

Statement of Case

Following the refusal of our planning application by Camden Council (Application Ref:2015/5283/P) we would like to appeal the decision made. The application was refused with the Council citing policies CS5 and DP24 as those that the application contravenes. However, in the detailed Officer Delegated Report (ODR), there are no specifics about which parts of these policies are at issue. The only consideration raised is whether the size of the dormer is acceptable, particularly whether the proposed addition is overly bulky and insubordinate to the host building.

Camden Policy on Roof Dormers

CS14 is the overall Camden strategy for *promoting high quality places and conserving our heritage*, under which sits DP24 on *securing high quality design*. Both these documents provide general advice, however, of particular importance is the only specific guidance provided on roof developments, which is contained in CPG1 Section 5. This accompanies CS14 and DP24 and provides details of how to comply with Camden policies. The ODR accepts that a dormer is acceptable and following the guidance we are directed to the requirements in section 5.11, of which the relevant parts are 5.11 (b) & (d).

(b) Dormers should not be introduced where they cut through the roof ridge or the sloped edge of a hipped roof. They should also be sufficiently below the ridge of the roof in order to avoid projecting into the roofline when viewed from a distance. Usually a 500mm gap is required between the dormer and the ridge or hip to maintain this separation (see Figure 4). Full-length dormers, on both the front and rear of the property, will be discouraged to minimise the prominence of these structures.

d) In number, form, scale and pane size, the dormer and window should relate to the façade below and the surface area of the roof. They should appear as separate small projections on the roof surface. They should generally be aligned with windows on the lower floors and be of a size that is clearly subordinate to the windows below. In some very narrow frontage houses, a single dormer placed centrally may be preferable (see Figure 4). It is important to ensure the dormer sides (“cheeks”) are no wider than the structure requires as this can give an overly dominant appearance. Deep fascias and eaves gutters should be avoided.

The above shows that Camden policy makers have clearly considered what is required to make a dormer acceptable and the design has always sought to comply with the specific requirement that dormers should be set in by 500mm, even though there are examples within NW6 (see Appendix) where smaller set ins have been allowed. Despite this, the ODR mentions additional reasons why they feel this is not sufficient in this case and we address these reasons below:

Narrow Frontage

In Section 3.3 of the ODR the Council states that the building has a narrow frontage and therefore the 500mm set in would not prevent the dormer from appearing overly bulky and insubordinate.

Firstly, the frontage of the building is a standard width for terraces in the area (c.5m wide), which is the same as all the applications referred to again later on Loveridge Road (21C, 22, 28, 46, 48 and 64). The other dormers referred to in the Appendix are also of similar widths, the narrowness of these frontages would have been considered during these applications and was never mentioned as an issue by the Council.

Secondly, we note that on a smaller frontage the required 500mm gap actually reduces the relative size of the dormer in comparison to the width of the building. For example, in this case the set in represents 20% of the building width rather than 15% for a building that is 7m wide. Therefore, this automatically means that the dormer becomes more subservient on narrower fronted buildings.

Separate small projections

They also state that the proposal does not follow the guidance that dormers “should appear as separate small projections on the roof surface” and they claim the use of a single addition rather than two separate smaller

projections adds to the bulkiness. The above quote is drawn from CPG 5.11(d), which goes on to note that in the case of a house with narrow frontage a single centrally placed dormer would be preferable, we therefore based our design around this part of their published guidance.

We also note that the specific wording in CPG 5.11 has been in use since at least April 2011 and possibly earlier. Since this time all of the dormers mentioned in the Appendix have been granted full planning permission, none of which were considered to contravene this particular guidance.

Overly bulky and insubordinate

The existing elevation of the roof is approximately 3m high and 5m wide (15m²). The minimum 500mm set in therefore gives a maximum visible dormer 2m high and 4m wide (8m²), representing 53% of the overall roof area. Given this roughly equates to half the size of the current elevation it should be clear that it complies with the requirement to be “clearly subordinate”.

Obviously defining what appears bulky or insubordinate is a subjective decision and as such hard to quantify but we believe that looking at relevant recent decisions to find a consensus of opinion is another fair way to determine this. As noted in the Appendix (Notes A,B and C), Camden’s planning officers have often previously noted on similar properties that by setting in 500mm from the edges, the dormer is considered to be sufficiently subordinate.

Our proposal is of a similar or identical size to these others, set on a similar or identical building (particularly 64 Loveridge Road in the same terrace), is not in a Conservation area and it is not visible from any public spaces. As such, there have not been sufficient reasons put forward by Camden as to why this particular location is any different and therefore why further reductions in size are required here.

