



# Appeal Decision

Site visit made on 23 August 2010

**by Martin Brookes BA MSc MRTPI**

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

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**Decision date:  
17 September 2010**

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## **Appeal Ref: APP/X5210/A/10/2124102**

### **10 Belsize Park, London NW3 4ES**

- 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 Jean-Michel Assouly against the decision of the Council of the London Borough of Camden.
  - The application Ref 2009/3622/P, dated 30 July 2009, was refused by notice dated 29 September 2009.
  - The development proposed is the reconstruction and enlargement of existing front and rear dormers and terraces.
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### **Decision**

1. I dismiss the appeal.

### **Main issue**

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Conservation Area.

### **Reasons**

3. The appeal property comprises half of a pair of villas of a distinctive Italianate design that are characteristic of the Belsize Conservation Area. The uniformity of design and appearance of these villas and the symmetry of their elevations are features that have great significance in defining the character and appearance of the Conservation Area, particularly of the Belsize Park Sub Area as defined in the Council's adopted Belsize Conservation Area Statement (2003).
  4. The uniformity and symmetry of the principal elevations are well preserved below eaves level, but less so at roof level where a number of dormers have been constructed. For the most part, the dormers are relatively small and set well back on the roof where they are not unduly conspicuous in the street scene. However, some are associated with terraces enclosed by railings or glazed screens that are more conspicuous. These enclosed terraces are less common features of properties of Belsize Park than of Belsize Park Gardens, where a degree of symmetry is secured in some cases by larger dormers and terraces on both halves of the individual villas.
  5. There are dormers on the front and rear roof slopes of the appeal property and the adjoining house at 11 Belsize Park. They do not create an exact symmetry to the elevations, but their sizes and positions on the roof are not so different that they seriously unbalance the appearance of the building. They are also
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- subordinate features being smaller than the second floor windows below and being set further back.
6. Guidance on the application of general design and conservation policies in the London Borough of Camden Replacement Unitary Development Plan 2006 (UDP) in relation to dormers and roof terraces is contained in the Camden Planning Guidance 2006, which has been adopted as a Supplementary Planning Document (SPD). This includes guidance that dormers should be of a size that is clearly subordinate to the windows on the lower floors with the overall width and height being no greater than the windows below. Roof terraces will only normally be acceptable on the rear of properties and, where provided within a roof slope, a roof apron of tiles or slates should be kept open above the eaves. Any handrails should be well behind the roof slope and be invisible from the ground.
  7. The appeal proposal would not accord with this guidance. It would involve the enlargement of the existing dormers on the front and rear roof slopes. The front dormer would be as wide as the second floor window and the rear dormer would be wider than the window below. The terraces would be wider than the dormers and would be enclosed by metal framed glazed panels. These panels would extend to the eaves and would not leave an apron of tiles. Although the panels would be largely transparent, overall the dormers and terraces would be large, prominent features that would not appear as subordinate additions and would seriously unbalance the principal elevations of the building. They would detract from the uniformity of design of the villas in the Conservation Area and would be prominent in close and longer distance views from Belsize Park and Belsize Square.
  8. My conclusion is that the development would be harmful to the symmetry of the villa at 10/11 Belsize Park, would be harmful to the street scene in Belsize Park and Belsize Square and would fail to preserve or enhance the character or appearance of the Conservation Area. The development would not be of a high standard of design that respects the character of the building or its setting and consequently would conflict with saved Policies B1, B3 and B7 of the UDP. It would also conflict with SPD guidance
  9. In reaching this conclusion I have considered carefully the examples of approved dormers and terraces that have been brought to my attention. However, I do not find that they are comparable in terms of their size as well as their relationship to adjoining properties and in terms of the character of the streets from where they are seen. I have also had regard to the fact that one of those developments was approved prior to adoption of the SPD in 2006 and that others were permitted on adjacent and nearby properties having regard to existence of that development. In any case, I do not consider that their existence justifies the harm I have identified at the appeal property when assessed in the light of current Development Plan policies and guidance.

*M P Brookes*

INSPECTOR