
Appeal Decision

Site visit made on 11 October 2016

by Amanda Blicq BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20th October 2016

Appeal Ref: APP/Z5630/D/16/3154697

47 Villiers Road, Kingston upon Thames KT1 3AP

- 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 and Mrs James O'Connor against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref 16/12210/HOU, dated 7 March 2016, was refused by notice dated 31 May 2016
 - The development is proposed loft extension.
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Decision

1. The appeal is allowed and planning permission is granted for proposed loft extension at 47 Villiers Road, Kingston upon Thames KT1 3AP in accordance with the terms of the application, Ref 16/12210/HOU, dated 7 March 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg Nos 2016-47VR-001 Rev A; 2016-47VR-002; 2016-47VR-003 Rev A; 2016-47VR-010.
 - 3) No development shall take place until samples or details of the materials to be used in the construction of the external surfaces of the development hereby permitted, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Procedural Matter

2. The evidence before me includes Dwg No 2016-47VR-001 Rev B. However, as this drawing does not appear to be included with the original application, I have not included it in the list of approved drawings given in Condition 2.

Main Issue

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

Reasons

4. The appeal property (No 47) is a modest two-storey semi-detached period dwelling within a line of similar dwellings on Villiers Road. I noted on my visit
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that several dwellings on either side of No 47 have substantial box dormer roof extensions which are prominent from the street scene. Number 47 is unusual in this sequence of dwellings in that it appears to have retained its original pitched roof.

5. The development comprises a large box dormer roof extension which from the evidence before me appears to be similar in design and extent to those of neighbouring dwellings.
6. The Council states that the development would be bulky and disproportionate to the original pitched roof form of No 47, and fail to remain subordinate to the host dwelling. It would also change No 47's roof form when seen from the rear, giving the host dwelling the appearance of a three-storey flat-roofed dwelling. However, the evidence before me, together with my observations, has persuaded me that this is the prevailing pattern of development for houses of similar design along this road. Whilst I generally consider that precedent should not necessarily warrant perpetuating a situation that would result in harm, in this instance the scale, character and appearance of No 47 has already been affected by similar development to nearby dwellings. Furthermore, the appearance of No 47 appears out of keeping and unbalanced with the attached and other neighbouring dwellings, precisely because it does not have a roof extension of the type proposed.
7. As such, whilst I acknowledge the Council's views, I am not persuaded that the development would cause significant harm to the original dwelling, or the character and appearance of the surrounding area.
8. Policies CS8 and DM10 of the Core Strategy¹ (CS) require development to relate well to its surroundings and to achieve a more attractive, sustainable and accessible environment within which character and local distinctiveness, including roof forms, are respected, maintained or enhanced. In the light of the above, given the predominant roof form in the area is similar to that proposed by the development, I do not find significant conflict with these policies.
9. The Residential Design Guide² (SPD) sets out design guidelines for dormer windows including distances from the ridge, sides and eaves of the host dwelling. These guidelines ensure dormer windows are subservient to the host. In this instance, the attached property has a box dormer which extends to the full roof height, as do most of the extensions on nearby dwellings and the proposed extension would be to a similar design. However, a dormer which conformed with the SPD guidelines, would in my opinion, appear more out of keeping with the host dwelling than that which is proposed. Consequently, in this respect I see no conflict with the SPD.

Conditions

10. I have considered the conditions put forward by the Council against the requirements of the national Planning Practice Guidance and the Framework. In respect of the plans, I have imposed a condition specifying the drawings upon which I have based this appeal, as this provides certainty.

¹ Royal Borough of Kingston upon Thames, Core Strategy, April 2012

² Royal Borough of Kingston upon Thames, Residential Design Guide Supplementary Planning Document 2013

11. I have also imposed a condition to ensure the details of materials to be used for external surfaces are submitted to and approved by the Council, in order to safeguard the character and appearance of the area. The Council also suggested a condition requiring the use of obscure glazing for windows on the southern elevation of the development. However, there is nothing in the Council's statement to indicate that overlooking has been identified as causing harm to future occupiers or occupiers of neighbouring dwellings. In fact, the Council's report states that overlooking and overshadowing are not a concern. As such, I do not consider this condition to be reasonable or necessary to make the development acceptable and have omitted it from the conditions listed above.
12. Where necessary and in the interests of clarity and precision I have altered the conditions to better reflect the relevant guidance.

Conclusion

13. For reasons given above and taking all matters into account, I conclude that the development would not be contrary to the relevant policies of the Council's Core Strategy and that therefore the appeal should be allowed.

Amanda Blicq

INSPECTOR