

Appeal Decision

Site visit made on 13 August 2019

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 September 2019

Appeal Ref: APP/B5480/D/19/3231657

19 Lime Avenue, Upminster, Essex RM14 2HY

- 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 & Mrs McKelvey against the decision of the Council of the London Borough of Havering.
 - The application Ref P0508.19, dated 28 March 2019, was refused by notice dated 4 June 2019.
 - The development proposed is loft conversion including hip to gable extension and including front dormers.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and street scene.

Reasons

3. The appeal property is a semi-detached bungalow in a residential road of similar bungalows on the same side of Lime Avenue and two storey dwellings on the opposite side.
 4. Policy DC61 of the Council's Core Strategy and Development Control Policies document (the Core Strategy), concerns urban design and states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Policy 7.4 of The London Plan similarly requires development to be of high quality and to respect local character. These policies are consistent with the National Planning Policy Framework (the Framework), particularly section 12 concerning well-designed places.
 5. The Council's *Residential Alterations and Extensions* Supplementary Planning Document (SPD) provides detailed guidance in support of development plan policies. With regard to the type of extension proposed in this case it says that roof extensions and alterations can change the appearance and character of the dwelling, particularly when alterations are made to the front elevation.
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Proposals to convert a hipped roof to a gable end roof to one house on a pair of semi-detached dwellings can result in unbalancing the pair. Where the Council has control over such proposals and hipped roofs form a characteristic of the house and/or street, a gable end will not be considered acceptable¹. With regard to dormer windows it says that these should normally be located facing the rear garden so they are not visible from the street and do not harm the appearance or character of the original house².

6. The existing dwelling is a relatively modestly-sized bungalow with a simple unaltered hipped roof form. In this regard, it is of similar scale, design and appearance to the bungalows alongside it on this side of Lime Avenue. As such, this part of the street scene is highly uniform in character and appearance
7. To the front the proposal involves changing the hipped roof form to a gable end with a pair of dormers and a larger single dormer to the rear. The effect of the extended roof profile would materially alter the simple original roof form. The change in character and appearance would be particularly apparent in contrast to the adjoining unaltered bungalow and those alongside it. In particular, it would have an unbalancing effect seen together with the unaltered, original built form of its adjoining neighbouring dwelling. While the front dormers would be proportionate in scale to the extended roof slope, their prominence compared to the predominantly unaltered and uniform roofs in the street would be incongruous and uncharacteristic.
8. The proposed changes to the front of No 19 would be highly prominent seen from the public realm and from dwellings opposite, for where they would have an incongruous appearance by contrast to the characteristic unaltered form of the neighbouring dwellings.
9. The appellants refer to an existing dormer at No 5 Lime Avenue, a bungalow on the same side of the road as the appeal property. While I acknowledge this existing altered roof form, I consider that it has the unbalancing, harmful effects that I have found would result from the appeal proposal. As such, this should not be seen as a positive precedent for further similar development. The other examples of extensions referred to are in neighbouring roads and do not, therefore, form part of the same largely unaltered street scene that the appeal property is located in.
10. Accordingly, for the above reasons, I conclude that the proposed development would have an unacceptably harmful effect on the character and appearance of the host dwelling and street scene. As such, it is contrary to the development plan policies and the SPD referred to above.

Other Matters

11. The appellants refer to the fact that elements of the overall proposal could be undertaken utilising permitted development rights. While I accept this, I am required to consider the proposal before me as a whole. In this regard, it is not clear that permission would be granted subsequently for the front dormers as the appellants assert, particularly given the uniformity of the existing street

¹ Paragraph 8.1.

² Paragraph 8.2.

scene. Consequently, I do not consider that this argument amounts to a credible fallback position to which substantive weight can be given.

12. I acknowledge that the appellants may be frustrated with the process involved in pursuing this proposal and the manner in which they consider it was handled. However, this matter is outside the scope of this appeal.

13. I acknowledge that the proposed extensions are intended to create additional living space. However, these personal circumstances do not overcome the harm and policy conflict that I have found would result from the proposal. I acknowledge also that there were no objections to the proposal. However, given the permanent nature of the changes proposed, this does not outweigh that harm that would result from views of the extended dwelling from the public realm.

14. The appellants contend in support of the appeal that the proposal should be considered in the context of the presumption in favour of sustainable development included in the Framework. While I have had regard to this contention, in accordance with paragraph 11 of the Framework the presumption applies where development accords with the development plan or where there are no relevant policies or relevant policies are out-of-date, none of which applies in this case for the reasons given above. Accordingly, I give this matter limited weight and it does not alter my overall conclusion.

Conclusion

15. Therefore, for the reasons given above and having regard to all other matters raised, it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR