

Statement: Grounds of Appeal

Project	37 and 39 Rudall Crescent
Planning application reference	2015/6903/P
Planning application decision date	19.02.2016
Planning application reference	Full Planning
Revision	02
Date	21.04.16

01 Site Description

Rudall Crescent loops to the west of Willoughby Road and is a mixture of 19th and 20th century architecture. The two properties are part of a terrace of five dwellings, Nos. 31-39 that were built in the gardens of 4-9 Gayton Crescent in the late 1950s. The front gardens are set behind a high brick wall to the pavement.

The group creates a contrast to its Victorian neighbours, forming a two-storey terrace with pitched roofs. Materials to the front facades are brickwork and wood cladding. Windows to the front façade are large and the front facade can be considered a reasonable quality architecture typical of its age.

The existing rear of the buildings however is of very poor design, the windows are mean and there is a general lack of character and detail. There are roof lights to the rear roof pitches.

The properties are in the Hampstead Conservation Area.

02 Proposal

Rear Dormer Window and Roof Lights-

It is proposed that a dormer is constructed to the rear roof pitch at 37 and 39 Rudall Crescent. The proposed rear dormer window increases the habitable space on the second floor and will provide better internal accommodation for the second bedroom where existing head height is limited due to the slope of the roof pitch.

The proposed roof lights to the rear of the property allow natural light to be brought into the stairwell and ensuite bathroom making the rooms more habitable spaces to inhabit.

The proposed materials will be sympathetic to the surrounding area, the dormer will be clad in lead with a flat roof and aluminium framed windows.

It is not possible to view the rear roof pitch and proposed dormer from the front of the property in Rudall Crescent or from any of the surrounding streets. It is therefore perceived that the proposed dormers will have no adverse effect on the conservation area.

The property does form part of a group or terrace, but it is not a symmetrical composition and 37 and 39 Rudall Crescent are lower than the adjoining terrace. It is therefore not prominent. The planning inspector who was involved with the properties for a separate appeal held the opinion 'at the back the house is screened from most views and is not architecturally notable. The upgrading involved in the changes there would again improve the building'.

The proposed dormer windows are less than half the width of the existing roof width. The rear facades of 37 and 39 Rudall Crescent and indeed of the terrace are of no architectural merit. The proposed dormers and roof lights would therefore have no negative impact in terms of the architecture and with the previously approved extension at ground floor would serve to enhance the appearance whilst adding much needed daylight to the rooms beyond.

The terrace consisting of Nos. 33-37 inclusive have a stepped plan, stepped levels and a stepped roof profile, so that the proposed dormer will not be directly overlooked or looked upon by immediate neighbours. Properties on Gayton Crescent, to the rear, are set back some 24.5m and most of the houses backing onto 37 and 39 Rudall Crescent have dormers themselves.

The proposed dormers are modest in scale and are sympathetic to the scale of the building. The dormers are inset from the ridge and eaves and comply with the Council's design guidance for rear dormers.

03 Planning Considerations

Planning Officer's Report-

'The main considerations in relation to the proposal are the design and impact on the conservation area and the impact in terms of amenity'.

'Policy DP24 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used'.

'Policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance'.

'CPG1 design guidance advises roof alterations are likely to be acceptable when: *there is an established form of roof addition or alteration to a terrace or group of similar buildings and where continuing the pattern of development would help to re-unite a group of buildings and townscape*; and that alterations will be unacceptable where *complete terraces or groups of buildings have a roof line that is largely unimpaired by alterations or extensions, even when a proposal involves adding to the whole terrace or group as a coordinated design*. The guidance further states dormers will not be acceptable where they are introduced to an unbroken roofscape'.

'The Hampstead Conservation area statement advises *great care therefore has to be taken to note the appropriate context for proposals as insensitive alterations can harm the character of the roofscape with poor materials, intrusive dormers, inappropriate windows. In many instances there is no further possibility of alterations*'.

