



Appeal Decision

Site visit made on 9 August 2022

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th September 2022

Appeal Ref: APP/B5480/D/22/3300269

106 Stanley Road, Hornchurch RM12 4JW

- 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 Ricky Millard against the decision of the London Borough of Havering Council.
 - The application Ref P2395.21, dated 9 December 2021, was refused by notice dated 16 March 2022.
 - The development is a loft conversion with a rear dormer and two front roof lights.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion with a rear dormer and two front roof lights at 106 Stanley Road, Hornchurch RM12 4JW in accordance with the terms of the application P2395.21, dated 9 December 2021 and the plans submitted with it.

Procedural Matters

2. The appeal relates to an application for planning permission for development that has been implemented, therefore the application is retrospective, and I have determined the scheme accordingly.

Main Issues

3. The main issues are the effect of the development on:
 - the character and appearance of the host building and that of the local area; and
 - the living conditions of neighbouring residential occupiers.

Reasons

Character and Appearance

4. The appeal property is a detached single storey property and has been the subject of an earlier extensive single storey flat roofed extension¹. It is located on Stanley Road, in a wider area comprising detached and semi-detached single and two storey dwellings in a variety of designs and forms.
5. The appeal relates to the development of a loft conversion involving the alteration of the roof form from a fully hipped roof to a half hipped roof with

¹ Planning Ref: Y0136.17

part gable ends. The development also involves a new rear dormer extension that aligns with the ridge of the extended roof and is set back approximately 0.2 metres from the rear eave line. The dormer is set well in from the half hipped part gable ends of the extended roof. Two rooflights to the front roof slope align with the windows in the symmetrically positioned engaged bay windows. There is also a small single storey side extension that is the subject of a separate planning application and does not form part of the development that is the subject of this appeal.

6. The design guidance given in the Havering Residential Extensions and Alterations Supplementary Planning Document (2011) (SPD) does not impose a presumption against the creation of gable ends for detached dwellings. It does however, set out that dormer extensions do not extend above the ridge line, and sets out design guidance for such developments.
7. The design guidance given in the SPD is advice that should be considered along with the individual circumstances. In this case the change to a half hipped partial gable roof form changes the appearance of the detached appeal property. However, it sits in an area where most of the dwellings in the street and wider local area have undergone significant alteration and extension. In this context the change to the roof form of the appeal property, including the front roof lights is fully in accordance with the variety of design, scale and form of properties that make up the local street scene.
8. Although the dormer extension is at the same height as the ridge line of the extended roof, it is set in from the eaves and from the half hipped part gable ends. In combination with the extended and altered main roof form and ground floor rear extension, the dormer appears as a subservient addition to the appeal property and appears well contained within the roofscape. From my site visit it is apparent that a number of dormer extensions, some similar to the dormer element of the development, are in evidence on surrounding properties. When viewed in the context of the surrounding roofs from the street and rear, the development appears to be in keeping with its existing context and local streetscene and not as a bulky, disproportionate, intrusive or overly prominent addition.
9. For these reasons, and when considered as a whole, the roof extension and alterations appear as proportionate to the scale of this small, detached property and are in keeping with its character and appearance and that of the local area.

Living Conditions

10. The appeal property is located at a crank in the alignment of Stanley Road and, therefore the building line on this side of the street. 104 Stanley Road (No.104) is a detached single storey dwelling which neighbours the appeal property and that sits at an oblique angle to and slightly forward of it. This results in a separating distance and opening towards the street between No.104 and the appeal property that is wider than that between the regularly positioned single storey dwellings on this side of the street.
11. It is on this side of the appeal property, between it and No.104 that the small single storey side extension has been built. There is a window in the flank of No.104, that appears to be positioned so that it faces towards the original flank wall of the appeal property. The outlook from this window, therefore, remains,

substantially unaltered by the development that is the subject of this appeal, the development would therefore not appear as intrusive to the occupiers of this neighbouring property.

12. Although the roof of the appeal property has extended outwards at either side and is massed to take the form of a half hipped with part gable roof, this roof form, in combination with the separating distance between the appeal property and No.104 and their south westerly orientation, results in additional overshadowing that would only be apparent in the very late afternoon and only for the middle part of the year. Any loss of daylight and direct sunlight would, therefore, not be to a degree that would cause any significant harm to the living conditions of the occupiers of No.104.

Conditions

13. The Council have suggested a materials condition in the event of an allowed appeal that would reiterate the requirement for the development to be constructed in accordance with the terms of the application. As this would replicate giving a planning permission in accordance with the terms of the application and approved drawings, such a condition is not necessary and would, therefore, fail to meet the requirements for conditions set out in the National Planning Policy Framework (2021).

Conclusion

14. The appeal is allowed.

Victor Callister

INSPECTOR