
Appeal Decision

Site visit made on 3 February 2015

by Jameson Bridgwater DipTP MRTPI

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

Decision date: 20 February 2015

Appeal Ref: APP/X5210/A/14/2227662

Burgess Park Mansions, Fortune Green Road, LONDON NW6 1DP

- 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 Mrs Katherine Malugin against the decision of the London Borough of Camden.
 - The application Ref 2014/1470/P, dated 24 February 2014, was refused by notice dated 4 June 2014.
 - The development proposed is conversion of existing attic space in to residential accommodation including: demolition of part of the pitched roof to the rear to form a new roof garden, rear dormer extension, new velux windows on the front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of existing attic space in to residential accommodation including: demolition of part of the pitched roof to the rear to form a new roof garden, rear dormer extension, new velux windows on the front elevation at Burgess Park Mansions, Fortune Green Road, LONDON NW6 1DP in accordance with the terms of the application, Ref 2014/1470/P, dated 24 February 2014, 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: LP01 Rev P, 1000 Rev P1, 1001 Rev P1, 1003 Rev P1, 1005 Rev P1, 1006 Rev P1, 1007 Rev P1, 1008 Rev P1, 1010 Rev P1, 1011 Rev P1, 1012 Rev P1, 1201 Rev P1, 1203 Rev P1, 1205 Rev P1, 1206 Rev P1, 1207 Rev P1, 1208 Rev P1, 1210 Rev P1, 1211 Rev P1 and 1212 Rev P1.
 - 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main issue

2. The main issue is the effect of the proposed extension on the character and appearance of the host building and the surrounding area.

Reasons

3. Burgess Park Mansions is a 4 storey, early 20th Century mansion block, constructed in brick. The main roof is mansard, with a hipped roof on the rear projection, with 2 substantial chimneys. The appellant proposes to remove the hipped roof from the rear projection to create a roof terrace. To allow access to the proposed roof terrace the appellant proposes to convert the upper roof space of the principle mansard roof, with the addition of a rear facing dormer, with a single rear facing roof light and 4 roof lights on the front elevation.

Character and appearance

4. The Council refused the application reasoning that the roof extension and terrace due to the mass, bulk and detailed design, would be an incongruous and obtrusive addition. It is accepted that the removal of the rear hipped roof would result in a change in the character of the building. However, given the position of the proposed roof terrace on the rear elevation and its height in relation to the surrounding streets, such a change would not be prominent. The proposed retention of the 2 chimneys on the rear projection would ensure that the rear projecting elevation would retain its key architectural features that make a significant contribution to the character of the mansion block.
5. The Council considers that the rear dormer by way of its design and bulk would be overly dominant and not in keeping with the proportions of the building. However, the proposed dormer would be set in from the gable of the mansion block and set down from the ridge of the principle roof. When combined with the dormers location on the rear elevation and height in relation to public vantage points, it would mean that it would not appear dominant or obtrusive. The design of the lead clad dormer is simple and understated; as such it is a traditional architectural solution that would relate well to the host building. Consequently the proposal would not result in material harm to the character and appearance of the host building or the surrounding area.
6. Having come to the conclusions above, it follows that the proposal would not result in an incongruous or obtrusive addition to the existing roof, or result in material harm to the architectural integrity of the existing building or the character of the surrounding area. The proposal would therefore be consistent with Policy CS14 of the Camden Core Strategy 2010-2025 and Policy DP24 of the Camden Development Policies 2010-2025, which seek to secure the highest standard of design, through ensuring development considers the context, character and proportions of the existing building where alterations are proposed. These objectives are consistent with the National Planning Policy Framework.

Conclusion and Conditions

7. In addition to the standard implementation condition, it is necessary for the avoidance of doubt, to define the plans with which the scheme should accord. To ensure the satisfactory appearance of the scheme it is necessary for details of materials to be submitted to and approved by the Council. The Council in setting out their suggested condition 3 stated '*Following the removal of the existing terrace the roof of the terrace shall be returned*', the meaning of this element of the condition is not precise and therefore does not meet the tests that planning conditions must meet as set out in the Framework.

8. For the above reasons and having regard to all other matters I conclude that the appeal should be allowed.

Jameson Bridgwater

INSPECTOR