
Appeal Decision

Site visit made on 29 September 2020

by K Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2020

Appeal Ref: APP/B5480/D/20/3247405
56 Sycamore Avenue, Upminster RM14 2HS

- 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 Gilbey against the decision of the Council of the London Borough of Havering.
 - The application Ref P1051.19, dated 8 July 2019, was refused by notice dated 24 December 2019.
 - The development proposed is 'two storey side extension along with loft conversion, all materials to match existing finishes.'
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension along with loft conversion, all materials to match existing finishes, at 56 Sycamore Avenue, Upminster RM14 2HS, in accordance with the terms of application Ref P1051.19, dated 8 July 2019, and 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: 2001/01 (Existing Layout & Site Location Plan); 2001/02 (Existing Elevations); 2001/03.1 (Proposed Layout, Block Plan & Site Locations Plan); 2001/04.1 (Proposed Elevations).
 - 3) 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.

Preliminary Matter

2. The Council's Officer Report includes two sections titled 'Design/Impact On Street/Garden Scene' and two titled 'Impact on Amenity'. I take this to be an error as the first of each refers to a property at the junction with Gaynes Park Road, which is not the appeal site. Accordingly, I have based my considerations on the second section in each matter.

Main Issue

3. The effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is a semi-detached dwelling forming a pair with No 54, which have distinctive mock Tudor woodwork to the front gables above ground floor bay windows. A single storey garage sits to the side and joins the dwelling to No 58, which has a side extension above its garage on the common boundary. A number of side extensions exist to other properties in the street.
5. The proposed side extension would infill the space above the garage, with a hipped roof concealing for the most part a gable wall which would be created above the existing side elevation to facilitate the proposed rear dormer. A small flat roofed section would be created behind a front parapet.
6. The Residential Extensions and Alterations Supplementary Planning Document (Adopted 2011) (the SPD) sets out that the symmetry of semi-detached houses and the spacing between pairs are important considerations for side extensions along with the extensions being subordinate in scale to prevent unbalancing the pair, and maintaining the characteristic gap between pairs, which the Council highlights as an important feature of the street which allows open sky and greenery to the rear to be seen. The SPD adds that two storey side extensions should be set back at least one metre from the front wall of the dwelling at first floor level, to create a break in the roofline and facade, and avoid a terracing effect.
7. The extension would be recessed at first floor level in a similar vein to No 58 next door, which would provide articulation and a more recessive scale and presence to the first floor level that would enable the front gable to remain the most prominent and characteristic feature of the dwelling. The inclusion of the hipped roof above would ensure a separation from the roof of No 58 in line with the guidance of the SPD. Along with the overall difference in design between Nos 56 and 58, this articulation and roof form would ensure a harmful terracing effect would not occur. Contrary to the Council, I saw the gaps between the dwellings to be quite small and offer only limited glimpses through to the rear, with the ground floor garages and existing first floor extensions conversely providing a sense of continuous development along the street, within which context the proposed side extension would not appear discordant. The side gable would also match that at No 54, but the inclusion of the hipped roof above the side extension would provide a degree of continuity with the prevailing roof form in the area.
8. The small flat roofed section would be an anomaly within the street; however, the front elevations of neighbouring dwellings feature much architectural detailing, including bay windows, brick quoins, woodwork, dormer windows and porches. The parapet would also sit at a transition in design between the mock Tudor style of Nos 46-56 and the red brick and render style of Nos 58-74. In this context, the parapet roof would be a minor feature which would not draw the eye over and above the detailed front elevations along the street.
9. At the rear, the only rear dormer is that to No 56 next door, which the Council indicates was constructed under permitted development (PD) rights. The appellant argues that the proposed dormer would also fall within the parameters of PD. However, I do not have evidence which substantiates this claim, such as a lawful development certificate, and given there are other works proposed which would physically adjoin the dormer, I cannot be certain

that it could be constructed under permitted development as a fall-back to the appeal scheme.

10. The SPD warns that 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, and advises that dormer windows 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 house. In this case, the proposed dormer would create symmetry within the pair at roof level given the presence of the existing dormer next door, in line with the SPD guidance.
11. Moreover, the hipped roof to the side extension would screen the massing of the dormer in views from the street, and its scale at the rear would not appear excessive given it would be set back from the rearmost building line of the ground floor extension and would face onto large rear gardens. The significant amount of foliage to the boundaries of properties in the terrace would also filter longer views of the dormer from other rear gardens, limiting its impact on the wider townscape.
12. For these reasons, I conclude that the proposals would not harm the character and appearance of the area, and would not conflict with Policy D61 of the Havering Core Strategy and Development Control Policies Development Plan Document (2008) or Policies 7.4 and 7.6 of the London Plan (March 2016) which require development to achieve high quality design which maintains, enhances or improves the character and appearance of the local area.

Other Matters

13. The Council did not identify harm in respect of the effect of the proposal on the living conditions of neighbouring occupants. Having seen the proposed locations of the extensions on site, I agree that they would not have a harmful effect on the living conditions of neighbouring occupants.

Conditions

14. To provide certainty, a condition is required specifying the relevant drawings. It is also necessary to impose a condition requiring external surface materials to match the existing dwelling in order to secure a satisfactory appearance.
15. The Council seeks a condition removing permitted development rights to install a window in the flank elevation of the extension, though it is not specified which extension. However, the National Planning Policy Framework makes it clear that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. In this case, the only exposed flank elevation would be to the No 60 side of the rear dormer, but this would look out onto the roof of the neighbouring property and would not result in a loss of privacy to neighbours. Therefore, I find there are no grounds for imposing this condition.

Conclusion

16. For the reasons given, the appeal is allowed.

K. Savage INSPECTOR