



Appeal Decision

Site visit made on 9 December 2021

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 JANUARY 2022

Appeal Ref: APP/B5480/D/21/3280229

28 Calbourne Avenue, Hornchurch RM12 5BJ

- 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 John Murphy against the decision of the Council of the London Borough of Havering.
 - The application Ref P0295.21, dated 17 February 2021, was refused by notice dated 6 July 2021.
 - The development proposed is for a hip to gable roof extension and rear dormer.
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Decision

1. The appeal is allowed and planning permission is granted for a hip to gable roof extension and rear dormer at 28 Calbourne Avenue, Hornchurch RM12 5BJ in accordance with the terms of the application, ref: P0295.21, dated 17 February 2021, and the plans submitted with it (site plan, ESL28RM125BJ PL05, ESL28RM125BJ PL06).

Preliminary Matters

2. Since the determination of the application by the Council the Havering Local Plan November 2021 (LP) has been adopted. This has superseded all policies contained in the Council's Core Strategy and Development Control Policies Development Plan Document (2008). I have determined the appeal on the basis of the newly adopted LP.
3. At my site visit, I saw that the development has been completed and I note that the application has been submitted retrospectively. I also observed that the adjoining semi-detached house at 26 Calbourne Avenue has a hip-to-gable extension and rear dormer that to all intents and purposes is the mirror image of the development before me; indeed the rear dormer windows meet at the middle and share a party wall. I have included the hip to gable extension in my decision as this focusses on the development involved.

Main Issue

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

Reasons

5. Calbourne Avenue is a residential urban street. The appeal property is a two-storey, semi-detached dwelling within a long row of houses, many of which have been substantially altered with extensions of varying size and design.

6. The large, unbroken dormer window is a visually prominent feature that dominates the rear roofslope of the property. It is clearly visible from the private amenity spaces of surrounding houses, having a jarring effect by virtue of its full width across the roof, and with no separation from the adjoining rear dormer to the neighbouring dwelling.
7. There are numerous examples of hip to gable extensions in the local area. In this context I am satisfied that this element of the proposal would not appear detrimental to the character of the dwelling or detract from the surrounds. The use of render to the external surfaces of the development to match the colour and texture of the existing house results in a satisfactory finish.
8. The appellant refers to a fallback position established by the lawful development certificate for a proposed hip to gable loft conversion and rear dormer that was granted by the Council in November 2017. I also note the Council's summary of the enforcement situation contained in the delegated report, which requires the owner to "either apply for planning permission or remove the current render and apply what was permitted (tile cladding)."
9. I have sought clarification from the Authority on these matters. I understand that the appeal proposal has not been constructed in accordance with the drawings approved under the lawful development application. However, it would appear to be broadly similar to the hip to gable extension and rear dormer I observed at my site visit.
10. To redress the situation, the Council has stated that "the exterior part of the loft conversion must match the roof tiles". I have not been provided with evidence that any other remedial works would be required.
11. There is therefore a reasonable possibility that if planning permission were to be refused the hip to gable extension and rear dormer would remain, yet materials in the form of hanging tiles to the external surfaces of the development would be required to replace the current rendered finish. However, as I have outlined above, the use of render is acceptable. To my mind, hanging tiles would represent a less desirable solution.
12. The fallback position that could be constructed under the lawful development certificate, together with my view that render is an acceptable finish, are significant material considerations in favour of the proposal. I am of the opinion that they would outweigh the extent to which the development, because of the width and impact of the rear dormer, harms the character and appearance of the building and the locality.
13. I therefore conclude that the proposal would not result in harm to the character and appearance of the dwelling or the surrounding area. It would accord with Policies 7 and 26 of the Havering Local Plan 2021 and the Council's Residential Extensions and Alterations Supplementary Planning Document 2011, which seek to secure new development of acceptable scale and appearance.

Conditions

14. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. The development is complete and therefore the standard time limit and plans condition are no longer necessary. I am satisfied that no conditions are required.

Conclusion

15. Having regard to the foregoing, I conclude that the appeal should be allowed.

C Hall

INSPECTOR