



Appeal Decision

Site visit made on 6 August 2024 by T Morris BA (Hons) MSc

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 September 2024

Appeal Ref: APP/B5480/D/24/3345551

3 Frances Mews, Romford RM3 9FP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Livingstone against the decision of the Council of the London Borough of Havering.
 - The application Ref is P0380.24
 - The development proposed is loft conversion with dormer to rear, hip to gable, and roof lights to front.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. I have taken the description of the proposal from the application form, albeit with the punctuation used on the Council's decision notice as this provides more clarity.
4. The second reason for refusal on the Council's decision notice relates to a 'loss of outlook' 'on the amenities of adjacent occupiers within Oldmead Close and 120 Gooshays Drive'. However, the analysis in the delegated report refers to '120/122 Gooshays Drive'. I have had regard to this in defining the second main issue.

Main Issues

5. The main issues are:
 - (i) the effect of the proposal on the character and appearance of the host property and the surrounding area;
 - (ii) the effect of the proposal on the living conditions of neighbouring occupiers at Oldmead Close and at Nos 120/122 Gooshays Drive, with particular regard to outlook; and
 - (iii) whether the proposal would be acceptable in terms of energy efficiency.

Reasons for the Recommendation

Character and appearance

6. No 3 Frances Mews (No 3) is an end-terraced property situated within a modern housing estate that is mainly characterised by two-storey houses. There are repeated design elements throughout the estate including in terms of the scale and form of buildings and the materials utilised. Notably, there is a predominance of simple, pitched roof forms with a mix of hips and gables. Roofscapes are more often plain other than where photovoltaic panels have been mounted upon them. The pitched roof of the appeal terrace has hipped ends, including to No 3, and the mid-terrace has a gable feature to the front and rear. Consequently, the terrace is reflective of the prevailing roof forms on the estate, and this positively contributes to a very unified character and a high-quality residential environment.
7. The Council's Residential Extensions and Alterations Supplementary Planning Document (2011) (SPD) states amongst other things that 'roof extensions and alterations can change the appearance and character of the dwelling' and that 'proposals to convert a hipped roof to a gable end roof to one house of a pair of semi-detached houses can result in unbalancing the pair.'
8. Given the width of the wider terrace, and the mix of gables and hips that it would sit amongst in wider views, the proposed gable end would not on its own appear out of keeping. Furthermore, due to the limited opportunities to see the whole terrace in a single view within the wider street scene, this would limit the extent to which the proposals would have an unbalancing effect on the terrace.
9. However, the flat roofed form and considerable width of the dormer together with the provision of windows at roof level would not correspond with the generally plain, pitched roofs of the estate. I saw for myself that this would particularly jar with the uncluttered roof forms that immediately surround the site in views from neighbouring properties. Moreover, this would also be appreciable from the public footpath and open space on Gooshays Drive where the full extent of the dormer would be visible through the wide gap between 12 Oldmead Close and 120 Gooshays Drive. As a result, the proposal would unacceptably erode the cohesive character of the estate.
10. I acknowledge that the dormer would be faced in matching tiles, would be marginally set down from the ridge and would be set in from the eaves and verge(s). Even though this would reflect some of the guidance in the SPD, this would not be sufficient in this instance to assimilate the dormer's elongated flat roofed design into its immediate surroundings including from the identified view from Gooshays Drive.
11. The appellant has drawn my attention to a limited number of instances where dormer windows have been provided to other properties within the estate. However, from my own observations on my site visit, their full rear profiles are not by comparison as appreciable from the street. In any case, even they do not reflect the overriding characteristics of the estate's roofscape and do not justify the site-specific harm that would arise from the appeal proposal.
12. For the above reasons, I conclude that the proposal would have a harmful effect on the character and appearance of the host property and the surrounding area. In that regard, it would conflict with Policy 26 (Urban Design) of the Havering Local Plan (2021) (HLP) and Policy D4 (Delivering

Good Design) of The London Plan (2021) (LP2021), which collectively require good quality design and development which respects, reinforces and complements the local street scene. The proposal would also conflict with the guidance contained within the SPD which seeks to ensure that householder development is sympathetic to the existing property and street scene.

Living conditions

13. Properties in the area have a close-knit relationship due to the existing layout of the estate with generally small plots and small rear gardens. Even so, the side of the appeal dwelling already sits side on and in close proximity to the rear gardens of properties on Oldmead Close, most closely aligning with the rear boundary of 16 Oldmead Close. The modest depth of the side profile of the host dwelling provides for a suitable appreciation of the space either side of it within the rear aspect of No 16 and neighbouring properties on Oldmead Close. The ground level change between those properties relative to the appeal site is minor. There is also an alleyway separating the side of the appeal property from the rear gardens on Oldmead Drive.
14. When all the above factors are taken together, the proposal would not unacceptably enclose or have a dominant presence when experienced from the rear windows and gardens on Oldmead Close. This is particularly the case when compared with the existing relationships with these properties.
15. The hip to gable extension and dormer window would inevitably be visible from the gardens at Nos 120 and 122 Gooshays Drive. However, given the relative angles and the space provided by the back-to-back garden arrangements, the proposal would not have an overbearing effect on occupiers of these neighbouring dwellings.
16. The proposal would therefore have an acceptable effect on the living conditions of occupiers within Oldmead Close and at Nos 120/122 Gooshays Drive. It would comply with Policy 7 (Residential Design and Amenity) of the HLP, which requires that the amenity and quality of life of existing and future residents is not adversely impacted by new development. The proposal would also comply with the guidance contained within the Residential Extensions and Alterations Supplementary Planning Document (2011), which requires that extensions and alterations do not unacceptably reduce the amenity of neighbouring properties.
17. The Council's reason for refusal in respect of this matter includes reference to Policy 26 (Urban Design) of the HLP. That particular policy does not refer to living conditions and so has not been decisive in my finding on this main issue.

Energy efficiency

18. Photovoltaic (PV) panels are a common feature on the roof slopes of buildings within the estate. Indeed, the evidence before me indicates that a condition attached to the planning permission for the estate¹ required that renewable energy technology was to be incorporated into the final design of the development and this has not been disputed by the appellant. In order to facilitate provision of the proposed dormer, the photovoltaic panels on the appeal dwelling would be removed and this has the potential to be a retrograde step with regards to the energy efficiency of the host dwelling.

¹ LPA Ref P1451.10

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19. However, the appellant has confirmed that in the event that planning permission were to be forthcoming, they would be agreeable to a condition requiring the PV panels to be re-sited on top of the proposed dormer. Subject to such a condition being applied, it is unlikely that the proposal would have any tangible effect on the energy efficiency of the host dwelling.
20. I conclude, subject to condition, the proposal could be acceptable from an energy efficiency perspective. In that regard, it would comply with Policy 36 (Low Carbon Design and Renewable Energy) of the HLP which seeks to optimise the energy efficiency of buildings. This would also accord with the objectives in the Framework to support energy efficiency and low carbon heating improvements to existing buildings.
21. The Council's reason for refusal in this regard also refers to Policies SI 2 (Minimising Greenhouse Gas Emissions) and SI 3 (Energy Infrastructure) of the LP2021. These policies relate to large scale development, development plans and major development proposals, including within Heat Network Priority Areas and do not alter finding on this main issue.

Conclusion and Recommendation

22. For the reasons given above, I recommend that the appeal should be dismissed since it would conflict with the development plan in respect of the harm identified under the first main issue.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell

INSPECTOR