

---

## Appeal Decision

Site visit made on 17 May 2016

by **Thomas Hatfield BA (Hons) MA MRTPI**

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

Decision date: 26<sup>th</sup> May 2016

---

**Appeal Ref: APP/X5210/W/16/3143551**

**Flat C 26 Loveridge Road, London, NW6 2DT**

- 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 Hugh Milway against the decision of the Council of the London Borough of Camden.
  - The application Ref 2015/5283/P, dated 16 September 2015, was refused by notice dated 11 December 2015.
  - The development proposed is erection of rear dormer at roof level and insertion of 3x rooflights to front roof slope, including creation of rear roof terrace at 2nd Floor.
- 

### Decision

1. The appeal is allowed and planning permission is granted for erection of rear dormer at roof level and insertion of 3x rooflights to front roof slope, including creation of rear roof terrace at 2nd Floor at Flat C 26 Loveridge Road, London NW6 2DT in accordance with the terms of the application, Ref 2015/5283/P, dated 16 September 2015, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; E1 rev A; P1 rev D.
  - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

### Main Issue

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

### Reasons

3. The rear roofscape of the terraces fronting Loveridge Road is varied. A number of properties in proximity to the appeal site have existing or consented dormers in the rear roofslope. Other properties fronting Loveridge Road have flat rather than pitched roofs. The roofscape of properties fronting Maygrove Road (opposite the appeal property to the rear) also have a varied roofscape, and it is within this context that the proposal would be viewed. There are mature
-

trees close to the rear boundary that would provide partial screening of the proposed development to the rear. The dormer would not be visible from any public vantage point.

4. In addition, the dormer would be sited between 2 much larger dormer structures – the existing dormer at No 22, and the consented dormer at No 28. Whilst these may have benefitted from permitted development rights not available to the appellant, the proposed dormer would still be viewed in the context of these structures. It would not be viewed as overly bulky or dominant on the host building next to these much larger dormers. Instead it would appear more sympathetic both in terms of scale and materials.
5. The dormer would also meet the requirements set out in Camden Planning Guidance 1: Design (“CPG1”). This requires that dormers are usually recessed by 500 mm from the ridge. In this case, the proposed dormer is designed so that there would be a 500 mm gap on all 4 sides. Furthermore, the Council has not adequately justified why a departure from these established guidelines is justified in the context of the appeal site, particularly given the presence of much larger dormers (existing and consented) on either side. The appeal property is of a relatively standard width for a terrace, and in any event, the use of a single dormer in a narrower property would be consistent with CPG1.
6. In addition to the submitted plans, a smaller alternative scheme was proposed by the appellant prior to the refusal of planning permission. This illustrated a larger gap of 700 mm around the dormer, although this did not overcome the Council’s concerns. Given the findings above, it would not be necessary to reduce the size of the dormer given the immediate context in which it would sit. Moreover, the proposed windows in the alternative scheme would not align with the existing rear windows, which would be regarded as preferable in CPG1. The alternative scheme would also create a dwelling that would be below the minimum space standards set out in the London Plan. The ability of the appeal proposal to improve the size of the existing dwelling (which is well below the minimum standards) is a significant benefit of the scheme.
7. I have also considered a number of other recently consented dormers in the vicinity. The full details of these cases are not before me although I was able to see that many of these developments are also not visible from public vantage points, or from the rear of the appeal property. I was therefore unable to directly assess their comparability. In any event, each case must be decided upon its own merits, and I have taken into account the extant and consented dormers in the immediate area.
8. Finally, an alternative scheme involving the creation of two separate dormer windows is referenced by both parties. However, no details of this scheme have been provided, and it has not therefore formed part of my deliberations.

### **Conditions**

9. In addition to the standard time limit condition, I have imposed a condition that requires the development to accord with the approved plans. This is for the avoidance of doubt and in the interest of proper planning. I have also imposed a condition requiring the external materials to match the existing building. This is necessary in order to preserve the character and appearance of the area.

## **Conclusion**

10. For the reasons set out above, I conclude that the appeal proposal would not cause unacceptable harm to the character and appearance of the host building or the surrounding area. It would not therefore conflict with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy; and policy DP24 London Borough of Camden Local Development Framework Development Policies. These policies seek to ensure, amongst other things, that new development is well designed and in keeping with the surrounding area. The development would also be consistent with the National Planning Policy Framework which seeks to secure high quality design.

*Thomas Hatfield*

INSPECTOR