The Planning Inspectorate

Appeal Decision

Site visit made on 26 October 2021

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 November 2021.

Appeal Ref: APP/Z5630/D/21/3278668
1B Gibbon Road, Kingston Upon Thames KT2 6AD

- 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 & Miss Luke & Tegan Brown & Price against the decision of the Council of the Royal Borough of Kingston upon Thames.
- The application Ref 21/00914/HOU, dated 15 March 2021, was refused by notice dated 20 May 2021.
- The development proposed is front facing dormer window to the roof slope set back from the building face to create home office room.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The dormer window had been built at the time of the inspection and, therefore, I have dealt with this appeal as involving an application for retrospective planning permission. I note that other changes to the roof in the form of a hip to gable conversion and rear dormer window have permission under a separate application[1]. As such, and due to the above description of development and Council's reason for refusal, the scope of the appeal is confined to the effects of the front dormer.

Main Issue

3. The main issue is the effect of the front dormer on the character and appearance of the street scene.

Reasons

4. No 1B is a two storey end-of-terrace dwelling in a residential road of mixed property types. While there is a variety of design and ages of dwellings in Gibbon Road, the short terrace which the appeal property is part of, presents an unaltered, original building, which displays a strong degree of uniformity across its front elevation and roofscape with no other dormers present.

5. The dormer is relatively large and prominent in the open street scene, despite the neighbouring property standing forward of the appeal property. The

[1] Ref 20/01399/HOU.

position and prominence of the dormer draws the eye to it due to the otherwise unaltered original roof profile of the terrace. As such, it unbalances the proportions of the terrace and appears as an uncharacteristic addition. Moreover, its relative width and flat roof compared to the predominant pitched roofs in this part of the street results in it appearing incongruous in this setting. I accept, however, that the materials used are broadly similar to those of the host building.

6. The appellants draw attention to a number of other properties along Gibbon Road with dormer windows. However, those at Nos 8 and 10 are to the rear, while the majority of others to the front near the appeal property reflect the pitched roof form of the host dwelling and provide greater uniformity as they are matching pairs on semi-detached dwellings. The lone example at No 32 with a flat roof is not dissimilar to the appeal proposal, but it is not representative of the majority of dormers in the road and should not be seen as a positive precedent in this regard.

7. It is not clear whether other side-facing dormers on period properties further along Gibbon Road were developed under permitted development rights, where in this case no such rights are available due to the greater prominence of the dormer to the front. While recent regulatory changes enable additional storeys under permitted rights these still require an assessment of the external appearance as is the case here. Moreover, I have found that the proposed dormer results in material harm in its own right. Therefore, the existence of these other examples of dormers, particularly those much further along the road which are not part of the immediate street scene, are not a sufficient reason to set aside this harm.

8. The examples of hip to gable extensions on one dwelling in a pair of semi-detached properties does not, in my view, have the same effect as the more prominent dormer window positioned on one end of an otherwise uniform terrace.

9. Therefore, for these reasons, I conclude that the front dormer has a materially harmful effect on the character and appearance of the street scene. Consequently, it is contrary to Policy D3 of The London Plan 2021, which requires development to enhance local context by delivering buildings that positively respond to local distinctiveness; and to Policy DM10 of the Council's Core Strategy (2012), which expects development proposals to incorporate principles of good design and contribute to the character and local distinctiveness of a street.

Other Matters

10. I have had regard to the representations made by interested parties. These raise matters already addressed under the main issue and also the effect of the dormer on the privacy of neighbouring occupiers opposite No 1B. Due the wide road and generous separation between properties, there would be no harmful loss of privacy resulting from the position of the dormer.

11. I acknowledge that the proposed extension is intended to create additional living and working space and I note the appellants' contention that the proposal will make effective use of land and provide multiple benefits, in accordance with the National Planning Policy Framework (the Framework).

However, the Framework also requires that planning policies and decisions should ensure that developments are sympathetic to local character, including the surrounding built environment[2]. It has been found above that the proposal is in conflict with this requirement and with development plan policies that are consistent with it. As such, the matters raised do not overcome this policy conflict.

Conclusion

12. For the reasons given, it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR

[2] Paragraph 130c).