



Appeal Decision

Site visit made on 17 January 2024

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 12th February 2024

Appeal Ref: APP/B5480/W/23/3322952

52A Collier Row Lane, Romford, RM5 3BB

- 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 D Kerai against the decision of Havering London Borough Council.
 - The application Ref P0446.23, dated 17 March 2023, was refused by notice dated 12 May 2023.
 - The development proposed is loft conversion including roof lights and a rear dormer window with first floor rear extension to flat 52A.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The application form described the proposed development as "loft conversion with first floor rear extension to flat 52a". The council changed this to the description used in the heading above, as did the appeal form. I have adopted the council's descriptions as it more clearly identifies the development proposed.

Main Issue

3. The main issue in this case is the effect of the proposal on the character of the area and the streetscene.

Reasons

4. The appeal site is a two storey end of terrace building with a shop unit on the ground floor and a residential flat (No.52A) at first floor level, situated at the junction of Collier Row Lane with Wainfleet Avenue. The terrace is part of the Collier Row Lane Local Centre, the majority of which is on the opposite side of the road. The surrounding area is residential, predominately in the form two storey dwellings. The appeal proposals, apart from the proposed roof lights on the front roof slope to which there is no appearance objection, would not be seen from the front of the premises. There is hard surfacing to the side, alongside Wainfleet Avenue, an outbuilding, and a row of garages beyond.
5. The relevant development policy of Havering Local Plan is Policy 26 concerning urban design, but it is the detailed Residential Extensions and Alterations Supplementary Planning Document (SPD) which is of particular relevance. The

SPD, at paragraph 8.2, in the section dealing with dormer windows and roof lights, makes the point that *"Dormer windows should normally be located facing the rear garden so they are not visible from the street and do not harm the appearance or character of the original house"* (or building, as in this case). However, whilst the proposed dormer is at the rear, because it is at the junction, it is in full view when approached along Wainfleet Avenue. It would also be visible to the east of the site from Collier Row Lane due to Wainfleet Avenue separating the application site and No.50/50A Collier Row Lane

6. Following from that general point, paragraph 8.3 contains the detail *"Dormers should be contained well within the body of the roof, by being set well back from the eaves, and by setting the sides well in from any gables or party walls. Dormers must never extend above the ridge line of the roof and should be located well below it. All windows at roof level, particularly dormers, should relate to the windows of the original house in proportion, design and position (Figure 15). Dormers with pitched roofs set at right angles to the main roof are preferred."*
7. The design of the proposed dormer appears to pay some regard to this design guidance, since the top of the dormer would be set down a little from the ridge and its face would rise a little way up from the eaves. However, both of these aspects do not satisfy the intentions of this part of the SPD. What is more harmful is the width proposed. It would be set a little way from the gable of the building, but would extend right across the rest of the roof to the boundary with the neighbour. The SPD is part of the council's development plan, and helps to achieve the objectives of the local plan policy. Therefore it carries substantial weight: the appeal proposal is clearly contrary to that guidance.
8. Added to this, and unforeseen in the SPD, is the hip-roofed projection that extends out from the dormer. Had it been an extension directly from the back of the building, it may have had a reasonable relationship with the building and its context. But as it is proposed, it adds an incongruous element to the dormer that would itself be of excessive width, scale, and mass and would produce a top heavy appearance. Together they would add unacceptably dominant and visually intrusive features.

Conclusions

9. The local plan policy and the guidance in the SPD set out to avoid poor design and to maintain and improve the quality of the borough. The local policy accords with the National Planning Policy Framework (the Framework), the latest version of which is December 2023, which, at paragraph 131, in the section headed 'Achieving well-design and beautiful places', states *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*.
10. For the reasons that I have set out above, the rear dormer window with first floor rear extension would have a harmful effect on the character of the area and the streetscene, would not accord with local plan policy or the guidance in the SPD, or the policies of the Framework.

11. I will therefore dismiss the appeal.

Terrence Kemmann-Lane

INSPECTOR