
Appeal Decision

Site visit made on 31 October 2017

by Beverley Wilders BA (Hons) PgDurp MRTPI

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

Decision date: 7 December 2017

Appeal Ref: APP/L5810/W/17/3180274

11 Avondale Road, Mortlake, London SW14 8PU

- 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 Kathryn Pyle against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 17/1074/FUL, dated 19 March 2017, was refused by notice dated 19 May 2017.
 - The development proposed is creation of L shaped loft dormer.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's reason for refusal refers to policies LP1 and LP8 of the London Borough of Richmond upon Thames Local Plan Publication version for consultation 4 January – 15 February 2017 (LPPV). As the LPPV has not been adopted, in reaching my decision I have afforded limited weight to these policies.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the host building and the surrounding area;
 - the living conditions of the occupiers of neighbouring properties, particularly Nos 5 & 7 Avondale Road, having regard to outlook.

Reasons

Character and appearance

4. The appeal site comprises an upper floor maisonette within a two storey mid terraced Edwardian property located on a street mainly comprising similar properties. The loft space of the host building has been converted and it has existing large rooflights to the front and rear roof slopes and also has a two storey rear outrigger, the height of which is set below the main roof slope. The rear elevations of the host building and its neighbours on Avondale Road back onto the rear elevations and rear gardens of similar terraced properties fronting onto Ashleigh Road. There are numerous examples of rear dormers in the immediate vicinity of the appeal site, including on the neighbouring property.

5. The proposed flat roofed rear dormer extension which forms part of the proposal would be a large and bulky addition to the host building which would dominate the rear roof slope and would undermine the existing visual relationship and hierarchy between the main roof of the host building and the lower, more subservient rear outrigger. The L shaped dormer would extend part way along and would be higher than the ridge of the roof of the outrigger. Notwithstanding that the chimney stack would be retained and that the dormer would be constructed from closely matching materials, it would nevertheless be an unsympathetic and incongruous addition which would be harmful to the character and appearance of the host building and the wider terrace.
6. Though the location of the dormer at the rear of the property means that it would not be unduly prominent, its size and elevated position means that it would however be visible from a large number of surrounding properties and would therefore be harmful to the character and appearance of the surrounding area.
7. At my site visit I noted that there are some rear dormer extensions near to the appeal site which are similar in scale and design to the proposal and my attention has been drawn to numerous examples of roof extensions by the appellant, some of which have been allowed at appeal. Whilst I have had regard to the examples seen at my site visit and to the impact that they have had on the character and appearance of the area, I note that many do not extend beyond the main roof slope as is proposed and though the appellant has shown that there are numerous examples of roof extensions extending across rear outriggers, this type of extension does not dominate the character and appearance of the area immediately surrounding the appeal site.
8. Though I have been referred to a number of examples by the appellant, I have only been provided with further details regarding four sites and note that none of them appear to be directly comparable to the proposal as they are either smaller dormers (121 Avondale Road), subject to different policy constraints (45 Avondale Road) or have different site contexts with the extension at 20 Cowley Road being adjacent to an existing raised parapet and Second Avenue appearing to have a larger amount of existing rear dormers. I have therefore attached limited weight to these examples and in any event, I must determine the proposal before me on its own merits.
9. I also note that planning permission was previously granted for a rear dormer at the appeal site which extended part way along the outrigger (Ref 07/2765/HOT). However this permission was not implemented and is no longer extant. I therefore attach limited weight to it, particularly given that the permission was granted some considerable time ago. Planning permission was also granted for a smaller rear dormer at the appeal site in September 2017 and this permission remains extant (Ref 17/2758/FUL). Whilst this permission constitutes a fallback position the approved dormer does not extend beyond the main roof slope onto the outrigger and would therefore be less harmful than the proposal.
10. The proposal also includes replacing the existing large front rooflight with three smaller rooflights. The Council raised no objection to the impact of this aspect of the proposal on the character and appearance of the host building or the surrounding area and I have no reason to disagree with their findings on this issue.

11. Taking the above matters into consideration, I conclude that the proposal would have a significant adverse effect on the character and appearance of the host building and the surrounding area. It is therefore contrary to Policy CP7 of the London Borough of Richmond upon Thames Core Strategy (CS), Policy DMDC1 the London Borough of Richmond upon Thames Development Management Plan (DMP), Policy LP1 of the LPPV and to guidance contained within the Council's Supplementary Planning Document House Extensions and External Alterations May 2015 (SPD). These policies and this guidance seek, amongst other things, new development to be of high architectural and urban design quality, to recognise local character and roof extensions to be in scale with the existing structure.

Living conditions

12. As stated the host building is a mid-terraced property in use as flats. It adjoins Nos 5 and 7 Avondale Road which have windows in the rear elevation facing towards the rear and in the side elevation of the outrigger facing towards the appeal site. At my site visit I noted that a number of the side windows appeared to be obscurely glazed. There is a small garden area to the rear of Nos 5 and 7.
13. The rear dormer extension would be positioned close to the common side boundary with Nos 5 and 7. The dormer to the main roof would be positioned adjacent to an existing rear dormer extension at Nos 5 and 7 and although it would add bulk, it would not extend beyond the main rear elevation of the host building and consequently I do not consider that it would materially affect the outlook from rooms and from the rear gardens at the adjoining properties. Similarly though a number of side facing windows at Nos 5 and 7 would face towards the dormer within the outrigger, the windows most affected appear to be obscurely glazed with other windows being offset and therefore less affected. Having regard to the position of the rear dormer, it would not materially affect the outlook from the main rear garden areas of the adjoining properties. The proposal would have no significant impact on the outlook from any other nearby properties.
14. Taking the above matters into consideration, I conclude that the proposal would not have a significant adverse effect on the living conditions of the occupiers of neighbouring properties, particularly Nos 5 & 7 Avondale Road, having regard to outlook. It therefore complies with Policy CP7 of the CS insofar as it relates to living conditions, Policy DMDC5 of the DMP and Policy LP8 of the LPPV. These policies seek, amongst other things, to protect adjoining properties from unreasonable visual intrusion.

Conclusion

15. The proposal would not have a significant adverse effect on the living conditions of the occupiers of neighbouring properties, particularly Nos 5 & 7 Avondale Road, having regard to outlook. However it would have a significant adverse effect on the character and appearance of the host building and the surrounding area. The proposal is therefore contrary to the development plan when taken as a whole.

16. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR