
Appeal Decision

Site visit made on 6 July 2016

by N McGurk BSc (Hons) MCD MBA MRTPI

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

Decision date: 20 July 2016

Appeal Ref: APP/X5210/D/16/3148697

86 Constantine Road, Camden, London, NW3 2LX

- 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 Miss Honor Bates against the decision of the Council of the London Borough of Camden.
 - The application Ref 2015/6381/P, dated 12 November 2015, was refused by notice dated 23 March 2016.
 - The development proposed is a loft conversion including a rear dormer, two conservation rooflights to the front elevation; a door providing access to a roof terrace and installation of a balustrade at the rear projection in connection with the roof terrace.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion including a rear dormer, two conservation rooflights to the front elevation; a door providing access to a roof terrace and installation of a balustrade at the rear projection in connection with the roof terrace at 86 Constantine Road, Camden, London, NW3 2LX in accordance with the terms of the application, Ref 2015/6381/P, dated 12 November 2015, subject to the conditions set out in the attached schedule.

Procedural Matter

2. An application¹ for the conversion of the loft space incorporating a rear dormer, rooflights and roof terrace was refused in 2000. Permission² was granted for a proposal including a rear roof dormer with French windows and Juliet balcony, roof terrace with railings and associated access at the neighbouring property, No 84 Constantine Road in 2011.
3. The Council has also provided information relating to other planning permissions for other development similar to that proposed within the same terrace as the appeal property, together with other examples within the wider area. It states that most of these permissions predate current policies, but recognises that the permission granted at No 84 "was given under current policies."

¹ Ref: PE9900907.

² Ref: 2011/0130P.

4. The Council goes on to state that the development at No 84 is different to that permitted and that an enforcement investigation has been opened in this regard.

Main Issue

5. The main issue in this case is the effect of the development proposed on the character and appearance of the Mansfield Conservation Area.

Reasons

6. The appeal property is a three storey mid-terraced Victorian dwelling, located on the southern side of Constantine Road, near to its junction with Mackeson Road.
7. It is situated in the Mansfield Conservation Area, which is characterised by densely developed terraces of tall, brick-built Victorian housing. Houses largely retain period features, including attractive bay windows and original brickwork. The height of the houses means that rooflines are largely hidden from view at ground level and are only visible in distant views. It is therefore the facades of dwellings, particularly at ground and first floor level, which dominate the appearance of the area.
8. During my site visit, I observed that whilst there was a pleasant uniformity to the area, many dwellings have been altered and/or extended. Such changes area most noticeable from the rear of properties, where I consider that ground floor extensions and changes to the rear roof-slopes are so common as to comprise part of the inherent character of the area. In this regard, there are no fewer than three large rear extensions to the roofline of the terrace within which the appeal property is located.
9. However, due to their prevalence and location, changes to the rear roof slopes appear as neither incongruous nor dominant features. Rather, they are generally viewed from a distance and simply appear as subordinate additions to host properties, reflective of a desire to make the most of space in a densely developed area.
10. The proposed development would be largely concealed from street level. The dormer would be centrally aligned and offset from the sides and ridge. I find that this sensitive approach to design would lead it to appear as a modest addition with a largely "tucked away" appearance. It would appear subordinate to the host property, whilst the choice of materials, including the use of timber frames, would lead it to appear as a discrete addition, in keeping with local character. It would appear neither intrusive nor insensitive and it would allow for adequate habitable space without appearing disproportionate, or raising the roof ridge.
11. General views of the proposal would be limited, but where they would occur, they would be from a distance and would in the context of the host property and its neighbours. In such a context, the proposal would simply appear as a neat and sensitive addition to a substantial, tall terrace.
12. The Council raises no specific concerns with the proposed rooflights, roof terrace and balustrade.

13. Taking all of the above into account, I find that the proposed development would conserve the character and appearance of the Mansfield Conservation Area. It would not be contrary to the Framework, to Core Strategy³ policy CS14, to LDF⁴ policies DP24 and DP25, to Camden Planning Guidance CPG1 (2015), or to the Mansfield Conservation Area Appraisal and Management Plan (2008), which together amongst other things, protect local character.

Conditions

14. I have considered the conditions suggested by the Council against the six tests set out in paragraph 206 of the Framework. A condition relating to the relevant plan is necessary for the avoidance of doubt and in the interest of proper planning.

15. A condition controlling materials is necessary to protect local character.

Conclusion

16. For the reasons given above, the appeal succeeds.

N McGurk

INSPECTOR

**Schedule of Conditions attached to
Appeal Decision APP/X5210/D/16/3148697
86 Constantine Road, Camden, London, NW3 2LX**

- 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: A001 Revision C; A100 Revision C; A200 Revision C.
- 3) The materials to be used in the external surfaces of the building shall match those used in the existing building.

³ Camden Core Strategy 2010-2025 Local Development Framework (2010).

⁴ Camden Development Policies 2010-2025 Local Development Framework (2010).