

Appeal Decision

Site visit made on 16 January 2024

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 February 2024

Appeal Ref: APP/B5480/D/23/3330777

44 Newbury Gardens, Upminster, Essex, RM14 2PJ

- 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 Craig Mather against the decision of the Council of the London Borough of Havering.
 - The application Ref P0925.23, dated 12 June 2023, was refused by notice dated 9 August 2023.
 - The development is a rear dormer with rendered finish to walls.
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Procedural matters

1. The development the subject of this appeal has been undertaken.

Decision

2. The appeal is allowed and planning permission is granted for a rear dormer with rendered finish to walls at 44 Newbury Gardens, Upminster, Essex, RM14 2PJ in accordance with the terms of the application ref P0925.23, dated 12 June 2023, subject to the development being carried out in accordance with plan 3601.08.

Reasons

3. The main issue in this appeal is the effect of the development on the character and appearance of the surrounding area.
 4. The appeal property is a bungalow which lies within a residential area with other bungalows. There is a single storey extension to the rear, and the roof has been altered from a hip to gable end. I saw at my site visit a number of properties in the vicinity have rear dormers or other alterations to their roofs, which are visible from No. 44 and from public views. Properties in the area see variety in the use of materials to elevations and to roofs.
 5. The Council's submissions refer me to Policies D1 and D4 of the London Plan 2021, and Policies 7 and 26 of the Havering Local Plan 2021, and these policies seek to ensure that, amongst other matters, development is of good design and is informed by the features of a site and the local area. The Council's Residential Extensions and Alterations Supplementary Planning Document (SPD) 2011 provides design guidance for extensions and is a material consideration in this appeal.
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6. With regards to rear dormer extensions, the SPD states these should be contained well within the body of the roof by being set well back from the eaves, gables or party walls, and should be well below the ridge line of the roof. There are no numerical figures in the SPD on these matters, but the Council consider the dormer does not satisfy these requirements as it is close to the eaves, and the bulk, scale and mass are excessive.
7. Although I note the dormer is close to the eaves, in this instance there is an existing single storey rear extension that is above the original eaves height so obscuring any original appearance of the property as a bungalow with rear eaves line. The dormer appears part of a balanced sequence of extensions to the rear, and if it was set higher in the roof slope above where the original eaves line was it would create an oddly out of character, disjointed appearance; hence in this instance, the design and scale of the dormer is appropriate to the host property. There is sufficient space above and to the sides of the dormer to remain proportionate to the bungalow which, as noted, has been altered and extended.
8. The planning policies referred to earlier require development to be informed by the site and local area. In addition to my observations above regarding No. 44, I consider the scale and design of the dormer reflects other dormers in the vicinity. The Council state that those have not been granted permission, but they are part of the character of the area and I am not informed any are subject of action that will be requiring their removal. The dormer the subject of this appeal would sit comfortably within the established character of the area. The use of render to the sides of the dormer reflects the host property, and is seen at other dormers in the area: it is not intrusive to the building or in views from the street.
9. On the main issue it is therefore concluded the development is not harmful to the character and appearance of the surrounding area, and hence satisfies the policies of the development plan, and the SPD, as set out earlier.
10. The appeal is therefore allowed. As the development has taken place there is a need only for a condition specifying the approved drawing, in the interests of precision.

C J Leigh

INSPECTOR