

Appeal Decision

Site visit made on 19 June 2017

by Clive Tokley MRTPI

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

Decision date: 26 June 2017

Appeal Ref: APP/B5480/D/17/3171475
152 Moor Lane, Upminster, RM14 1ET.

- 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 Darren Rodriguez against the decision of the Council of the London Borough of Havering.
 - The application Ref P1745.16 dated 28 October 2016 was refused by notice dated 21 December 2016.
 - The development proposed is front dormers to existing loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for front dormers to existing loft conversion at 152 Moor Lane, Upminster, RM14 1ET. The permission is in accordance with the terms of the application Ref P1745.16 dated 28 October 2016 subject to the following condition.
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 1443/16/1.

Main Issue

2. The development the subject of the appeal has been completed. The main issue is the effect of the front dormers on the character and appearance of the area.

Reasons

3. The east side of Moor Lane as it rises from Nightingale Avenue to Heron Way is fronted by eleven pairs of semi detached dwellings including the appeal property. As originally built the houses would have all had hipped roofs; however I saw that at the appeal property and at No 148 the hipped roofs had been converted to gables and that rear dormers had been added. Within this group I noted other alterations at roof level at Nos 122 and 132 and at No 154 (attached to No 152) which has been enlarged by a two-storey hipped-roof side extension. Within the group only the appeal property has front dormers.
 4. The planning history indicates that the hip to gable conversion and rear dormer at the appeal property was "permitted development" and this is acknowledged in the Officer report. However the first reason for refusal refers to the height bulk and mass of a proposed loft conversion and the second reason refers to the effect of "the proposed dormer" (singular) on the character of the dwelling and the visually amenity of the area and the "rear garden environment". The officer
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report indicates that in determining the application for the appeal proposal account was taken of the pre-existing loft conversion; however that development is lawful and my determination of this appeal relates only to the front dormers in the context of that lawful development.

5. The Council's *Residential Extensions and Alterations Supplementary Planning Document* (the SPD) adopted in 2011 includes guidance for the provision of dormer windows. The SPD discourages dormer windows in front elevations; however it sets out detailed advice to be followed where, in principle, front dormers may be acceptable.
6. The dormers are set high in the roof; however they are well above the front eaves and are inset from the flank wall. In my view are well-contained within the body of the roof. The materials used for the vertical surfaces and roof of the dormers match those of the gable wall and rear dormer. I consider that the two small dormers are not excessively bulky or dominant and are not out of scale with host dwelling. Being at the front they would not be seen from rear gardens and they would have no effect on the rear garden environment. There is merit in aligning dormers to elements of the dwelling below the eaves line; however that approach would result in the dormers being more widely spaced and I consider that this aspect of the design of the proposal does not result in harm sufficient to justify the refusal of permission.
7. As a result of the side extension at No 154 and the hip to gable conversion of No 152 the dwellings no longer possess their original symmetry. In this context I consider that the dormers do not unacceptably upset the visual balance of the pair. Nos 152 and 154 are at the junction with Heron Way beyond which there is more variety in the house types. They are positioned forward of the row of semi-detached pairs to the south and the extensions and alterations already carried out distinguish them from the regularity of the other houses in the group. In this context I consider that the dormer windows do not detract from the character and appearance of the street.
8. The appellant draws my attention to examples of front dormers on two-storey dwellings in the area but I have determined this appeal on its own merits and none of those examples has influenced my decision. The Council indicates concern that the grant of permission would set a precedent for other dormers elsewhere but my decision is based on the specific circumstances of this proposal.
9. As the development has already been completed I have imposed only one condition that identifies the approved drawing.

Conclusion

10. Taking account of all matters I have concluded that the proposed front dormers do not harm the character or appearance of the area and would not conflict with Policy DC61 of the Council's *Core Strategy and Development Control Policies Development Plan Document* 2008. I conclude that the appeal should succeed.

Clive Tokley

INSPECTOR