



Appeal Decision

Site visit made on 19 April 2017

by Peter D Biggers BSc Hons MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 May 2017

Appeal Ref: APP/B5480/D/16/3167732

40 Lodge Lane, Collier Row, Romford, Essex RM5 2EJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Jeffery Cunningham against the decision of the London Borough of Havering Council.
 - The application Ref P1343.16, dated 10 August 2016, was refused by notice dated 28 October 2016.
 - The development proposed is loft conversion, dormers front and rear elevations, single storey rear extension and removal of existing conservatory.
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Decision

1. The appeal is dismissed insofar as it relates to the loft conversion and front and rear dormers.
 2. The appeal is allowed insofar as it relates to the single storey rear extension and removal of existing conservatory. Planning permission is granted for the single storey rear extension at 40 Lodge Lane, Collier Row, Romford, Essex RM5 2EJ in accordance with the terms of the application, Ref P1343.16, dated 10 August 2016 and the plans submitted with it, 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 following approved plans so far as relevant to that part of the development hereby permitted: 1444/SK/1; 1444/1; 1444/2.
 - 3) No development shall commence until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples.
 - 4) 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 constructed on the south and north facing elevations of the rear extension hereby permitted.
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Main issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the property and surroundings of Lodge Lane.

Reasons

4. Lodge Lane is a mix of semi-detached and detached, single storey and two storey housing built in brick, tile and render. The housing in the immediate vicinity of the appeal site is mainly comprised of dwellings originally built as single storey some of which have had loft conversions carried out or houses built in a dormer bungalow design. Where dormer windows have been inserted as part of a loft conversion they are, in the main, built to a flat roof design.
5. I have been referred to these examples of dormer extensions in Lodge Lane which the appellant considers justify allowing the appeal. Whilst it is true that there are a number of box dormers on the east side of Lodge Lane it is not the overriding characteristic. There are 14 dwellings on the east side of the road built in the same style as No 40, namely Nos 6-16 and 30 to 44 of which only 4 have large flat roofed box dormers and 2 have small dormer windows. The neighbouring attached dwelling to No 40 is one of those with a small, flat-roofed dormer. These dormer extensions are neither a uniform feature nor are they necessarily examples of good design and so do not provide examples which should inevitably be followed in this case. As such I have determined this appeal on its own merits.
6. The National Planning Policy Framework (the Framework) seeks a high standard of design in all development and requires development to take the opportunities available to improve the character and quality of an area. Policy DC61 of the *Havering LDF Core Strategy and Development Control Policies* (CSDCP) in seeking to ensure development maintains, enhances or improves the character and appearance of the local area is consistent with the Framework. To help control extensions and alterations the Council has also published the *Residential Extensions & Alterations Supplementary Planning Document* (SPD) to ensure such development is appropriately designed.
7. The SPD advises that dormers should normally be located to the rear of the property and should be contained well within the body of the roof, set well back from the eaves and down from the ridge line with the sides set well in from the gable or party walls.
8. In this case the scale, mass and form of the proposed dormers would fail to meet these guidelines and, particularly in respect of the front dormers, would be overly large and dominant covering a significant proportion of the roof. Given that the proposal would be sited on a semi-detached property where the neighbour at No 38 has only a small, neat dormer, the proposed front dormer would unbalance the roofscape of the two properties. It would appear top-heavy, out of scale and obtrusive in views along Lodge Lane particularly from the north where both front and rear dormers would be visible. As such it would have an adverse impact on the character and appearance of this part of Lodge Lane contrary to CSDCP policy DC61 and the Framework as well as the SPD guidelines.
9. I have considered whether I could split the decision and only allow the rear dormer. However as the two dormers are functionally and physically linked this would not be possible.

10. I acknowledge that the appellant has opted for a pitched roof form of dormer in order to reduce the maintenance obligations on the roof and in his opinion to better match with the surroundings. Whilst a pitched roof design would be supported by the SPD, it is the scale, height and width of the double pitched dormer that would be problematic and over-dominant on the front roof slope.
11. Regarding the proposals for the rear single storey extension, there would be no significant adverse effect on the character and appearance of the property or on Lodge Lane. Indeed the low, flat roof, contemporary form of the extension would sit well in the context of the existing semi-detached property and would be an improvement on the existing conservatory extension. Although the extension would project out beyond the rear of No 38, because it would be on the north side of its neighbour there would be no issue with loss of light and provided no windows are inserted in the side elevations, which could be conditioned, there would be no impact on privacy.
12. The proposed ground floor rear extension is clearly severable both physically and functionally from the loft conversion works. I will, therefore, issue a split decision allowing the appeal insofar as it relates to the rear extension but dismissing it in relation to the loft conversion and front and rear dormers.

Other Matters

13. I understand that the appellant is seeking to make sustainable and effective use of an existing home, an objective which is encouraged by the Framework. However I am not persuaded that this social benefit outweighs the harm to the character and appearance of the property and its surroundings that would be caused if I were to allow the dormer extensions.

Conditions and Conclusion

14. I have considered the conditions suggested by the Council against the advice in the *Planning Practice Guidance* and for their clarity. A condition requiring development to be carried out in accordance with the submitted plans is necessary as this provides certainty that the development would be carried out in the form proposed. A condition requiring submission of samples of materials to be used on the external surfaces of the building should also be imposed to protect the character and appearance of the dwelling and of the surroundings to the development. In order to protect the present and future occupants of the neighbouring properties from loss of privacy, a condition removing permitted development rights in respect of inserting additional windows in the south and north facing sides of the rear extension is necessary. Although the Council has proposed a condition to restrict the use of the flat roof of the rear extension as a terrace or balcony I do not consider this is necessary as the proposed loft conversion and dormers that would facilitate such a use are not permitted by this decision.
15. For the reasons given above, I conclude that the appeal should be dismissed in relation to the loft conversion and front and rear dormer extensions. However, in relation to the single storey rear extension, the appeal should succeed and planning permission is granted.

P. D. Biggers

INSPECTOR