



Appeal Decision

Site visit made on 15 October 2019 by S Witherley BA, PGDiP, PGDiP, Cert CIH, Assoc RTPI

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2019

Appeal Ref: APP/K5600/D/19/3234688

52 Wallingford Avenue, London, W10 6PY

- 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 B Kay against the decision of the Council of the Royal Borough of Kensington and Chelsea.
 - The application, Ref PP/19/03514, dated 21 May 2019, was refused by notice 10 July 2019.
 - The development proposed as described on the application form is:
Extension of existing roof dormer and new glazed roof light within the dormer roof.
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Decision

1. The appeal is allowed, and planning permission is granted for the extension of the existing roof dormer and new glazed roof light within the dormer roof at 52 Wallingford Avenue, London, W10 6PY, in accordance with the terms of the application, Ref PP/19/03514, dated 21 May 2019 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 plans: P: /002 A, /003 A, /004 A, /005 A, /006 A, /007 A, /100 A, /101 A, /102 B, /103 B and /104 B
 - 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.
 - 4) The rooflight shall be of a traditional conservation type, flush with the roof and slim framed, and so maintained.

Appeal Procedure

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

Main Issue

3. The effect of the proposal on the character and appearance of the host property and whether it would preserve or enhance the character or appearance of the Oxford Gardens Conservation Area (CA).
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Reasons for the Recommendation

4. No. 52 is a two storey, mid- terraced dwelling located within the Oxford Gardens CA. It is part of a continuous perimeter block with the rear boundary adjoining and overlooking the rear gardens and elevations of properties in Kelfield Gardens and Balliol Road. At the rear of No. 52 there is an original two storey hipped roof addition paired with its neighbour No. 54. This covers part of the rear elevation and is set down from the main ridge line with the eaves aligned with the original. Within the centre of the main roof slope there is an existing, albeit not original, dormer extension. There are a number of rear dormers within this part of the street and these vary considerably in design, materials, size and form.
5. The significance of the CA is derived from the continuous rows of uniformed two – storey terraced housing which are similar in character albeit there are variations in detail from street to street. Whilst the fronts have much greater uniformity and retain a number of original details which contribute positively to the character and appearance of the CA, the rears, within this section of CA, have been altered significantly such that there is much less consistency in the design and roof profile. However, it is common for more significant alterations to take place in the private space to the rear of terraced properties and, due to the sense of enclosure at the rear of the block, the changes that have occurred have not unduly caused harm to the wider character or appearance of the area.
6. The proposal would see the existing flat roof rear dormer extend out to either side across the width of the property. The height and depth of the dormer would not change. The increase in width would remove some of the original ridge line of the two-storey rear addition, however, the roof profile of both the two-storey addition and original roof, along with the eaves and fenestration of the rear elevation, would in the main be retained, in contrast to some extensions to neighbouring properties where the external face of the roof alteration has been extended flush with the rear façade of the dwelling. This, alongside the proposed design and the use of matching materials, would not result in an overly dominant or incongruous feature and would, therefore, preserve the character and appearance of No. 52.
7. A number of properties along this part of Wallingford Avenue have been extended to the rear and there is less uniformity in the appearance of roof dormers in this part of the CA than there is perhaps in other parts. Whilst the dormer would be visible from the private gardens and neighbouring properties within the perimeter block, the proposed dormer extension would not be widely visible or conspicuous from within the CA. The proposal would not appear visually discordant or incongruous, therefore, respecting the existing context of this area. The proposal would, therefore, preserve the character of the CA.
8. The Council note that the neighbouring dormers pre date the adoption of the St Quintin and Woodlands Neighbourhood Plan (2018) (NP). Whilst the proposal would constitute more than '*minor adjustments*' it would not compromise the roof line and as such would not have a harmful effect on the character or appearance of the host property and would continue to preserve the character of the rear elevations of this part of the CA. It is, therefore, considered that the proposal complies with Policy CL1, CL2, CL3, CL8 and CL11 of the Consolidated Local Plan Royal Borough of Kensington and Chelsea (2015) (RBKC) and the updated Policies within the RBKC adopted Local Plan (2019) and the St Quintin and Woodlands Neighbourhood Plan 2015-2030 (2018).

Conditions

9. In addition to the standard time limit condition, a condition listing the approved plans is necessary in the interests of certainty. The Council have suggested other conditions which

would ensure the materials are in keeping with the original and the roof light is suitable for a CA area. These are considered necessary and reasonable in order to protect the character and appearance of the host property and preserve the character of the CA.

Conclusion and Recommendation

10. For the reasons given above it is recommended that the appeal should be allowed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, the appeal should be allowed.

Chris Preston

INSPECTOR