



Appeal Decision

Site visit made on 26 September 2012

by W D Munday BTP MRICS MRTPI

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

Decision date: 8 October 2012

Appeal Ref: APP/X5210/D/12/2180660

70 Twisden Road, Dartmouth Park, LONDON, NW5 1DN

- 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 David Masterman against the decision of the Council of the London Borough of Camden.
 - The application ref. 2012/0852/P was refused by notice dated 16 April 2012.
 - The development proposed is erection of a dormer window to the rear.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a dormer window to the rear of 70 Twisden Road, Dartmouth Park, London NW5 1DN, in accordance with the terms of the application, ref. 2012/0852/P, dated 9 February 2012, 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: D1, D2B, D3B, D4B, D5B, D6B and D7B.
 - 3) The materials to be used in the construction of the external surfaces of the dormer window hereby permitted shall match those used in the existing building.

Preliminary Matter

2. The description of the proposal on the application form is as set out in the formal decision above. The Council's decision notice contains a different description, which includes a reference to the installation of two rear rooflights and a front rooflight. The appellant maintains that this change was made without his agreement and that the rooflights shown on the application drawings can be installed as permitted development. He has requested that the appeal be determined on the basis of his description and I have considered it accordingly.

Main Issue

3. The main issue is the impact of the proposal on the character and appearance of the host building, the terrace of which it forms part, and the Dartmouth Park Conservation Area.

Reasons

4. The appeal property is within a long terrace of houses on the south-east side of Twisden Road. On the rear elevation the roof slopes appear as a generally continuous line, interrupted at regular intervals by chimney stacks and dividing parapets. However, a number of roofs have been the subject of alterations. In the group of six houses of similar design which include the appeal property, the adjoining property, no. 72, has been the subject of a large, flat-roofed rear addition at roof level to the full height of the original roof ridge and the full width of the property. Its prominence in the roofscape is accentuated by brickwork and fenestration which contrast markedly with the appearance of the lower part of the property and its neighbours. A smaller rear dormer window has been constructed at no. 64, the top of which is aligned with the main roof ridge. There are other properties in this immediate group with rooflights on the rear roof slopes. Further to the west, there are substantial additions at roof level at nos. 52 and 60.
5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a requirement in relation to the consideration and determination of planning applications which affect conservation areas, that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced.
6. Policy CS14 of the Camden Core Strategy 2010-2025 indicates that the Council will require development to be of the highest standard of design that respects local context and character, and will seek to preserve and enhance the borough's heritage assets, including conservation areas, and their settings. Policy DP24 of the Camden Development Policies 2010-2025 reiterates the requirement for a high standard of design, which should take into consideration character, setting and context and the scale and form of neighbouring buildings, and, where extensions are proposed, the character and proportions of the existing building. Development Policy DP25 states that the Council will only permit development within conservation areas that preserves and enhances the character and appearance of the area. This is a more demanding requirement than that set out in Section 72(1) of the Act, to which I have referred above. Other guidance is contained in particular in the Dartmouth Park Conservation Area Appraisal and Management Statement and Camden Planning Guidance "Design" (CPG1).
7. The Council's delegated report on the application states that the officers raised no objection to the design of the proposal in itself, but their concerns related to the principle of an extension in the location proposed. In the light of other roof additions in the vicinity, in particular that at the immediate neighbour (no. 72), the indication in the Council's reason for refusal that the existing roofline is "largely unimpaired" was not apparent to me during the course of my site visit. The delegated report indicates that other roof additions in the vicinity were constructed before current policies were adopted and in some cases prior to the designation of the conservation area. Nevertheless, these other additions exist and form part of the physical context in which the present proposal falls to be considered. The other roof additions are quite varied and have not resulted in any established pattern, but are mostly larger than the appeal proposal. In so far as the dormer window now proposed would be reasonably modest in scale, set appropriately below the roof ridge, above the eaves and inside the parapet wall adjoining no. 68, and be constructed with materials which would blend

with the existing roofscape, I consider it would be suitably respectful of its setting. In my judgement it would relate satisfactorily to the character and proportions of the existing house and its neighbours.

8. In these circumstances, in terms of its design, I consider the proposal would not result in any conflict of substance with policies CS14 and DP24. In relation to the requirement of Section 72(1) of the Act as mentioned above, I consider the design is sufficiently respectful of its context to ensure that the character and appearance of the wider conservation area would be preserved. Having regard to the more stringent test of Policy DP25 (to preserve and enhance), I consider the proposal would at least achieve a standard of design which would be an improvement on other previous additions in the vicinity.
9. Camden Planning Guidance "Design" (CPG1) identifies situations where roof additions are likely to be either acceptable or unacceptable. In my view, the proposal does not readily fall into any of the listed situations. In particular, for reasons explained above, I do not consider the existing roofline in the vicinity to be "largely unimpaired". Whilst the roofline is open to some local views, the proposed dormer would be seen in the context of other nearby roof additions.
10. The delegated report refers to previous appeal decisions in relation to nos. 49 and 28/30 Twisden Road. In relation to the former, the report refers to dormer windows in the plural, and in relation to the latter, it refers to rear mansard roof extensions. It would appear from these descriptions that the proposals under consideration were somewhat different from the present proposal for a single, modest dormer. In the case of no. 49, on the north side of Twisden Road, there is a reference to "isolated dormers in otherwise unbroken rooflines", which, as I have explained above, would not be a wholly accurate description if applied to the immediate surroundings of the present proposal. In the case of nos. 28/30, the Inspector refers to other dormer extensions and roof alterations, which "in some cases" had caused significant harm. In my judgement, the modest scale of the dormer window now proposed would not detract from its own particular local context and setting. These earlier decisions do not therefore cause me to alter my views in relation to the merits of the present proposal.
11. I have taken all other matters which have been raised into account, including the comments of individual neighbouring residents, The Chetwynd and Twisden Roads Residents' Association and the Dartmouth Park CAAC. For the reasons given above, I conclude that the appeal should be allowed. I consider conditions are required to ensure compliance with the approved plans, for the avoidance of doubt and in the interests of proper planning; and to ensure the use of external materials which match the existing building, as stated on the application form, in the interest of the maintaining the character and appearance of the area.

W D Munday

INSPECTOR