'The proposed dormers would be set within a group of five properties none of which have previously been extended. All have roof lights however these may have been an original feature on the properties as all are of the same size and in the same location. The group are noted in the conservation area statement as creating *an appealing contrast to its Victorian neighbours forming a continuous two-storey terrace with white painted wood cladding, set back behind a brick wall*'.

'It is considered that the principle of a roof extension on the property would be inappropriate and unacceptable. Any form of roof addition would cause harm to the uniform appearance of the terrace. It is acknowledged that this application includes two properties and there is a

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current application for No.35 which also proposes a dormer. However this is not considered to justify allowing the works given the harm this would cause to the integrity of the terrace’.

‘It is also important to note that the proposed dormers would not be of the same scale, therefore they further add to the inconsistent appearance of the terrace, which would harm to the host buildings and the character and appearance of the conservation area’.

‘In terms of the detailed design of the proposed dormers, neither dormers are considered to be proportionate to the existing building and would appear overly dominant in an elevated location by virtue of the proposed width and height. The windows within the dormer would bear no relation to the windows in the elevation below, further adding to their incongruous appearance in the context of the parent building’.

‘In light of the above it is considered that the proposed dormers are an unacceptable form of development that would fail to provide the high quality design expected by DP24 and would not preserve or enhance the character and appearance of the conservation area as required by DP25 and it is recommended planning permission is refused on grounds of design’.

‘Policy CS5 seeks to protect the amenity of Camden’s residents by ensuring the impact of development is fully considered. Furthermore Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 seeks for developments to be “designed to protect the privacy of both new and existing dwellings to a reasonable degree.” The proposed dormers are not considered to result in overlooking or loss of light and are considered acceptable in terms of impact on amenity’.

04 Summary of planning considerations

1. Design
2. Impact on Conservation Area
3. Impact on terrace roof scape
4. Impact on amenity of neighbouring properties

05 Reasons for Refusal

The proposed dormers, by reason of their detailed design, scale and siting set within a terrace of five uniform properties would harm the character and appearance of the host buildings, the terrace of which they form a part and the Hampstead Conservation Area, contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden’s heritage) of the London Borough of Camden Local Development Framework Development Policies.

06 Grounds for Appeal

Grounds for appealing the reason for refusal-

Design-

In relation to policy DP24 that the design needs to consider the character, setting, context and form and setting of the neighbouring buildings, the design of the dormers to 37 and 39 Rudall Crescent has been undertaken with this in mind and lead by these factors.

The houses were built in the late 1950s and as such the individual houses and group of the five houses that form the terrace creates a contrast to its Victorian neighbours, The houses are of a design that could be said to be contemporary for their age. The elevations are not classical in their design, they have a modern appearance. To the front elevation the windows and entrance doors do not line through and are not centred, the design is asymmetrical in its nature. The windows are floor to ceiling and wide in proportion. These do not reflect the proportions of a typical Victorian house as found nearby but provide a contrast to it as supported in the Council's Conservation Area Appraisal for Hampstead which aptly finds merit in this contrasting architecture and also helps to emphasise the qualities of the older buildings nearby.



Existing Front Elevation

The rear elevation is of a more utilitarian design than the front elevation.

The appeal inspector's report (appeal reference- APP/X5210/D/15/3130167 granting alterations to the front and rear elevations of 35 Rudall Crescent) states that 'at the back the

house is screened from most views and is not architecturally notable. The upgrading involved in the changes there would again improve the building'.

The existing rear elevation is therefore considered to have no architectural merit and not be a positive contribution to the Conservation Area. Indeed the existing rear elevation does not in itself even carry through the concept of the contemporary nature of the design of the front elevation and the style of these buildings. It is designed as almost an afterthought and is not what would be expected after viewing and experiencing the front of the building and the internal planning of the spaces. The rear elevation is underwhelming and does not provide a satisfactory contrast to the older Victorian houses nearby. The proportions of the windows are also mean and limit light to the internal spaces.



Existing Rear Elevation



Existing Rear Elevation- Stepping and Staggered Profiles

The approved applications 2013/0824, 2015/6896/P and the refused application for the dormer 2015/6903/P seek to redress these short comings of the existing elevation in appropriateness of design and expectation for this age and style of building. Whilst also improving the internal layout of the building and providing a positive improvement and contribution to the Conservation Area.

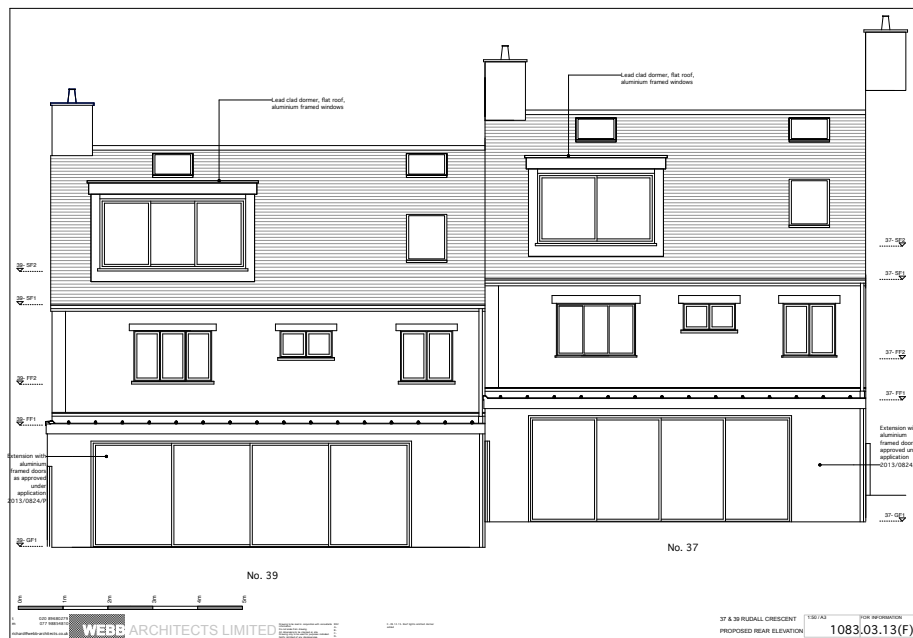
Prior to the refused application for the dormers planning has been approved (applications- 2013/0824, 2015/6896/P) for alterations to the rear elevations in the form of ground floor extension, window openings at first floor and roof lights. The designs for the rear extension, windows and roof lights have been approved and assessed by the Council as 'The proposal is not considered harmful to the character or appearance of the host building, street scene or the Hampstead Conservation Area because of the location in the rear elevation and limited visibility'.

The design and composition of the windows and roof lights (as the approved drawing below) reflect the design concept for these buildings of this period and style. The elevations have become more asymmetrical and with larger windows in contrast to their Victorian neighbours. This only supports the Council's Conservation Area Appraisal for Hampstead which aptly finds merit in this contrasting architecture and also helps to emphasise the qualities of the older buildings nearby.



Approved Rear Elevation (applications- 2013/0824, 2015/6896/P)

The proposal for the dormer follows the design concept and principles of the approved applications 2013/0824, 2015/6896/P in that it provides a contrast in style to the older buildings nearby.



Refused Rear Elevation (application- 2015/6903/P)

In terms of the detailed design the dormers also comply with the size and height requirements as set out in Conservation Area design guidance with the dormers limited to half the width of the overall roof and are set up from the eaves and down from the ridge. The setting out of the

dormers also acknowledges the windows below in that their centerlines are consistent thus establishing a relationship between the two. The elevation is asymmetrical but retains a dialogue with the constituent elements of the composition, these types of design rules being at the essence of modern architecture. For this style of building the proposed design can therefore be considered of a high quality appropriate to its situation.

Impact on Conservation Area-

In terms of the Council's policy DP24 that the development should consider the character, setting and context of the buildings we argue that the refused design for the dormer does exactly that as the proposal is consistent with the character and context of these buildings and is what would be expected in relation to their style and age. The elevation has an asymmetrical composition whilst lining through with windows above and below. The design is not trying to copy that of a Victorian house but follow through the principles applied to a more contemporary architecture. The dormers would not necessarily need to be centred and symmetrical in composition.

