
Appeal Decisions

Site visit made on 21 February 2017

by Paul Singleton BSc (Hons) MA MRTPI

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

Decision date: 24th April 2017

Appeal A - Ref: APP/L5810/D/17/3167215 19, Netherton Road Twickenham TW1 1LZ

- 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 Mrs Caroline Bond against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 16/2908/HOT, dated 26 July 2016, was refused by notice dated 8 November 2016.
 - The development proposed is loft conversion and dormer to back of the property 2850 mm wide and 2 velux windows on each side of the roof to provide light to the new room.
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Appeal B - Ref: APP/L5810/D/17/3167216 19, Netherton Road Twickenham TW1 1LZ

- 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 Mrs Caroline Bond against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 16/2909/HOT, dated 26 July 2016, was refused by notice dated 8 November 2016.
 - The development proposed is loft conversion and dormer to back of the property 3000 mm wide and 2 velux windows on each side of the roof to provide light to the new room.
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These decisions are issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersede those issued on 20 March 2017.

Decisions

Appeal A

1. The appeal is allowed and planning permission is granted for loft conversion and dormer to back of the property 2850 mm wide and 2 velux windows on each side of the roof to provide light to the new room at 19, Netherton Road Twickenham TW1 1LZ in accordance with the terms of the application, Ref 16/2908/HOT, dated 26 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached to this decision.
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- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. Planning permission was granted on appeal for the installation of a rear dormer and velux windows at the appeal property in May 2016. The dormer approved under that permission was 2.3 metres (m) wide, 2.85m high and 3.5m deep. The rear dormer proposed in the current appeals would be in same location and of the same style as that approved in 2016 but of different dimensions.
4. The dormer proposed in Appeal A would be 2.85m wide, 2.95m high and 3.5m deep. That proposed in Appeal B would be 3.0 wide, 2.95m high and 3.5m deep. I understand that the velux windows proposed in both appeals are as previously approved.

Main Issues

5. The main issues in relation to both appeals are the effect on the character and appearance of the host property as a Building of Townscape Merit and on the character and appearance of the St Margarets Conservation Area.

Reasons

6. The appeal property is an attractive and imposing two storey, detached dwelling set within a generous plot and is designated as a Building of Townscape Merit (BTM). Whilst not on a statutory list of buildings of special architectural or historic interest such buildings are designated for their local importance and should be regarded as non-designated heritage assets having regard to the policies in section 12 of the National Planning Policy Framework (Framework). The property stands in a street of detached properties of similar architectural style and makes a positive contribution to the character and appearance of this part of St Margarets Conservation Area.
7. The Council raises no objection to the installation of velux windows within the side slopes of the hipped roof to the dwelling. I agree that these would not cause material harm to the character and appearance of the BTM or of the Conservation Area.
8. Both appeal proposals are consistent with the guidance in the Council's Supplementary Planning Document (SPD) on House Extensions and External Alterations (May 2015) that a dormer window must not project above the ridge line. The Council's concerns focus on whether or not the proposals comply with the guidance that a dormer should not dominate the original roof. The SPD advises that hipped or gabled dormers are often preferable to flat roof structures in the interests of ensuring sensitivity to the existing character of the host building. By incorporating a gable form and pitched roof tying into the existing hipped roof of the dwelling, and by using tile hanging to match the existing roof cover, both proposals are consistent with that part of the guidance.

9. The SPD suggests that a significant area of the existing roof should be left beneath and on either side of the dormer, thus setting the extension well in from either side of the roof but gives no indication as to what should be regarded as being a 'significant area' or set 'well in'. The use of such generalised terms and of the word 'normally' to introduce these suggestions indicates that these are to be treated as guidance and that a judgement must be made in each case as to whether or not the proposed addition would dominate the original roof.
10. In both the Appeal A and Appeal B proposals there would be a relatively narrow section of roof visible below the proposed dormer but the eaves and gutter line would not be encroached upon. In my judgement the proposed gap would be sufficient to provide a clear visual break between the dormer and the original roof slope and to enable a visual appreciation of the original roof form. The incorporation of a gable that sits within, but lower than, the triangular form of the hipped roof would also reduce the scale and bulk of the proposed dormer compared to the flat roofed, and more box-like, rear dormer to the adjacent property at number 17 Netherton Road. Although both of the alternative proposals are 2.95m high and 3.5m deep these are maximum dimensions that would apply only at ridge level.
11. Based on my observations on my site visit I consider that the dormer proposed in Appeal A (at 2.85m wide) would not be over dominant or out of proportion. At eaves level the width of roof remaining either side would be broadly equivalent to the width of the dormer itself. In visual terms the roof would be divided roughly into three with the middle third occupied by the dormer and a significant area of original roof visible on either side. The outside edges of the dormer would read as lining through with the inside edges of the first floor windows and would achieve a reasonably harmonious relationship with the rhythm of the window openings and intervening brickwork at first floor level. The width of the window frame within the dormer would also be in keeping with the existing first floor windows.
12. In contrast, the width of the dormer proposed in Appeal B would bear no relationship with the alignment of the first floor windows and would not respect the vertical rhythm of the rear elevation. At 3.0m wide it would also appear out of proportion with the expanse of retained roof on either side. The difference in the width of the alternative proposals may not be very large. However, I consider that this is sufficient to make a material difference to whether or not the dormer would read as being in proportion to the retained area of roof and in keeping with the rear elevation of the house as a whole. In my judgement the 2.85m width proposed in Appeal A represents a 'tipping point' beyond which any such dormer would look out of balance.
13. I acknowledge that the Appeal A proposal is slightly larger than that allowed on appeal in 2016 but each case must be determined on its individual merits. I consider that this proposal would achieve a subordinate relationship with the host property and that both its form and the external materials proposed would be in keeping with the style and design of the building. The Appeal B proposal would, similarly, be in keeping with the style and design of the building but would appear as an over-dominant addition.
14. Although a glimpsed view might be possible from the pavement at the western end of the street the proposed dormer would mainly be seen from the gardens

