



Appeal Decision

Site visit made on 24 June 2019 by Emma Worby BSc (Hons)

Decision by Andrew Owen BA (Hons) MA RTPI

an Inspector appointed by the Secretary of State

Decision date: 8th July 2019

Appeal Ref: APP/L5810/D/19/3228328

14 Falcon Road, Hampton TW12 2QZ

- 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 Belinda Byrne against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 19/0231/HOT, dated 21 January 2019, was refused by notice dated 19 March 2019.
 - The development proposed is a loft conversion facilitated by a dormer, rooflights and hip to gable alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion facilitated by a dormer, rooflights and hip to gable alterations at 14 Falcon Road, Hampton TW12 2QZ in accordance with the terms of the application, Ref 19/0231/HOT, dated 21 January 2019, 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 following approved plans: FLU.787.4.01, FLU.787.4.02, FLU.787.4.03, FLU.787.4.04, FLU.787.4.05.
 - 3) The materials to be used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the existing building.
 - 4) The proposed second-floor window on the side elevation shall be fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The Council have not raised any concerns regarding the proposed roof lights to the front elevation or the gable roof extension, and from everything which I

have seen in the submissions and on my site visit I have no reason to disagree. Therefore, the main issues in the appeal are:

- the effect of the proposed rear dormer on the character and appearance of the area.
- the effect of the proposed rear dormer on the living conditions of the occupiers of the neighbouring properties with regard to outlook.

Reasons for the Recommendation

Character and Appearance

4. The appeal property is an end-of-terrace two-storey dwelling located within a suburban residential setting. The surrounding properties largely comprise of terraced and semi-detached dwellings, many with loft conversions including rooflights and dormer windows. The proposed development would include a flat roof box dormer on the rear elevation.
5. The proposed dormer would be located on the rear elevation of the property and therefore would be unlikely to be visible from the public realm on Falcon Road and would not impact upon the wider streetscene. Although the proposed dormer is undeniably large in size, it is somewhat set back from the eaves of the existing roofline, set in marginally from the sides of the dwelling and set down slightly from the ridge and therefore would not appear as a full third storey. Also, when seen in the context of the rest of the building, it would be subordinate.
6. Furthermore, it has been noted by both the Council and the appellant that there are a number of similarly sized dormer windows located on the neighbouring properties. Therefore, the proposed dormer would not be out of keeping within the surrounding area. The Council has highlighted in the Officer's Report that these were either constructed under permitted development rights or pre-date the Council's current policy framework. Nevertheless, the existing dormers still form part of the character and appearance of the area and therefore should be given weight.
7. The Council also argue that the proposed fenestration on the dormer would be disproportionate to the lower first floor windows. Whilst the windows are larger than the existing fenestration on the rear elevation, it is not considered that this would have a significant impact on the appearance of the host dwelling or the surrounding area. It is also noted that other neighbouring properties on Falcon Road have a Juliet balcony on existing dormers and therefore larger windows on the second floor would not be an incongruous addition to the locality.
8. The appellant has stated that a similar rear dormer could be constructed under permitted development rights and that a lawful development certificate was granted for such works on 18 December 2018 under the reference number 18/3564/PS192. Although the dormer which could be constructed under permitted development rights is slightly smaller than the dormer proposed in the appeal before me, its impact on the character and appearance of the area would be similar and so this should be given moderate weight.
9. I note that the proposed development would not strictly accord with the guidelines set out within the supplementary planning document 'House

Extensions and External Alterations' (May 2015) (SPD) which is referred to in the Council's reason for refusal. Nonetheless, whilst useful, these guidelines are just that and, in this instance, the particular circumstances of this case would outweigh the guidance within the SPD.

10. For the reasons above, I do not consider that the development would harm the character and appearance of the area. As such, I find no conflict with Policy LP1 of the London Borough of Richmond Upon Thames Local Plan (July 2018) (the 'Local Plan'), which, amongst other things, requires all development to be of high architectural and urban design quality, or the design objectives of the National Planning Policy Framework.

Living Conditions

11. Although the proposed dormer is large in size, due to its location on the existing roof slope of the main dwelling, it is not considered that it would have a harmful impact on the outlook of the occupiers of the neighbouring properties.
12. Therefore, the proposed development would not harm the living conditions of the neighbouring occupiers and would not conflict with policy LP8 of the Local Plan which seeks to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties.

Conditions

13. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans as this provides certainty. A condition requiring the use of materials matching that of the existing building is also necessary to ensure an appropriate appearance for the development. The Council has suggested a condition to ensure that the proposed second floor window in the side elevation is non-openable and obscure glazed below a minimum height of 1.7 metres above the floor level. This condition is considered to be reasonable to protect the privacy of neighbouring properties and therefore has been included.

Conclusions and Recommendation

14. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

Emma Worby

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed

Andrew Owen

INSPECTOR