Further Revisions Sought by the Council

Despite the arguments put forward above we offered a concession of an increased set in from the sides to 700mm, however this was rejected by the Council and they requested further changes to be made to the set in from the eaves and the ridge.

We felt that the reduction in width would already significantly impact the internal space and to reduce the size any further would have knock on effects on the quality of the design (see below). We also noted that in addition to 64 Loveridge Rd, the dormers at 21C ([2010/2022/P](#)), 46 ([2011/2534/P](#)) and 48 ([2010/3368/P](#)) are of a very similar size and all were deemed sufficiently subordinate to identical buildings on the street. As such we were not willing to comply with the additional changes required.

The Council go on to accept in point 4.0 of the ODR that a further set in from the ridge is not achievable as it would violate the head height requirement of 2.3m (CPG2). Therefore, in requesting an additional set down from the ridge they are contradicting themselves within the same report and ignoring the impact of their requests on the internal living space.

Additional Considerations

The original design provides higher quality housing

The Council solely focus on the question of whether or not the dormer is an acceptable size externally. We argue that it is also extremely relevant to ask whether the best possible use of the opportunity to develop the roof is being made given that, once constructed, there will be very little opportunity to significantly change or improve the layout.

- 1) High quality spaces are a requirement of Camden policies

Camden policy CS6.39 lists two bedroom properties as ‘highest priority’ for development. CS5 states that housing should ‘provide spaces of the highest quality’, ‘balance the needs of development with the needs and characteristics of local areas and communities’ and ‘make sure that the impact of developments on their occupiers and neighbours is fully considered’.

CPG2 requires that *'development should provide high quality housing that provides secure, well-lit accommodation that has well-designed layouts and rooms'* and *'all residential developments in the Borough are required to be designed and built to create high quality homes'*.

DP24 states:

24.7 - *Developments should consider: 'the suitability of the proposed design to its intended use'*

24.8 - Any proposed development *'provides comfortable, safe, healthy and accessible space for its users'* and *'is fit for purpose and can accommodate future flexibility of use'*.

We believe that the high quality design required by these policies refers to the internal structure just as much as the external appearance of the addition. We therefore spent considerable time planning and designing a layout that would provide a high quality living space whilst clearly complying with Camden's published guidelines and planning restrictions.

The proposal would create a reasonably sized, but not overly generous, master bedroom as well as allowing the relocation of the bathroom, enabling the re-configuration of the existing floor to significantly improve the living area.

The smaller dormer requested by the Council would lead to a significant reduction in usable floor space in the bedroom. Furthermore this smaller room, set back further from the eaves, would most likely suffer as the granted extension to the party wall with No.28 would overshadow the dormer and impede daylight (which is of **significant concern**).

Otherwise, to maintain the bedroom size, the bathroom would need to remain downstairs which would impede the placement of the stairs and significantly reduce the size of the proposed living area.

- 2) A smaller dormer would not meet the National Described Space Standard (or the London Plan Table 3.3 – see Appendix) requirements for a 2-bed property

The current 1-bedroom flat (for 2 people) has a floor area of c.41m² - 80% of the minimum floor area suggested.

The proposed 2-bedroom property improves this considerably as it creates a total area of roughly 70m² – i.e. the recommended area (taking head height into account). The Space Standard also notes that every double room should be at least 11.5m².

Agreeing to the Council's changes would reduce the size of the main bedroom by 2.5-3m², equating to approximately 20% of the room. Not only would this make it less than the minimum 11.5m², changing it from *reasonably sized* to *small*, it would also seriously affect the usability of the room. It would simultaneously mean that the overall living space no longer complies with the requirements for a 2-bedroom property.

Therefore we argue that reducing the proposed dormer size would contravene Camden's own policies as well as the National Space Standard.

Looking at the overall design, any perceived external improvement created by a reduction in size is debatable and of minimal impact compared to the improvements created by the internal layout proposed in the development.

Planning permission and appeals were granted on similar or larger developments in the area.

We understand that prior approvals do not set a precedent. However we note that in Point 4.0 of the ODR, the Council has considered the dormers at 21C and 48 Loveridge Road and allowed the proposed head height based on the existence of these dormers. Given that the Council have themselves used these dormers as a precedent, it is reasonable for them to consider these and other local developments when considering other aspects of the proposal.

In the Appendix we have therefore noted a number of similar applications that have been approved by the Council in recent years. We have limited the search to only include relevant applications for dormers requiring full planning permission on similar sized houses in the local (NW6) area, since April 2011. As such, they will all have been considered using the current wording of the quoted Camden Policies.