of neighbouring houses on Netherton Road and Orchard Road. A number of rear dormer windows can be seen from the garden of the appeal property and, hence, from the gardens of other nearby houses. These include some which are larger than those proposed in the current appeals and a number of flat roofed, box type dormers such as that to No 17.

15. The Council contends that the dormer at No 17 has not been constructed in accordance with the approved plans. However, there is no evidence that any enforcement action has been taken or proposed and the dormer does, therefore, form part of the context within which the appeal proposals must be assessed. The dormer proposed at the appeal property would be read in the context of the surrounding roofscape and that proposed in Appeal A would not be out of place. Indeed, due to its pitched roof and gable form, it would be more in keeping with the general character of the Netherton Road houses than many of the dormers to other nearby houses.
16. For these reasons I find that the Appeal A would not cause any material harm to the character and appearance of the host property or to its significance as a BTM. I also find that the proposal would preserve the character and appearance of the St Margarets Conservation Area. No conflict, therefore, arises with the SPD or with Policy CP7 of the London Borough of Richmond-Upon-Thames Core Strategy (Core Strategy) (2009) which requires that all new development should recognise distinctive local character and contribute to creating places of high architectural and urban design quality.
17. The Appeal A proposal complies with the London Borough of Richmond-Upon-Thames Development Management Plan (DMP) (2011) Policy DC 1 which requires that development must be of a high architectural and urban design quality which is compatible with local character. It is also consistent with DMP Policies HD 1, which seeks that new development should conserve the character and appearance of the Borough's conservation areas, and with HD 3, which seeks to ensure the preservation and enhancement of Buildings of Townscape Merit.
18. I find that, due to its additional width, the dormer proposed in Appeal B would result in an over-dominant addition that would be out of proportion with the retained roof area and the rear elevation of the host building. It would, accordingly, cause harm to the character and appearance of the dwelling with a consequential diminution in its value as a BTM. Although largely hidden from public view the proposal would also have some, albeit limited, detrimental effect on the positive contribution that the property makes to the conservation area and would fail to preserve the character and appearance of St Margarets Conservation Area.
19. The Appeal B proposal is not consistent with the SPD guidance that dormer windows should not dominate the original roof and conflicts with Core Strategy Policy CP 7 and with DMP Policies DC 1, HD 1 and HD 3.

Conditions

20. In view of my findings in respect of each of the appeals it is important that the development allowed under Appeal A is constructed in accordance with the submitted plans. I have attached a condition which ties the permission to the approved plans in order to ensure this outcome. A condition is also needed to require that the materials used in the external construction of the dormer

should match those in the existing building to ensure that the development is in keeping with the design and appearance of the host property.

Conclusions

Appeal A

21. For the reasons set out above I conclude that Appeal A should succeed.

Appeal B

22. For the reasons set out above and having regard to all matters raised I conclude that Appeal B should fail.

Paul Singleton

INSPECTOR

Schedule of Plans Approved under Appeal Ref L5810/D/17/3167215

Location Plan

01 RIC-454 EX100 (Existing Ground Floor and Site Plan)
01 RIC-454 EX101 (Existing Basement Plan)
01 RIC-454 EX102 (Existing Ground Floor Plan)
01 RIC-454 EX103 (Existing First Floor Plan)
01 RIC-454 EX104 (Existing Second Floor Plan)
01 RIC-454 EX105 (Existing Front Elevation)
01 RIC-454 EX106 (Existing Rear Elevation)
01 RIC-454 EX107 (Existing Side Elevation)
01 RIC-454 EX108 (Existing Section A-A)
01 RIC-454 EX109 (Existing Section B-B)

01 RIC-454 P01 (Existing/ Proposed Ground Floor Plan)
01 RIC-454 P02 (Proposed First Floor Plan)
01 RIC-454 P03a (Proposed Loft Plan)
01 RIC-454 P04a (Proposed Roof Plan)
01 RIC-454 P05 (Existing Front Elevation)
01 RIC-454 P06 (Proposed Rear Elevation)
01 RIC-454 P07 (Proposed Section A-A)
01 RIC-454 P08 (Proposed Section B-B)
01 RIC-454 P09 (Proposed Section C-C)
01 RIC-454 P10 (Proposed Side Elevation)
01 RIC-454 P11 (Proposed East Elevation)

End of schedule of plans