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## Statement of Case

Site at Second Floor Flat, 6 Eldon Grove, London NW3 5PS

Appeal by [REDACTED]

Erection of a side dormer.

LB Camden ref: 2013/7393/P

## 1. Introduction

- 1.1. No. 6 is a three-storey semi detached property that has been converted into flats. The property is in the Fitzjohns/ Netherhall Conservation Area.

## 2. The Reason For Refusal

- 2.1. The application was refused under officer-delegated powers on 24<sup>th</sup> January 2014 for the following reason:

The proposed side dormer, by virtue of its scale, proportions, siting and materials, would appear as an incongruous and unsympathetic addition to the roof of the host property, resulting in unacceptable harm to its appearance and disrupt the harmony of the semi-detached pair of which it is a part. The proposal therefore fails to preserve and enhance the character and appearance of the conservation area, contrary to policies CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and to policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 2.2. The statement of case shall address this reason for refusal.

### 3. Policy Context

#### National Planning Policy Framework (NPPF) (March 2012)

- 3.1. This document represents an important overhaul of the planning system. Within the document there is a clear focus on the delivery of economic expansion and the provision of new/better quality homes.
- 3.2. It is a material consideration in planning decisions. The NPPF contains a strong presumption in relation to sustainable development. In the context of this appeal the following key aims are relevant:

#### Para 19

*'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.'*

- 3.3. While the dormer relates to domestic extension it will enable the loft to be converted and this would deliver sustainable economic growth via its conversion.

#### Para 56

*'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'.*

- 3.4. The side dormer would appear as a well proportioned side addition to the roof slope. It will make places better for people in so far as it will improve the quality of the living accommodation for the appellant.

#### Para 131

*In determining planning applications, local planning authorities should take account of:*

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

- 3.5. A case for enhancement would be difficult to justify. However, the side dormer would be a small addition to the property and it is considered it would preserve or worse have a neutral effect on the character of the host building and the wider conservation area. From the perspective of viability it would also enable the roof space to be formally converted into habitable accommodation. This would help to optimise the use of this site.

### Local Plan Policy

#### Camden's Core Strategy (2010).

- 3.6 The Council's reason for refusal refers to Policy CS14 (Promoting high quality places and conserving our heritage). This requires all development to be a high standard of design and to ensure development preserves and enhances Camden's rich and diverse heritage assets and their settings.

#### Camden's Development Policies

- 3.7. The reason for refusal refers to Policies DP24 (Securing High Quality Design) and policy DP25 (Conserving Camden's Heritage).
- 3.8. Policy DP 24 expects all extensions to respect the character and proportions of the existing building and use high quality materials.
- 3.9. In common with Core strategy Policy DP25 will only permit development that conserves and enhances the character of the conservation area.
- 3.10. It is considered the roof dormer as sought would not materially undermine the key aims of these local plan policies. Like all extensions the roof dormer represents a new addition to the property, but it is small and the overall character of the conservation area would not be harmed.

Fitzjohns/ Netherhall Conservation Area Statement (2001).

**Eldon Grove** Situated on a gentle incline to the north. The straight and steady slope of this street enhance the effect of its lime avenue while the narrow, kerb-side grass verges add to the suburban flavour. It is a short road that has a number of elements to it. Nos.2-9 were built in the early 1860s and are four semi-detached villas. Nos.2-7 are



three storeys, have raised ground floors and front porticos, rusticated stucco at ground and semi-basement, sash windows, central windows with three lights. Some additions of dormers and veluxes to the front elevation. The rear of the properties is visible from Lyndhurst Road. Nos.10&11 on the east side are similar. Nos.8&9 has a Gothic style, but with a gable and dormer. Nos.14,15,16 are a terrace of 1880s red brick

two-storey properties, that relate in design to properties in adjacent streets. They have gables with bargeboards, recessed entrances, double height bays (square and curved), casement windows with multiple lights. There is some new development at Eldon Court, which has no outstanding qualities. Tower Close 1982 by Pollard, Thomas and Edwards



has positive elements but sits very close to the pavement which gives too much emphasis to the height, although the corner position tempers this.



3.11. The above extract from the statement acknowledges that front dormers and velux windows exists on the front elevation of properties. In this regard they are accepted as being part of the existing character of Eldon Grove.