In regard to the proposal in relation to the form and scale of the neighbouring buildings the dormers and overall composition provide a contrast to the older buildings nearby as the Council seeks in their Conservation Area appraisal. The design should therefore be assessed as relevant to the style of their host buildings and not assessed as trying to ape that of a Victorian house.

Regarding policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance", we argue that the proposed dormers will do just that, as their design is consistent with a building of this style and age. The proposed appearance would be what would be expected and therefore would be in line with Camden's Conservation Area Appraisal for Hampstead which aptly finds merit in this contrasting architecture and also helps to emphasise the qualities of the older buildings nearby.

Impact on Terrace Roofscape-

As stated in the planning case officer's report 'The Hampstead Conservation area statement advises *great care therefore has to be taken to note the appropriate context for proposals as insensitive alterations can harm the character of the roofscape with poor materials, intrusive dormers, inappropriate windows. In many instances there is no further possibility of alterations*'.

We propose that the context of the rear roof pitches of 37 and 39 Rudall Crescent are appropriate for development and the proposed dormers will not harm the Conservation Area. The design of the dormers and rear elevations is of high quality and appropriate to its context and the overall proposed development to the rear elevations will improve the appearance over the existing and therefore be a positive contribution to the Conservation Area.

The appeal inspector's report (appeal reference- APP/X5210/D/15/3130167 granting alterations to the front and rear elevations of 35 Rudall Crescent) states that 'at the back the house is screened from most views and is not architecturally notable. The upgrading involved in the changes there would again improve the building'.

Camden also stated in the approval for application 2015/6896/P that the designs for the rear

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extension, windows and roof lights have been approved and assessed by the Council as 'The proposal is not considered harmful to the character or appearance of the host building, street scene or the Hampstead Conservation Area because of the location in the rear elevation and limited visibility'. We are of the same opinion that the rear of the houses including the roofscape is suitable for development as it does not contribute in a positive way at present and is not visible from the street. The addition of roof dormers would therefore cause no harm and overall the development would be a positive contribution.

We would counter the refusal based on the roofscape being uniform at present as there is not much merit to the rear and it is difficult to ascertain therefore what the Council seeks to protect, if not only for the sake of it. The context we argue is therefore appropriate for the proposal. The design is a sensitive proposal for it's context and will only reinforce the contrast between the old and the new. We therefore appeal that the proposal should be considered on its own merit and not just refused under a catch all reference to CPG1 guidance. We believe the rear roofscape to the terrace although largely undeveloped does not have sufficient integrity to justify refusal.

Further to this due to the nature of the site and layout the five houses forming the terrace are stepped in section coming down the hill and staggered in plan. It could therefore be argued that the houses as well as forming a terrace can also be read as individual houses. The roofline is not one continuous level and uniform plane at the rear. The houses can therefore be read as individual units themselves from the rear.

The proposed dormers do not manifest on the front elevation and are set down from the ridge and cannot be seen from the street. The Conservation Area Appraisal only makes reference to the front elevation.

Impact on Amenity of Neighbouring Properties-

Regarding the impact of the dormers on the neighbouring properties DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. The case officer concluded that "the proposed dormers are not considered to result in overlooking or loss of light and are considered acceptable in terms of impact on amenity".

Conclusion-

It is our opinion that the proposed dormers to the rear roof pitches at 37 and 39 Ruddal Crescent should not have been refused planning permission as the suitability of the proposed design is appropriate to its character, setting and context in relation to the individual buildings, terrace, neighbours and Conservation Area. The rear of the buildings- roofscape and elevations do not have sufficient integrity to justify refusal.

As noted previously the planning inspector who was involved with the properties for a separate appeal held the opinion 'at the back the house is screened from most views and is not architecturally notable. The upgrading involved in the changes there would again improve the building'. The development would therefore not cause harm and only be a positive contribution to the Conservation Area.