



Appeal Decision

Site visit made on 3 January 2023

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 February 2023

Appeal Ref: APP/B5480/D/22/3307911

28 Stanley Road North, Rainham RM13 8AX

- 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 Dimitrij Panins against the decision of the Council of the London Borough of Havering.
 - The application Ref P0245.22, dated 17 February 2022, was refused by notice dated 27 July 2022.
 - The development proposed is the conversion and reconfiguration of the existing bungalow: adding single story extension (6m deep) at rear; changing the roof type from hipped to pitched and slightly raising the eaves and ridge of the roof; adding flat roof dormers to the new type of roof; converting the loft; internal alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The character and appearance of the area; and
 - Living conditions for occupiers of the neighbouring properties at 26 and 30 Stanley Road North, with particular regard to whether or not it would be overbearing, would lead to an unacceptable sense of enclosure, or would result in a harmful loss of privacy.

Reasons

Character and appearance

3. The appeal site is a detached bungalow and its gardens on the east side of Stanley Road North. It has a hipped tiled roof, pebbledash walls, and a projecting bay on the front elevation. The surrounding area is predominantly residential; Stanley Road North mostly consists of detached bungalows, although there are some semi-detached ones too, as well as a number of detached and semi-detached houses. Most of the dwellings on the street are modest in scale and nearly all have been built very close to the side boundaries of their plot, giving the street a tightly-packed appearance (though the generally long plots mean that the rear gardens are reasonably spacious). There is a considerable variety of detailing within the housing on the street – for example in roof form, materials (brick, pebbledash and painted render are

all common), and building width. Many of the dwellings appear to have been expanded or otherwise altered over the years, in some cases quite dramatically. Given this diversity there is not, in my view, a single prevailing characteristic of the local housing, other than its generally modest scale.

4. The proposed development represents what would be a substantial reconfiguration of the appeal property. The existing hipped roof would be replaced with a gable roof, the ridge of which would run front to rear. The ridge would be somewhat higher than at present; the additional height would allow for the creation of living accommodation at first floor level. The submitted plans show the new ridge height to be around 7.16m, and also demonstrate that this would not be at vastly different from the neighbouring dwellings. I find that the modest increase in height in the dwelling would not result in it being dominant or harmfully bulky.
5. The Council drew my attention to advice in its 2011 *Residential Extensions & Alterations Supplementary Planning Document* ("the SPD") which states that "large front extensions are generally unacceptable in Havering due to the adverse effect they can have on the appearance of the original house and the character of the street", and that where they are acceptable they "must be designed to appear as part of the original house through employing matching finishing materials and roof style".
6. In this case, though I have not been provided with precise measurements, it appears from the submitted plans that this part of the scheme would project by somewhat more than the 1m maximum sought by the SPD. The appeal scheme involves the wholesale alteration of the dwelling's finishing materials – white painted render walls with cedar cladding detail panels rather than pebbledash, charcoal grey roof tiles rather than red, and grey aluminium or uPVC door and window frames instead of the present white uPVC.
7. These changes would give the appeal property an attractive, neat and modern street frontage; in my view this would represent a significant improvement on its existing rather drab and tired appearance, and would make a more positive contribution to the streetscene. Given the diversity of design and detailing found on the other dwellings in the street, and notwithstanding the conflict with guidance in the SPD, the appearance of the proposed alterations and extension at the front of the dwelling would not be incongruous or otherwise intrusive.
8. At the rear of the property, a single-storey flat roofed extension approximately 6m long would be built. The Council found this element of the scheme to be acceptable; none of the evidence before me or my observations on site leads me to a different view. Similarly, the Council found the conversion of the hipped roof to a gable roof to be acceptable in principle; again, I agree.
9. The appeal scheme would include three box dormers, each approximately 2m wide by 1.47m high, on the north-facing side roof slope. I saw other examples of side dormers at Nos 22, 26, 31 and 40 Stanley Road North, though they are not a common feature of the area and, perhaps with the exception of the two hipped dormers at No 26, in my view it would be difficult to construct a persuasive argument that those that do exist make a positive contribution to the character and appearance of the area. The three dormers proposed here would together be prominent and incongruous features, their cumbersome and intrusive bulk significantly detracting from what in all other respects would be a neat and attractive scheme.

10. Notwithstanding that I have found other elements of the appeal scheme to be acceptable, I conclude that the proposed dormers mean that the proposal would be harmful to the character and appearance of the area. It would therefore conflict with Policy 26 of the 2021 Havering Local Plan ("the HLP") and with Policy D4 of the London Plan 2021; among other things, these policies seek to ensure that development is well-designed, and respect the established rhythms and built forms of the local area.

Living Conditions

11. The proposed rear extension would be built across the full width of the existing dwelling and thus would come close to the boundary with the neighbouring properties on either side. I note that the Council considers that the separation distance from the side boundaries would still be sufficient to ensure that the extension complied with the "45 degree rule" described in the SPD. Notwithstanding this, the proposed extension would of course be more visible to the occupiers of Nos 26 and 30 than the appeal property is in its present, non-extended state. However, all three properties have reasonably long (if narrow) gardens. Given this, the proposed extension would not be overbearing nor would it lead to an unacceptable sense of enclosure.
12. In respect of the proposal's effect on privacy, I acknowledge that some overlooking into neighbouring gardens is already possible from those dwellings with living accommodation at first floor level, as is almost inevitable in an urban or suburban area. Nevertheless, the appeal scheme would introduce large side windows at ground floor (in the rear extension) and first floor (in the three side dormers) levels. These would be likely to lead to some loss of privacy, and certainly at least a *perceived* loss of privacy, particularly for the occupiers of No 30. However this is a matter which, had the appeal scheme been otherwise acceptable, could have been addressed by the use of conditions (in respect of obscure glazing, and preventing the use of the flat roof area as a terrace or similar) as suggested by the Council.
13. Subject to the use of appropriate conditions, I conclude that the proposed development would not have an unacceptably harmful effect on living conditions for the occupiers of the neighbouring properties at 26 and 30 Stanley Road North. It would therefore comply with Policy 7 of the HLP, which seeks to protect residential amenity.

Planning Balance and Conclusion

14. The proposed development would not be harmful to living conditions for the occupiers of neighbouring properties. However, the three large dormers would be detrimental to the character and appearance of the area. The development therefore conflicts with the development plan taken as a whole.
15. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. For the reasons given above, the appeal is therefore dismissed.

M Cryan

Inspector

