storey rear extensions and are found widely in the surrounding area, including on both adjoining plots.

7.6 The render finish, anthracite glazing and dark grey fascia are of good quality, are consistently applied, and sit comfortably against the host dwelling. The centrally positioned lantern is a modest glazed element, set well inboard of both flank walls, which relieves the roof and improves the daylighting of the accommodation beneath. The development accordingly accords with Policy 26 and with the design provisions of Policy 7.

Compliance with Policy 26

7.7 The development's compliance with the individual criteria of Policy 26 is set out below. A number of the criteria are directed at larger schemes and at development seen from the public realm, and have no application to a single storey rear extension which is not visible from any public vantage point.

Policy 26 criterion	Response
i. Informed by, respects and complements the distinctive qualities, identity, character and geographical features of the site and local area	The extension is single storey, subordinate to the host dwelling and confined to the rear. It reflects the established pattern of single storey rear extensions on this side of Lessington Avenue, including on both adjoining plots. The site is level and no landform or natural feature is affected.
ii. Of a high architectural quality and design	Simple rectangular form beneath a single flat roof, with a generously glazed rear elevation and a centrally placed lantern.
iii. Provides creative, site specific design solutions	The depth is set by the length of the rear garden, the width by the position of the existing garage and flank wall, and the utility and WC are placed to the rear of the garage where there is no outlook to lose.
iv. Respects, reinforces and complements the local streetscene	The extension is at the rear and is not visible from Lessington Avenue. The streetscene is unaffected.
v. Provides active streets, good sight lines and natural surveillance	Not applicable to a rear extension with no frontage to the highway.
vi. Designed in accordance with the principles of Secured by Design	Not applicable to a householder rear extension.
vii. Responds to distinctive local building forms and patterns of development and respects the established scale, massing and rhythm of the surrounding context	Single storey and well below the eaves of the host dwelling. The rear building line corresponds to the depth already accepted by the Council under Y0200.23 and to the depth of rear additions on the adjoining plots.
viii. Fully integrates with neighbouring developments and existing circulation networks	Not applicable to a householder rear extension.
ix. Provides well-defined public realm with defensible private spaces	The rear garden remains wholly private and enclosed, with the existing boundary fencing retained to both sides.
x. Built of high quality, durable, robust, low maintenance materials that integrate well with surrounding buildings	Smooth render in an off-white finish, anthracite aluminium bi-fold doors and window, grey mineral-surfaced flat roof membrane and dark grey fascia.
xi. Provides a high standard of inclusive access	The extension provides a ground floor shower room and WC, which improves the accessibility of the dwelling.

xii. Demonstrates adequate ongoing maintenance and management arrangements	The extension forms part of a private dwellinghouse and is maintained by the householder.
xiii. Makes use of design competitions or other creative processes	Not applicable to a householder rear extension.

Impact on the living conditions of neighbouring occupiers

7.8 The relationship with No. 17 Lessington Avenue is buffered by the garage on the shared boundary. The garage at No. 17 extends along the full length of that boundary adjacent to the extension, so that the extension at 17A is separated from the habitable accommodation and garden of that property by an existing single storey structure. No material effect on the living conditions of the occupiers of No. 17 arises.

7.9 No. 15A retains a long rear garden which extends well beyond the depth of the extension, and its own rear addition, of approximately 1.9 metres in depth, adjoins the shared boundary, so that the extension projects only approximately 4.7 metres beyond it (which is only 70cm beyond the rear projection advised in effect by the SPD) , and the great majority of the usable garden area remains entirely unaffected. The southerly aspect of that garden means that it receives direct sunlight across the greater part of the day, and a single storey structure of 2.700 metres standing against a boundary already enclosed by fencing of approximately 1.8 metres does not materially alter the light it enjoys.

7.10 There is no window or other opening in either flank elevation of the extension. No window, door or other opening affords any view towards No. 17 or No. 15A Lessington Avenue. All of the glazing serving the extension faces the applicant's own rear garden, comprising the bi-fold doors and window in the rear elevation and the lantern in the roof. The development accordingly results in no overlooking of, and no loss of privacy to, either adjoining property.

7.11 No objection was raised by any neighbouring occupier when the Council consulted on the 6 metre extension under Y0200.23, and no complaint has been made by any neighbouring occupier since the extension was built. The occupier of No. 15A Lessington Avenue has confirmed support for the application in a letter which is submitted with the application. The development gives rise to no unacceptable overlooking, loss of privacy or outlook, no unacceptable loss of daylight or sunlight, and no noise or disturbance beyond that ordinarily associated with the residential use of the dwelling. It therefore accords with Policy 7.

The further part to the rear of the garage

7.12 The further part of the extension to the rear of the garage falls to be assessed on its own merits, since it did not form part of the scheme determined under Y0200.23. It accommodates a utility room and a ground floor shower room and WC. It stands at the same height as the remainder of the extension, beneath the same continuous flat roof, and is positioned directly to the rear of the applicant's own garage.

7.13 That part of the extension occupies a position which is already enclosed to the front by the applicant's own garage and to the side by the garage at No. 17 on the far side of the shared boundary. It is not visible from any public vantage point, it introduces no opening facing any neighbouring property, and it is read as part of the same simple single storey form as the rest of the extension. Its effect on the character of the area and on the living conditions of adjoining occupiers is negligible.

Amenity space and garden land

7.14 The rear garden of the application property is long and the extension occupies only a small proportion of it. A substantial, usable and well-proportioned area of private amenity space is retained, comfortably in excess of what would be expected for a dwelling of this size, and the extension does not result in any over-development of the plot.

The retrospective nature of the application

7.15 Section 73A of the 1990 Act expressly provides for planning permission to be granted for development already carried out. The application falls to be determined on its planning merits,

and the applicant has come forward voluntarily to regularise the position. No weight adverse to the application arises from the fact that the extension has been built.

8. PLANNING CONDITIONS

8.1 The development is complete and no conditions are necessary to control its construction. Should the Council consider a condition appropriate, the applicant would accept a condition requiring the development to be retained in accordance with the approved drawings.

9. CONCLUSION

9.1 The Council has already determined, under Y0200.23, that a single storey rear extension projecting 6 metres from the rear wall of this dwelling at a height of 3 metres does not require its prior approval. That determination remains extant and the applicant may implement it. It represents a fallback of real and immediate substance, and it establishes that an extension of substantially this scale at this property is acceptable in its effect on the amenity of adjoining occupiers.

9.2 The extension as built differs from that fallback in two respects. It is 600 millimetres deeper, its eaves height and maximum height being identical to those approved and its width unchanged. And it incorporates a further part to the rear of the garage containing a utility room and a ground floor shower room and WC, which is not defended by reference to the fallback and which has been assessed on its own merits. Neither gives rise to any material additional effect on the character and appearance of the area or on the living conditions of the occupiers of either adjoining property.

9.3 The development is subordinate to the host dwelling, is confined to the rear of the property, is not visible from any public vantage point, is built of good quality materials, retains a generous area of private amenity space, and has attracted no objection from any neighbouring occupier, the occupier of No. 15A having confirmed support in writing. It accords with Policies 7 and 26 of the Havering Local Plan 2016-2031 and with the National Planning Policy Framework.

9.4 The additional depth is a marginal increment over a baseline the Council has already accepted, and the further part sits to the rear of the applicant's garage and alongside the garage at No. 17, and affects no one. There is no planning purpose that would be served by requiring their removal. RPE respectfully invites the Council to grant planning permission.