



Appeal Decision

Site visit made on 7 July 2020 by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2020

Appeal Ref: APP/B5480/D/20/3247032

20 Fairholme Gardens, Upminster RM14 1HJ

- 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 Tony Emmanuel against the decision of the Council of the London Borough of Havering.
 - The application Ref P0571.19, dated 6 April 2019, was refused by notice dated 22 November 2019.
 - The development proposed is a hip to gable loft conversion, rear flat roof dormer and front pitched roof dormers.
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Decision

1. The appeal is allowed and planning permission is granted for a hip to gable loft conversion, rear flat roof dormer and front pitched roof dormers at 20 Fairholme Gardens, Upminster RM14 1HJ in accordance with the terms of the application, Ref P0571.19, dated 6 April 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 205/19/001, 205/19/002.
 - 3) The materials to be used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the existing building.
 - 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 windows, other than those expressly authorised by this permission, shall be constructed on the side elevation of the building.
 - 5) The proposed development hereby permitted shall not be occupied until the first-floor window on the side elevation has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The description of the development proposed has been taken from the appeal form rather than the application form, as it provides a more accurate description of the proposal shown on the submitted plans.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area.

Reasons for the Recommendation

5. The appeal property is a semi-detached dwelling with a small rear dormer providing some first-floor accommodation. The property also has a single storey extension to the front and a shallow rear/side extension. The appeal site is located in a residential setting with a variety of styles of properties, including bungalows, chalet style bungalows and two storey properties. Many of these properties have undergone roof extensions with a number of dormer windows visible in the streetscene. The proposal would alter the existing hipped roof to a gable roof form with a box dormer to the rear and two pitched roof dormers on the front elevation.
6. The proposed roof form and dormers would result in a dwelling which would not be symmetrical with the attached neighbouring property, No.22 Fairholme Gardens. However, due to the existing front extension on the appeal property, it does not match the attached neighbour and therefore the two dwellings are not currently symmetrical. Although the proposed development would further differentiate these two properties, the changes would not significantly disrupt any perceived existing symmetry between the two attached dwellings.
7. It was noted during the site visit that there are some other dwellings on Fairholme Gardens which have loft extensions, including a gabled roof form and front dormers. These therefore form a constituent part of the character of the surrounding area. These include Nos.15, 23 and 35 which are all semi-detached properties. Therefore, although hipped roofs appear to be the original and prevalent roof form for semi-detached dwellings in this area, the proposed gable roof would not be out of keeping with other dwellings within the streetscene or an incongruous feature.
8. The Council's Residential Extensions and Alterations SPD (2011) states that proposals to convert a hipped roof to a gable end roof to one house on a pair of semi-detached dwellings will not be considered acceptable. Nonetheless, whilst useful, the guidelines are just that and, in this instance, the lack of existing symmetry and other examples within the streetscene, would outweigh this guidance.
9. The Council's first reason for refusal indicates that the proposed front dormer windows would appear out of scale and character with the dwelling. However, the Council's report highlights that although the front dormers are large in size,

they are consistent with others in the surrounding area and therefore would not have a detrimental impact upon the streetscene. I am in agreement with this conclusion.

10. The proposed rear dormer is large in size and would occupy the majority of the existing roof form. However, the rear dormer would be located below the ridge line of the original dwelling and would be slightly set back from the eaves and sides of the existing roof, which would reduce its visual impact upon the rear of the property and prevent it from appearing as a full second storey. Due to the proposed gable roof form, the rear dormer would also have limited visibility from the public realm and would not have a detrimental impact upon the streetscene.
11. For the reasons above I consider that the proposed development would not be harmful to the character and appearance of the host dwelling or the surrounding area. Therefore it would not be in conflict with Policy DC61 of the London Borough of Havering LDF Core Strategy and Development Control Policies Development Plan Document (2008) which requires development to maintain, enhance or improve the character and appearance of the local area. The proposed development would also not be in conflict with the design objectives of the National Planning Policy Framework.

Conditions

12. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty. A condition requiring the use of materials matching that of the existing building is also necessary to ensure an appropriate appearance for the development.
13. A condition has also been included, which was requested by the Council, to ensure that no further windows are formed in the flank elevation of the dwelling without prior permission. This is deemed necessary to ensure there is no loss of privacy for the occupiers of the neighbouring property. For the same reason, a condition has also been included to ensure that the proposed first-floor window on the side elevation is obscurely glazed.

Conclusions and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is allowed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR