



Appeal Decision

Site visit made on 15 December 2023

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 January 2024

Appeal Ref: APP/B5480/D/23/3324154

43 and 45 Mildmay Road, Romford, Havering, RM7 7DA

- 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 Marius Banaitis against the decision of the Council of the London Borough of Havering.
 - The application Ref P2006.22, dated 16 December 2022, was refused by notice dated 23 March 2023.
 - The development proposed is conversion of loft to habitable use including installation of rear dormers and front rooflights.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site comprises a pair of two-storey semi-detached houses beneath a shallow hipped roof, with a chimney stack on one side. There is a detached, gable fronted house adjacent to No.43 and a detached dormer bungalow adjacent to No.45. Elsewhere along Mildmay Road there is a mixture of primarily two-storey, detached, semi-detached and terraced houses of similar age, height, materials and appearance, set back behind small enclosed front gardens with long rear gardens. The strong linear building lines, predominantly consistent roof heights and the subservient rear outriggers are all strong distinctive features that contribute positively to the traditional character and appearance of the area.
4. It is proposed to remove the existing shallow hipped roof and chimney stack and to replace these with a new gable roof, with a slightly steeper roof pitch. This would increase the ridge height by 450mm. Two small roof lights would be installed in the front roof slope of each dwelling. The solar panels proposed to be sited on top of the flat roof dormers to the rear of the dwellings would not be visually prominent. The Council has not objected to these elements of the proposal, and I have no reason to reach a different view in relation to these matters.
5. The main thrust of the Council's objection is based upon the width and bulk of the proposed L shaped rear dormers, particularly the proposed height of these above the ridge line of the rear outriggers.

6. The part of the dormers that would be constructed across the main rear roof slope of the dwellings would be set in from the gable ends, set back from the rear elevation of the dwellings, set above the eaves and below the ridgeline of the new roof. This part of the proposal would, in my view, reflect the advice set out in the Council's Residential Extensions and Alterations Supplementary Planning Document (2011) (SPD).
7. However, the dormers are also proposed to project out above the rear outriggers, which traditionally comprise a pitched roof projection that is subservient in height and width to the main dwelling. There are some discrepancies on the submitted drawings with regard to this element of the proposal. The side elevations, floor plans and roof plans indicate that the dormers above the outrigger would be set up and in from the eaves, whereas the rear elevation shows that the side wall of the dormers would align with the outer walls and eaves line of the outriggers. I must make my decision based upon the submitted drawings. However, even if the side walls of the dormers above the outriggers were set in, the height, width and rear projection of the flat roof dormers above the existing outriggers would result in a top-heavy, bulky addition that would not respect the traditional, subservient form and scale of the rear roofscape of the property, or the wider area.
8. I have been referred to similar extensions at Nos. 92 and 94 Mildmay Road, which I noted are visible from Palm Road. However, the dormers over the outriggers on these properties appear to be set further back from the gable end and are lower in height than the rear dormer across the main roof. Moreover, the Council's report states that these were constructed without planning permission. At the time of my site visit I also saw similar extensions at No. 7 Palm Road and to the rear of Nos. 65 and 67 Mildmay Road. As I am unaware of the planning status of these roof extensions, which affect a very small minority of properties in the area, I afford them limited weight.
9. My attention has also been drawn to Nos. 53, 55 and 57 Mildmay Road, which I am advised have lawful development certificates for hip to gable extensions and rear dormers. However, these do not include extensions above the rear outriggers. I have not been made aware of any fallback position such as a lawful development certificate or prior approval consent in relation to the appeal site that would enable the outrigger to be increased in height under permitted development rights. I acknowledge that the proposals would not unbalance the pair of semis and that matching materials would be used. I also note that increasing the height of the outriggers is necessary to gain sufficient headroom to create another storey within them. However, the appellant's personal desire for this additional space is not a material consideration that would outweigh relevant planning policies.
10. I therefore conclude that the proposal would not accord with Policy 26 of the Havering Local Plan 2016-2031, which promotes high quality design and supports development proposals that amongst other things respond to distinctive local building forms and are informed by, respect and complement the distinctive qualities, identity and character of the site and local area. This is consistent with the design aims of the National Planning Policy Framework.
11. The proposal would also conflict with advice contained within the Council's SPD, which states that dormers should be well contained within the body of the roof

by being set well back from the eaves and by setting the sides well in from any gables. The dormers above the outriggers do not achieve this.

12. Whilst I do not find any conflict with Policy 7 of the Havering Local Plan, which appears to relate to new housing proposals as opposed to domestic extensions and alterations to existing housing, this does not alter my findings on the main issue.

Conclusion

13. For the reasons given above the appeal is dismissed.

R Bartlett

INSPECTOR