



Appeal Decision

Site visit made on 13 December 2024

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th December 2024

Appeal Ref: APP/X5210/W/24/3350836

Flat D, 64 Menelik Road, Camden, London NW2 3RH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Hana Levy against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2023/3641/P.
 - The development proposed is a gable roof and rear dormer to facilitate loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for a gable roof and rear dormer to facilitate loft conversion at Flat D, 64 Menelik Road, Camden, London NW2 3RH in accordance with the terms of the application, Ref 2023/3641/P, 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 drawing Nos P101, P102 Rev A, P103 and S101.

Preliminary Matters

2. The proposal was refused planning permission for two reasons. One reason refers to the effect of the proposed rear dormer and the other to the effect of the proposed hip to gable roof extensions. As both elements form part of the same extension I will consider them together under the following main issue.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host building and area.

Reasons

4. Menelik Road is, in part, characterised by rows of two storey dwellings that have the character of semi-detached houses, with each pair often linked by setback two storey elements. Most of these set back elements are quite narrow in width and have a pyramidal shaped roof, separate from the main roof.
5. At my site visit I was able to see a mix of additions and extensions that had been constructed to some of the dwellings. There was a range of flat roofed side and rear roof dormer additions, such that these types of extension are a reasonably common feature of the area.

6. 64 Menelik Road is one of the two storey properties and is split into 4 flats. The building has a front, flat roofed extension, at roof height, with balcony that disrupts the symmetry of the pair. The set back two storey element to this property is wider than most others in this part of the road and it also has a single storey flat roofed addition to the side which is used as an outdoor terrace for Flat D.
7. No 64 is located at the end of Menelik Road and to the side, beyond the flat roofed terrace, is a more recent development of brick faced houses, which have a mix of gable and half hip roofs. When travelling from the south west along Minster Road towards the appeal property, No 64 is seen in the same surroundings as these newer dwellings.
8. The proposed changes to the existing two storey side element would include the raising of the ridge and altering the roof form from hips to gables. This addition would be different in appearance to other two storey setback elements in the road. However, this part of the property is already seen in a different context from the other dwellings in Menelik Road because of the combination of the width of this two storey rear element, the side terrace and the relationship to the adjoining newer houses with their appearance and variety of roof forms.
9. This roof change to No 64 would be recessed back in the site and would still have a roof shape, height and bulk that was subservient to the main body of the property. It would appear as a modest change that would not look out of place in its surroundings and would not draw the eye when approaching the building along Minster Road. Overall, this would be an acceptable alteration to this property and not harm the character and appearance of the host building or the street scene.
10. The enlarged roof would incorporate a flat roofed rear dormer. I have had regard to the advice on extensions and additions in the Camden Planning Guidance documents Design (January 2021) and Home Improvements (January 2021). I agree that usually this type of addition may not be considered a sympathetic addition in terms of the guidance. However, in this situation, the relative size of the dormer compared to the building as a whole would still be fairly modest because it would be added to the more minor and smaller part of the roof of the building. Furthermore, the dormer addition would have a new ridge line still lower than that of the main roof ridge which would not be altered as part of the scheme.
11. The evidence from the Council includes aerial photographs of the appeal site and surrounding buildings. These show a number of rear flat roofed dormers to the main roofs of the buildings which could arguably be more prominent than the present scheme which is to a more minor and lower part of the roof.
12. Importantly, an aerial photograph shows the dormers to the rear of the dwellings at 77 and 79 Minster Road, which are newer properties adjoining the appeal site. The proposed dormer at No 64 would be broadly aligned with the adjoining dormers at Nos 77 and 79, and have generally similar characteristics. None of these nearby dormers, nor the proposed dormer, would be visible from the main road. As I have explained above, flat roofed dormers are an established feature of the area, including to the appeal property with the dormer addition to its frontage.

13. The rear of the site is well screened from public view by the surrounding properties and the tall and established trees and other vegetation within and beyond the rear of the site. There would be no adverse impact on Hampstead Cemetery and its heritage assets from the scheme because of the scale, height and form of the proposal, in conjunction with the established screening.
14. Drawing these matters together, the circumstances combine such that I am satisfied that the rear dormer would not appear out of place or unduly dominant to this rear roof slope in the context of this building and the character of its surroundings. Consequently, I consider that it would not harm the character and appearance of the host building or wider area.
15. It follows that I conclude that the extension with its combination of roof additions and rear dormer would not harm the character and appearance of the host building or area. Accordingly, there would be no conflict with the Policy D1 (Design) of the London Borough of Camden Local Plan 2017 and Policy 2 (Design & Character) of the Fortune Green and West Hampstead Neighbourhood Development Plan 2015 which, amongst other things, seeks that development respects local character and context.

Other Matters

16. I have taken into account the letter of objection from a local resident at the appeal stage. The development, including with the addition of the gable walls and dormer, would be readily apparent to adjoining residents, including those occupants of the other flats at No 64. However, my assessment based on all the information and my site visit is that the additions, because of their form, bulk and height compared with the position of the surrounding flats and dwellings, would not lead to any undue sense of enclosure or material harm to the living conditions of any occupant. Overall, I am satisfied that the scheme would not lead to an excessive or overbearing development that would cause undue harm.
17. The Council has drawn attention to what was then an outstanding appeal on another site in its appeal questionnaire. This appeal concerned a different type of proposal in a different part of the Borough and, consequently, I attach this other appeal very little weight in my considerations.

Conditions

18. The Council has suggested, without prejudice, conditions in respect of the statutory time limit for commencement and a list of the approved plans. I agree that these are the only necessary and reasonable conditions that are required as part of the approval.

Conclusion

19. The proposal would comply with the policies of the development plan when considered as a whole and there are no material planning considerations that indicate a decision should be made otherwise than in accordance with the development plan. Consequently, I conclude that the appeal should succeed.

David Wyborn

INSPECTOR