3.12. The statement also sets out the following policy relating to roof extensions:

## ROOF EXTENSIONS

F/N15 Planning permission is required for alterations to the roof, at the front, rear and side, within the Conservation Area. Some alterations at roof level including the side and rear have had a harmful impact on the Conservation Area. Because of the varied design of roofs in the Conservation Area it will be necessary to assess proposals on an individual basis with regard to the design of the building, the adjoining properties and the streetscape. Roof extensions are unlikely to be acceptable where:

- It would be detrimental to the form and character of the existing building
- The property forms part of a group or terrace which remains largely, but not necessarily completely, unimpaired
- The property forms part of a symmetrical composition, the balance of which would be upset
- The roof is prominent, particularly in long views
- The building is higher than many of its surrounding neighbours. Any further roof extensions are therefore likely to be unacceptably prominent.

Where the principal of an extension is acceptable they should respect the integrity of the existing roof form and existing original details should be precisely matched.

- 3.13. Policy F/N15 acknowledges that roof extensions have had a harmful impact on the conservation area, but because of the wide variety of different forms and types of roof extension it is important to assess each case individually. Importantly the policy does not state there should be a blanket ban on any further dormer extensions.
- 3.14. The statement carries out an audit of properties on Eldon Grove. It identifies a number of unlisted properties on the road which it considers make a positive contribution to the special character and appearance of the area. This includes the appeal property.
- 3.15. While, the appeal property may be considered to make a positive contribution to the conservation area this is because it forms part of a wider group of 4 pairs of semi-detached properties (Nos. 2-9). While these pairs maybe similar in respect of their regular siting, scale and height, as is evident from the aerial photograph Nos. 6-9 have very different roof slopes to Nos. 2-5.



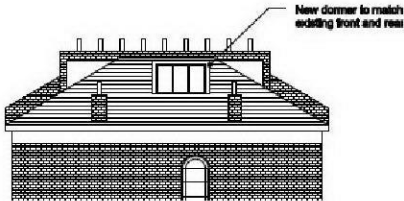
- 3.16. The addition of a small side dormer would not materially impinge upon the collective character of these properties to a degree that it would harm their character the wider

conservation area, especially when seen against the existing front dormers on the appeal property and the adjoining neighbour.

#### 4. Evaluation Of The Council's Reason For Refusal

##### Reason 1 'Scale proportions siting and materials '.

- 4.1. The council are concerned that the dormer would appear as an incongruous addition. However, the proposed dormer is small. It would measure 1.2m high, 1.8m deep and 2m wide. The dormer would be visible from the street but this is not to a point that it would appear as a prominent addition. As stated it would also be seen alongside the identical existing front dormers on Nos. 6 and 7.
- 4.2. The Council argue that Nos. 6 and 7 still retain their symmetry as both have front dormers and the addition of the side dormer will unbalance the pair to a degree that it would not preserve or enhance the character of the conservation area. However, the height of the buildings, combined with size and siting of the dormer on the upper part of the roof means its impact on the symmetry of the both properties would not be appreciable, particularly when viewed from the street.
- 4.3. The council's case officer report is critical about the dormer because it would not be set below the ridge by at least 0.5m. However, in this case it is considered it would be appropriate to have a dormer that aligns with the existing front and rear dormers. A dormer that was set lower into the roof slope would appear oddly sited in the context these dormers.
- 4.4. The council's report contends the dormer would appear bulky, non subordinate and obtrusive. This is disputed. As the plan extract overleaf shows it could not be reasonably be described in any of these terms given its size and placement within the roof slope.



- 4.5. The Council argue that the dormer would harm the appearance of the roofline of the properties along Eldon Grove. Again this is disputed. While the roof slopes differ between Nos. 2-9 Eldon Grove any roof uniformity is derived from the regular eaves height as shown in the following picture below. The addition of a small dormer of the side roof slope of No. 6 which can be seen in the background of the photo would not disrupt or harm this in any way.



No. 6



4.6. The Council's reason for refusal refers to materials. However, the case officers report is silent on this point. Presumably the Council is referring to the Upvc frame. Overall it is considered the use of Upvc is acceptable, as it matches the existing dormer. However, if the Inspector agrees that on all other points the dormer is acceptable, then the appellant is willing to accept an appropriately worded condition to provide a wooden window frame that is subject to approval by the Council.

## 5. Conclusion

In the light of the issues raised in this statement the Inspector is respectfully asked to allow the appeal.

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