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PINS Refs: APP/X5210/W/16/3149742
Our Ref: 2015/6903/P
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James Bunten,
The Planning Inspectorate
3/14
Temple Quay House
2 The Square
Bristol, BS1 6PN

Dear Mr Bunten,

Appeal Site
37 and 39 Rudall Crescent, London, NW3 1RR

Appeal by
Mr Bernard Howard

1.0 Summary

1.1 I write in connection with the appeal at 37 and 39 Rudall Crescent, London, NW3 1RR.

1.2 The appeal arises from the refusal of planning permission 2015/6903/P on 19/02/2016 for the 'Erection of dormer to rear roof slope of each property.'

1.3 The planning application was refused on the following reason:

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.

1.4 The Council's case is largely set out in the officer's delegated report which details the site and surroundings, the site history and an assessment of the proposal. A copy of the report was sent with the questionnaire.

1.5 In addition to the information sent with the questionnaire, I would be pleased if the Inspector could take into account the following information and comments before deciding the appeal.

2.0 Status of Policies and Guidance

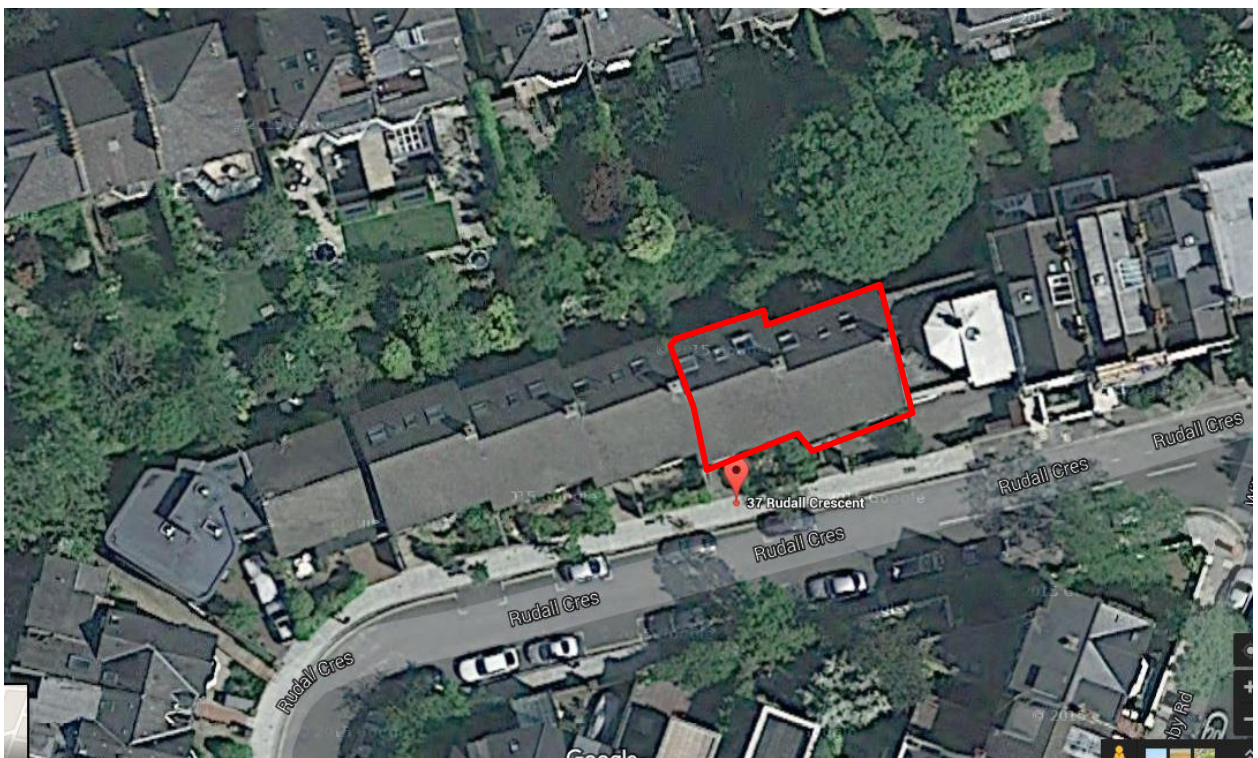
2.1 In arriving at its current decision the London Borough of Camden has had regard to the relevant legislation, government guidance, statutory development plans and the particular circumstances of the case.

2.2 With reference to the National Planning Policy Framework 2012, policies and guidance contained within Camden's LDF 2010 are up to date and fully accord and should therefore be given full weight in the decision of this appeal. The National Planning Policy Framework was adopted in April 2012 and states that development should be refused if the proposed development conflicts with the local plan unless other material considerations indicate otherwise.

3.0 Comments on appellants grounds of appeal

3.1 The appellants' grounds of appeals are summarised as follows:

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



Aerial views of subject properties

1. Design

As stated in the officer report, the terrace which 37 and 39 are a part of, is generally uniform in appearance which is apparent from the aerial view above. The proposed dormers which are mismatched and overly dominant do not serve to preserve or enhance the conservation area. The fenestration details do not relate to the lower elevations and the dormers are not subordinate or sympathetic to the host properties, contrary to the core strategy, development policies and the conservation area guidance.

2. Impact on Conservation Area

The proposed dormers are considered harmful to the conservation area due to their bulkiness and prominence and although not widely visible from public areas, incremental changes which alter the roof profile of positive contributors to the conservation area in an unsympathetic way are considered unacceptable. Whilst the dormers would not be visible from the streetscene, they would be widely visible from properties on Gayton Crescent.

3. Impact on terrace roofscape

Whilst the appellant has used 35 Rudall Crescent as an example of a dormer granted through the appeal process, the dormer at 35 was significantly smaller than the proposed dormers and therefore it is not considered to form justification for the subject sites. In this case, the dormers would not be 'subordinate and modest' as the proposed dormer at 35 Rudall Crescent was described by the inspectorate (APP/X5210/D/16/3149740).

4. Amenity

The impact on neighbours amenity does not form a reason for refusal and therefore shall not be commented on here.

4.0 Conclusion

4.1 Based on the information set out above, and having taken account of all the additional evidence and arguments made the proposal is considered contrary to policies CS14 (promote high quality places) 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.

4.2 The information submitted by the appellant in support of the appeal does not overcome or address the Council's concerns. The proposal presents no benefits that would outweigh the harm identified above.

4.3 For these reasons the proposal fails to meet the requirements of policy and therefore the Inspector is respectfully requested to dismiss the appeal.

4.4 If the Inspector is of a mind to accept the appeal, proposed conditions have been included in Appendix A below.

4.5 If any further clarification of the appeal submission is required please do not hesitate to contact Tessa Craig on the above direct dial number or email address.

Yours sincerely

Tessa Craig
Planning Officer
Culture and Environment

Annex A

Condition(s) and Reason(s):

Planning Permission 2015/6903/P

1. The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and Access Statement, 1083.01.00(-), 1083.01.04(B), 1083.02.01(B), 1083.02.02(A), 1083.01.03(C), 1083.03.03(B), 1083.01.24(I), 1083.02.22(C), 1083.02.21(C), 1083.03.13(F).

Reason: For the avoidance of doubt and in the interest of proper planning.