



Appeal Decision

Site visit made on 30 October 2014

by **H Lock BA (Hons) DipTP MRTPI**

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

Decision date: 10 November 2014

Appeal Ref: APP/X5210/D/14/2223453

47 Swains Lane, LONDON, N6 6QL

- 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 Ms J Redgrave against the decision of the Council of the London Borough of Camden.
 - The application Ref 2014/0462/P was refused by notice dated 4 June 2014.
 - The development proposed is a ground floor extension, loft conversion and replacement of rear and side windows.
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Decision

1. The appeal is dismissed insofar as it relates to the loft conversion. The appeal is allowed and planning permission is granted insofar as it relates to the ground floor extension and replacement of rear and side windows at 47 Swains Lane, LONDON, N6 6QL, in accordance with the terms of the application, Ref 2014/0462/P and the plans submitted with it so far as relevant to that part of the development hereby permitted, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) In so far as they relate to the ground floor extension and replacement of rear and side windows, the development hereby permitted shall be carried out in accordance with the following approved plans: 1312: 001 Revision A; 202 Revision B; 203 Revision H; 204 Revision E; 210 Revision A; 211 Revision A; 212 Revision A; 213 Revision A; 220 Revision A; and 222 Revision A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. At the time of my site visit, work was underway on the construction of a single storey side extension, finished in face brickwork. For the avoidance of doubt, I have determined this appeal on the basis of the information shown on the submitted plans, which includes a side extension finished with rough rendered white walls to match those of the main house.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the appeal property, the semi-detached pair of which it forms part and the wider Holly Lodge Estate Conservation Area.

Reasons

4. The appeal property is a semi-detached house located in a road that is typified by dwellings of Arts and Crafts style and period. The dwelling is prominently located on the curve of the road. Swains Lane is within the Holly Lodge Estate Conservation Area, and the Council adopted an Appraisal and Management Strategy (CAAMS) for the area in 2012. This document identifies that there is homogeneity to the original design of the housing which lends a strong sense of place, but that in Character Area 5 (where the site is located), many houses have been extended with dormer windows.
5. The reason for refusal of the application focuses on the proposed side dormer window. I share the Council's assessment that, due to their position on the dwelling and in relation to the public domain, the design and size of the side extension and rear dormer window would be acceptable. The alterations to the fenestration would be of a style and materials in keeping with the dwelling, and all of these elements would preserve the character and appearance of the dwelling and conservation area.
6. With regard to the side dormer window, there are many roof extensions in the vicinity, some of which are of more sympathetic design and scale than others. The local topography and the position of dwellings in the street scene also affect the visual impact of the dormer windows constructed. Policies CS14 of the Camden Core Strategy (CS) and DP25 of the Development Policies Document (DP) both seek to preserve and enhance heritage assets such as conservation areas, and the CAAMS identifies that the Council is resolved to halt the erosion of the special character of this Conservation Area. A key issue identified in the CAAMS is that of overlarge or inappropriately detailed dormers and roof extensions, with the roofscape being eroded by developments that distort the shape and articulation of the Arts and Crafts design of gables.
7. The Council's delegated report advises that all of the dormer windows in the vicinity which have the benefit of planning permission were constructed prior to the adoption of the Council's current policies in 2010. The Council's adopted supplementary planning document CPG1 'Design' is also a recent document, published in 2011 and updated in 2013. The document provides detailed size criteria to be applied to dormer proposals, and confirms that the presence of unsuitably designed new or altered dormers on neighbouring properties will not serve as a precedent for further development of the same kind.
8. Although the attached property, No.49 Swains Lane, has no dormer windows, the symmetry of the pair is already altered by a large single storey side extension to that property. Dormer windows are prevalent in the conservation area, and there are some semi-detached houses where only one half of the pair has a roof extension or both have been extended differently. In this context, roof alterations are a recognisable feature of the roofscape, and as such I do not share the Council's conclusion that a side dormer window at this property would be unacceptable in principle. Although the appeal property is prominently located on the bend in the road, long range views of the side roof slope of the property are partly obscured by the position of other buildings and street trees.
9. However, whilst there are many dormer windows in the vicinity, a significant number are of a scale and design which are not sensitive to the conservation area setting and should not be replicated. Although the style of the proposed side dormer would be acceptable, it would be overly large relative to the

roofslope on which it would sit and the width of the windows below. Notwithstanding the area of roof slope that would remain, the proximity to the roof ridges would make the dormer window appear as an unacceptably bulky and dominant feature that would detract from the character and appearance of the dwelling and the conservation area. Due to the open gap to the side of the building, a dormer of the size proposed would be visible in the public domain. The rear dormer would not be fully compliant with the Council's guidelines, but it would be a smaller feature with less direct visual impact on the street scene.

10. The appellant indicates that there is a medical need for the dormer window to be constructed as shown in order to accommodate an appropriate staircase, although the redacted e-mail correspondence with the Council prior to the issue of its decision provides limited justification for the proposal. In any event, there is insufficient technical information before me to demonstrate that access to the loft could not be secured by other means, including a smaller dormer window or reconfigured internal layout. On the basis of the information before me, the need for the development would not outweigh the visual harm that would result to the conservation area.
11. The appellant has expressed concerns about the Council's processing of the application and pre-application consistency, but these are not material to the planning merits of this proposal, and are not therefore a matter for consideration in this appeal.
12. I therefore conclude that the proposed side dormer window would detract from the appearance of the appeal property, and would fail to preserve the character and appearance of the conservation area, contrary to the aims of CS Policy CS14 and DP Policy DP25, and the overarching design requirements of DP Policy DP24.
13. As outlined above, I find the ground floor side extension and alterations to fenestration to be acceptable in all respects. As they are severable from the loft conversion, and both physically and functionally independent, I propose to issue a split decision. As the rear dormer window is an integral part of the loft conversion it is also dismissed.

Conditions

14. The Council has not suggested any planning conditions. However, in addition to the standard time limit, it is appropriate to control materials, to match the main dwelling, in order to safeguard the character and appearance of the house and the conservation area. For the avoidance of doubt and in the interests of proper planning I also impose a condition specifying the approved plans.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed in part and dismissed in part.

Hilary Lock

INSPECTOR