
Appeal Decision

Site visit made on 9 September 2014

by Edward Gerry BA (Hons) MSc MRTPI

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

Decision date: 2 October 2014

Appeal Ref: APP/X5210/A/14/2221986

101 Messina Avenue, London NW6 4LG

- 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 Nick Kimberley against the decision of the Council of the London Borough of Camden.
 - The application Ref 2014/1618/P, dated 3 March 2014, was refused by notice dated 21 May 2014.
 - The development proposed is described as 'addition of extra floor and altering a flat roof to be a terrace'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council confirms it has no objection to the proposed roof terrace. I see no reason to deviate from the position taken by the Council on this matter. Accordingly, my considerations below focus on the proposed mansard roof extension.
3. The appellant makes comments in respect of the Council and other local planning authorities allowing similar mansard roof extensions on the basis that they are permitted development. However, whether or not planning permission is required for the proposed mansard roof is not a matter for me to determine in the context of an appeal made under S78 of the Town and Country Planning Act 1990. It is open to the appellant to apply for a determination under sections 191/192 of the above Act to determine this matter. My determination of this appeal under Section 78 of the above Act does not affect the issuing of a determination under Section 191/192 of the same Act.

Main Issue

4. The main issue is the effect of the proposed mansard roof extension on the character and appearance of the host building and its surroundings.

Reasons

5. The appeal site is located in a residential area. It forms part of a long terrace of dwellings located on Messina Avenue. The terrace, which the appeal site forms part of, is characterised by its consistent appearance. The dwellings which make up the terrace are three storeys in height and have front parapet

- walls which extend above the roofline. The terrace currently has an unbroken roofline which contributes towards the character of Messina Avenue.
6. I acknowledge the height of the parapet wall, which forms part of the front elevation of the host building, and the attractive form of the front elevation of the terrace. Additionally, I note that the proposed roof extension would be set back from the front elevation and the suggestion that there would be limited views of the proposed roof extension from Messina Avenue due to the narrow nature of the street. Nevertheless, the proposed mansard roof would extend above the height of the parapet wall. Whilst I accept it would not be a dominant feature when viewed from Messina Avenue it would be visible and given the contribution that the unbroken roofline makes to the character and appearance of the host building and its surroundings the proposed roof extension would appear out of keeping.
 7. I acknowledge that dwellings in the wider area including those on Cotleigh Road, located to the north of the appeal site, have had alterations to their original roofs including the insertion of large box dormer windows. However, the majority of these alterations appear to relate to the rear roof slopes of buildings as opposed to the front roof slopes. Therefore they are not as prominent from the street as what is proposed. Irrespective of this each proposal should be treated on its merits and it is on this basis that I have considered the proposed development.
 8. For these reasons the proposed mansard roof extension would unacceptably harm the character and appearance of the host building and its surroundings. In consequence there would be a conflict with Policy CS14 of the London Borough of Camden Local Development Framework Core Strategy 2010-2025 (CS) and Policy DP24 of the London Borough of Camden Local Development Framework Camden Development Policies 2010-2025 (CDP). Policy CS14 of the CS and Policy DP24 of the CDP aim to ensure, amongst other things, that development is of the highest standard of design that respects local context and character.

Other Matters

9. I note the appellant's comments in respect of the Council being the owners of the appeal site and his view that the Council would benefit from the proposed roof extension. I also acknowledge that the proposed development would not overshadow the gardens to the rear of the host building and thus it would not have a detrimental impact on the living conditions of the occupiers of neighbouring properties. Nevertheless, such matters do not outweigh my findings above in respect of the character and appearance.

Conclusion

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Edward Gerry

INSPECTOR