
Appeal Decision

Site visit made on 19 December 2017

by Richard S Jones BA (Hons) BTP MRTPI

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

Decision date: 05 January 2018

Appeal Ref: APP/Z5630/D/17/3181579

66 Clifton Road, Kingston Upon Thames, KT2 6PJ

- 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 Leonid Kozlowsky against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref 17/12519/HOU, dated 29 May 2017, was refused by notice dated 28 July 2017.
 - The development proposed is a roof extension.
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Decision

1. The appeal is allowed and planning permission is granted for a roof extension at 66 Clifton Road, Kingston Upon Thames, KT2 6PJ, in accordance with the terms of the application, Ref 17/12519/HOU, dated 29 May 2017, subject to the following condition:
 - 1) The development hereby permitted shall accord with the following approved plans: 01; 03; 04; 05; 06; 07; 11; 12; 13; 14; 15; and 16.

Preliminary Matters

2. At the time of my site visit, the roof extension was already in place.

Main Issue

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

Reasons

4. The appeal relates to a two storey semi-detached dwelling which forms part of a row of similarly designed properties with shared gables expressed towards the road, between Nos 60-74 Clifton Road.
5. I observed that of these eight dwellings, five (including the appeal site) have similar roof extensions. As the Council state that the roof extension to the adjoining property does not appear to have been built in accordance with the approved plans, in terms of its height, I cannot be sure of its lawful planning status, thereby limiting the weight I am able to attribute to it in support of the appeal proposal. Nevertheless, I have no evidence to suggest that the other roof extensions in this row are unlawful. I cannot therefore conclude that the proposal represents an incongruous feature which is out of character with the existing street scene.

6. Taken in isolation, the extension dominates and overwhelms the original roof form and detracts from the architectural composition of the dwelling. However, the Council confirm that only minor amendments are required to make the development lawful. Therefore, whilst the development contravenes Policy Guidance 39 of the Local Development Framework Residential Design SPD, in my judgement it is unlikely that the minor amendments would, in overall terms, materially reduce the effects of the development. Moreover, the porthole to the front elevation has a limited visual effect and is not unacceptable.
7. I therefore conclude that in the particular circumstances of this case that the proposal does not result in unacceptable harm to the character and appearance of the existing dwelling or surrounding area and accordingly does not conflict with Policies CS8 or DM10 of the Local Development Framework Core strategy. These seek, amongst other matters, to protect the primary suburban character of the Borough and existing buildings from inappropriate development.

Other matters

8. I have noted the concerns expressed by neighbouring occupants regarding the way in which other planning applications have been dealt with by the Council, however, these are not matters for this appeal which I have determined afresh and on its planning merits.

Conditions

9. I have had regard to the conditions suggested by the Council. However, as the development appears complete, it is not necessary for me to impose the time limit and matching materials conditions. I have specified the approved plans for the avoidance of doubt.
10. As the side window of the dormer faces directly onto the roof plane of No 68 Clifton Road, I am not convinced that a condition is necessary requiring it to be obscure glazed.

Conclusion

11. For the reasons given above, and taking all other matters into consideration, I conclude that the appeal should succeed.

Richard S Jones

INSPECTOR