



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/17/3168784

39 Links Avenue, Romford RM2 6NB

- 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 Dovetail Architects against the decision of the London Borough of Havering Council.
 - The application Ref P0366.16, dated 3 March 2016, was refused by notice dated 22 November 2016.
 - The development proposed is demolition of existing garage and outbuildings and construction of double storey side and rear extension, garage with first floor accommodation, internal alterations, new roof and external works. (As previously approved) Variation of hipped garage roof to hipped roof overhang with supporting brackets.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing garage and outbuildings and construction of double storey side and rear extension, garage with first floor accommodation, internal alterations, new roof and external works. (As previously approved) Variation of hipped garage roof to hipped roof overhang with supporting brackets at 39 Links Avenue, Romford RM2 6NB in accordance with the terms of the application, Ref P0366.16, dated 3 March 2016, and the plans and documents submitted with it, subject to the conditions at Schedule A.

Preliminary Matters

2. The works the subject of this application have largely been completed under an earlier planning permission ref P0150.15. However the appellant has constructed the roof to the first floor accommodation over the garage with a gable end rather than the hip roof originally permitted. The amended application, the subject of this appeal, sought retrospective permission for a slightly amended detail to the roof. Other elements of the amended application are as previously permitted except that it was evident on the site visit that the detail of the fenestration on the rear elevation of the garage extension was not as permitted, with large patio doors substituted for the conventional windows and doors originally permitted.

Main Issues

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 Links Avenue and the Gidea Park Special Character Area.

Reasons

4. Links Avenue, where the appeal site is located, is mainly comprised of large, detached 2 storey houses in brick, render and tile. The houses in the avenue are,
-

in the main, individually designed and, although hipped roofs predominate, the effect of the different designs to the houses produces an eclectic mix and variety in the street scene including examples of differing roof forms. The curving form of the avenue with its street trees makes for an attractive street scene which has been identified as part of the Gidea Park Special Character Area.

5. 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 *Haverling 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. Specifically in respect of development in the Areas of Special Townscape Character, policy DC69 requires development to maintain or enhance the special character of Gidea Park. 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.
6. The original form of the main roof at No 39 Links Avenue was a fully hipped roof. However the plans for the extensions and alterations originally permitted (ref P0150.15) revised both the roof form of the main house and introduced the garage offshoot where both have a substantial central flat roofed section. With respect to the garage offshoot, the effect of both the permitted scheme and the appeal scheme would be to create a roof form similar to a mansard which, because the roof is relatively low, is highly visible in the street scene.
7. It is this roof form with a large flat central portion and steep pitches, already permitted, that adds the height, bulk and mass to the garage roof particularly in views along the Avenue from the south. I accept that the original plan proposed to hip the south facing elevation but the angle of pitch to the east and west facing roofs and the flat roof in the scheme already approved by the Council make the roof prominent and obtrusive. Because of this, when viewed from the south and south east on the Avenue, I am not persuaded that the appeal scheme, as now proposed, would have any materially greater impact than the permitted scheme.
8. The proposal to construct a steep hip on gallows brackets would be a slight improvement visually over the gable end that is currently constructed on site. I have been invited to conclude that these features are alien to the character of the Avenue. However from my observations in the area, a number of examples exist in the vicinity of gable ends to boundaries and upper roofs supported on gallows brackets. As stated above, the character of the area is one in which houses have been built to individual designs and I am therefore not persuaded that the design is as visually intrusive as the Council suggests. Although the SPD guidance in section 4 stresses the importance of a roof form fitting into the surroundings this is of most importance where there is a uniformity and rhythm to the roofs of the houses in the street and this is not the case with Links Avenue.
9. It has been put to me that because No 39 is on a bend in the road it is prominent in the streetscene. However, for the reasons above, I am satisfied that the impact of the garage roof as now proposed on the character and appearance of both the dwelling and its setting would not be materially more intrusive than the approved scheme. As such it would at least maintain the character and appearance of the Special Character Area even if it does not enhance it. It should be noted that the test in CSDCP policy DC69 only seeks to maintain **or** enhance.
10. Accordingly, the appeal proposal would not adversely impact on the character and

appearance of the host dwelling or the Gidea Park Special Character Area to the extent that it would be in conflict with either the Framework or CSDCP policies DC61 and DC69 or with the guidance in the SPD.

Conditions and Conclusions

11. 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. As the fenestration to the rear of the property has not been built according to the submitted plans a further condition is necessary requiring amended details to be submitted. Although the Council proposed a condition requiring submission of samples of materials, because the works are now substantially complete, apart from amending the roof to the garage, such a condition would not be appropriate. Instead I will impose a condition requiring matching materials to be used on the external surfaces of the building to ensure the roof to be altered respects the character and appearance of the dwelling and of the surroundings to the development.
12. In order to protect the present and future occupants of the neighbouring properties from loss of privacy, conditions removing permitted development rights in respect of inserting additional windows in the north and south facing elevations and restricting the use of the flat roofs as roof terraces are necessary. The Council proposed a condition requiring obscure glazing to the north-east facing window but as there are no opposing windows in the facing elevation of No 41 and the window serves a bathroom, which would be likely to be obscure glazed anyway, I see no reason to impose a further condition.
13. Finally as the house is large with only limited parking and manoeuvring space to the front and to avoid on street parking impacting on highway safety it is necessary to attach a condition retaining the garaging for parking vehicles.
14. I have considered the matters before me and, for the reasons given above, I conclude that the appeal should be allowed and permission granted subject to conditions.

P. D. Biggers

INSPECTOR

Schedule A

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: 3219_PL51; 3219_PL52; 3219_PL53; 3219_PL54; 3219_PL55; 3219_PL56; 3219_PL57; 3219_PL58; 3219_PL59; 3219_PL70.
- 3) Notwithstanding condition 2 details of the fenestration as built on the west facing elevation shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

- 4) 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.
- 5) 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 in the north and south facing elevations hereby permitted.
- 6) The flat roof areas of the extended house hereby permitted shall not be used as balconies, roof terraces or similar amenity areas without the grant of further specific permission from the local planning authority.
- 7) The garages hereby permitted shall be kept available at all times for the parking of motor vehicles by the occupants of the dwelling and their visitors and for no other purpose.