

Appeal Decision

Site visit made on 28 February 2017

by Kevin Gleeson BA MCD MRTPI

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

Decision date: 13 April 2017

Appeal Ref: APP/L5810/W/16/3161405

8 Courtlands Avenue, Kew TW9 4EP

- 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 & Mrs Malcolm & Kathryn Ferguson against the decision of the Council of the London Borough of Richmond upon Thames.
 - The application Ref 16/2233/HOT, dated 6 June 2016, was refused by notice dated 28 July 2016.
 - The development proposed is formation of room in roof space with side and rear dormers and roof lights to front slope.
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Decision

1. The appeal is allowed and planning permission granted for formation of room in roof space with side and rear dormers and roof lights to front slope at 8 Courtlands Avenue, Kew TW9 4EP in accordance with the terms of the application, Ref 16/2233/HOT dated 6 June 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 plan: V/1252/02.
 - 3) The external finishes (including fenestration), and works of making good, shall be carried out in materials to match those of the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

3. Courtlands Avenue is characterised by two storey semi-detached dwellings each with ground floor and first floor maisonettes. Each pair of properties was built with a hipped roof although 16 Courtlands Avenue has a side dormer and planning permission has also been granted for a side dormer at no. 5 which is the adjoining semi-detached property to the appeal property. Many properties also have rear dormers.
 4. Side dormers are generally not characteristic of other properties within the street. In addition the proposed side dormer would be visible in the
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streetscene. Nevertheless, like the example at 16 Courtlands Avenue I find that the siting of the side dormer being set up from the eaves and down from the ridge creates an appropriate scale of development which would be subservient to the host property and therefore would not dominate it. It would also balance the recently approved side dormer on the adjoining property. As a result the side dormer would not be detrimental to the character and appearance of the host dwelling, the semi-detached pair or the wider area.

5. The proposed rear dormer would extend across most of the roof slope but is set in slightly from the boundary with its neighbouring property and from the hipped roof. It would be minimally set up from the eaves and minimally below the ridge. The Council acknowledges that this would be contrary to the guidance in the Supplementary Planning Document 'House Extensions and External Alterations' (the SPD) but recognises that many dormer extensions have been constructed on the rear roof slopes of maisonettes in Courtlands Avenue. Although I am not aware of the circumstances within which these rear dormers have been constructed I do not find the form of the proposed rear dormer in this case to be uncharacteristic of the area, not least with similar dormers on nos. 5 and 12 Courtlands Avenue in close proximity.
6. The French doors and Juliet balcony would introduce windows of a size which would be larger than those which exist in the floor below and therefore contrary to the guidance in the SPD. However, I do not consider this element to be over-scaled in the context of the size of the proposed dormer and the pattern of fenestration of the host maisonette or that of the new dormer in the semi-detached pair.
7. I therefore find that the proposed development would not conflict with Policy C7 of the London Borough of Richmond upon Thames Core Strategy, 2009 which requires new development to recognise distinctive local character. It would also not conflict with Policy DM DC1 of the London Borough of Richmond upon Thames Development Management Plan, 2011 which requires a high quality of architectural and urban design, respectful of local character including the nature of a particular road. The side dormer would also be in accordance with the requirement of the SPD for roof extensions to be in-scale with the existing structure without dominating the original roof. Whilst the rear dormer would result in limited conflict with the SPD a departure from the guidance is justified in this case for the reasons given. The proposal would also be in line with the objective of the National Planning Policy Framework to secure good design which respects local character.

Conditions

8. In addition to the standard implementation condition I have imposed a condition specifying the relevant drawings with which the scheme should accord as this provides certainty. A condition relating to materials is necessary to ensure that the appearance of the development is satisfactory. The Council suggested a condition that the window in the side elevation should be non-openable and contain obscure glazing but I do not consider that it is necessary in order to protect the living conditions of neighbouring occupiers.

Conclusion

9. For the reasons set out above the appeal is allowed.

Kevin Gleeson

INSPECTOR