These show a precedent has been set of the Council approving dormers of a similar size (and larger), in host buildings with a similar 'narrow' frontage.

The Appendix also includes quotes from the Officer's Reports or Approval Notices where they were available. These highlight the many statements from Council Officers, which specifically note that these dormers are considered to comply with the same policies that this proposal supposedly contravenes.

Through the inclusion of these statements, the Council themselves have confirmed many times that a 500mm set in creates a dormer that is considered to be subordinate, not overly bulky and compliant with CS5 and DP24.

We do not think that the Council have put forward sufficient additional arguments to go against this precedent and require the size of this dormer to be reduced.

The dormer will be located directly between two significantly larger dormers

Although referenced in the ODR, the Council dismisses the relevance of the Permitted Development dormers at No.22 and No.28 (granted Dec'15). However Camden policies **CPG1 (5.7)**, **DP24.7** and the Fortune Green and West Hampstead Neighbourhood Development Plan (**A.14**) all note that the prevailing pattern of surrounding development should be taken into consideration and new developments should be in keeping with these.

The two dormers are significantly larger than our proposal:

- No.28 (2015/5401/P) – full width dormer set in by only 200mm from the rear eaves, with fully built up parapet walls
- No.22 (2011/2719/P) - full height – not set in from the eaves and at least 4.5m wide (see Photo 2)

This proposal will sit directly between these dormers and therefore the appropriateness of the size of the dormer must be considered within this context. In comparison, it will look subservient and in keeping with the current building and reducing the size of the dormer any further would appear out of keeping and create a disjointed look to the roofscape.

The dormer is not in a Conservation area and the roofscape is already mixed

As mentioned above, the proposed dormer is not in a Conservation area, instead the West Hampstead area is one of actively promoted development (Camden's Core Strategy).

The buildings, roof constructions and additions in the terrace and those on the opposite Maygrove Road terrace are of many and varied type and character with a mismatch of styles across the properties (see photos and map 2).

The site is not visible from public spaces and is obscured from rear neighbours by existing large trees (see photos). We also received only one neighbour response to our application, which was an endorsement.

Therefore, there appears to be no reason to be asked to go above and beyond Camden's published guidance in this locality.

Permitted Development Rights would allow the addition of a full width dormer with no set in

Although Permitted Development Rights are not applicable here, their existence (and Appendix Note D) shows that full width dormer extensions have been considered to be a reasonable addition to a house. Therefore, this size should be used as a baseline when considering whether this dormer is acceptable.

Further Compliance with CPG1 5.11:

As stated above, the only policy providing specific guidance on dormers is CPG1 5.11, which this proposal complies with. In addition to the previous points mentioned:

- The proposed dormer maintains the overall structure of the existing roof form and as noted in the Appendix (Notes E and F) dormers of this size have previously been considered to sufficiently maintain the overall structure of the existing roof
- The design complies with the requirement for the dormer and windows to relate to the façade below. If the dormer were to be reduced in width, it would not be possible to align the windows with those below which would create a disjointed look to the buildings façade, which would be to its detriment.

Summary

The only Camden policy that specifically relates to Roof Dormers is CPG1 5.11 for which we have shown compliance to all of the relevant points. In particular, we have shown that our proposal conforms with Camden policy as a whole more than would be possible if the Council's suggestions were followed.

From the evidence provided above (and in the Appendix) it is clear to see that **there is already a precedent** set for dormers of this height, width and resultant bulk being acceptable within the NW6 area, specifically on Loveridge Road and for buildings of this width. Numerous planning officers have noted that **compliance with Camden's required set in of 500mm** is sufficient for the developments to appear subservient on similar or identical buildings and therefore considered to be in accordance with CS5 and DP24. The Council is happy to use other dormers to set a precedent for the head height, therefore they should also be a valid consideration for the size.

The proposed dormer will be sat directly between two full width, full height dormers and so will clearly appear subordinate in this specific situation. In addition, the proposed dormer will maintain the original roof structure and would only occupy 53% of the current roof area and therefore appear subservient.

Reducing the dormer in line with the changes requested by Camden would immediately lead to the dormer contravening a number of specific policies: ceiling height (CPG 2); the National Space Standard's guidance on the size of 2 bedroom properties and the size of double bedrooms; the alignment of windows (CPG1 5.11 (d)); and several policies regarding high quality design.

We strongly believe that our proposal will provide a **higher quality living space** for a family living in the property, particularly in terms of the layout, space and light provided. The **improvement to the quality of life** provided by this proposal should significantly outweigh the small impact that the change in dormer size would have when viewed externally.