



Appeal Decision

Hearing held on 18 September 2007

Site visit made on 18 September 2007

by **JP Roberts** BSc(Hons) LLB(Hons) MRTPI

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
28 September 2007

Appeal Ref: APP/L5810/A/06/2030785 63 Collingwood Close, Twickenham TW2 7AE

- 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 Ms Aidee Bonilla Loaiza against the decision of the Council of the London Borough of Richmond-upon-Thames.
- The application Ref DC/LOS/06/1437/HOT, dated 2 May 2006, was refused by notice dated 7 August 2006.
- The development proposed is a loft conversion.

Formal Decision

1. I dismiss the appeal.

Procedural issue

2. The proposal seeks retrospective permission for development carried out before the date of the planning application.

Main issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding residential area and whether there are any circumstances which would outweigh any harm.

Reasons

4. The loft conversion was carried out in 2001, and comprises a large dormer in the rear roof, together with two rooflights in the front roof. The dormer fills the whole width of the roof and is almost as high as the ridge. Parapet walls on either side of the dormer were originally higher than the ridge, but were reduced in height in early 2006 to be roughly level with the ridge. Two windows are in the vertical wall of the dormer, one being larger than any of those below it.
5. The Council has produced Supplementary Planning Guidance (SPG) entitled *Design Guidelines for House Extensions and External Alterations*, adopted by the Council in 2002, after public consultation. I afford it substantial weight. It includes a section on roof extensions, and advises that their width should not exceed their height, that windows should be smaller than those in the floor below, they should not dominate the roof and that a significant area of the existing roof should be left below windows and on either side of any dormer.

6. The proposal complies with none of these criteria. The dormer is the only one of its type in the immediate area, and it is clearly visible from a nearby road and from a number of residential properties in the area. The dormer is finished in a white colour, which contrasts markedly with the brown roof tiles of the other houses in the road. In my view, it is a poor design; it dramatically changes the appearance of the rear of the dwelling and harms the look of the area. I therefore find that it conflicts with Richmond-upon-Thames Unitary Development Plan (UDP): First Review Policy BLT 11 which requires high standards of design, in character with existing development.
7. On the site visit, I was shown some large rear roof extensions some way from the appeal site, which may have required planning permission. I do not know whether these had been approved by the Council, or when they were constructed, but they only serve to show that such unsympathetic additions are harmful to the appearance of the area.
8. The appellant's case rests largely on what she considers to be the unfair manner in which the Council has treated her in dealing with the extension, and in issuing an enforcement notice. The Council conceded that errors had occurred, and that some officers' advice had been flawed, but this does not affect the planning merits of the proposal before me. Whilst the Council may wish to reflect on its handling of the case before pursuing further action, it is not my role to review the Council's conduct. I understand that the appellant feels bewildered and frustrated at what has happened in this case. However, the need to protect the area from poor development, and to avoid encouraging similar proposals is more important.
9. I recognise that the loft conversion provides valuable accommodation for the appellant and her family, and that this matter has been the subject of concern for several years. However, this does not outweigh the serious harm that I conclude would be caused to the character and appearance of the area, in conflict with UDP Policy BLT 11.
10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

JP Roberts

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Carlos Lizcano 39 Baddeley House, Vauxhall Street, London

Ms Aidee Bonilla Loaiza 63 Collingwood Close, Twickenham TW2 7AE

FOR THE LOCAL PLANNING AUTHORITY:

Mrs Sukie Tamplin, MRTPI, Planning Officer, London Borough of Richmond-
IHBC upon-Thames

DOCUMENTS

- 1 Attendance list
- 2 Delegated enforcement report submitted by Mrs Tamplin