
Appeal Decision

Site visit made on 25 August 2016

by J D Westbrook BSc(Hons) MSc MRTPI

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

Decision date: 02 September 2016

Appeal Ref: APP/X5210/D/16/3154053

1f Parsifal Road, London, NW6 1UG

- 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 Ms Antonia Hamilton against the decision of the Council of the London Borough of Camden.
 - The application Ref 2016/1626/P, dated 23 March 2016, was refused by notice dated 10 June 2016.
 - The development proposed is the erection of a single-storey roof and associated alterations including insertion of new windows.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed roof and alterations on the living conditions of the occupiers of nearby properties by way of light and outlook.

Reasons

3. No 1f Parsifal Road is a two-storey detached house situated on a backland plot, between Parsifal Road and Lyncroft Gardens. In common with the adjoining No 1e, it has a flat roof and is aligned approximately north-east to south-west. The slope of the surrounding land is such that No 1e and the properties to the north are at a slightly higher level, whilst the neighbouring properties on Lyncroft Gardens are set a little over 1 metre lower.
 4. The proposed development would involve the construction of a curved, mansard-style roof over most of the dwelling, to enable the provision of more living accommodation in the roof space. There would be two windows in each of the north-west and south-east facing elevations and one window in each of the other two elevations.
 5. The Council contends that the proposed roof extension, by virtue of its size, bulk and proximity to No.35 Lyncroft Gardens, would be overbearing and create an unacceptable sense of enclosure. No 35 is a two-storey, mid-terraced property, with additional accommodation in the roof space and basement. It has a large rear outrigger and a small rear garden some 9 metres deep. The rear garden and basement accommodation at No 35 are set a little over 1 metre
-

lower than the ground level at No 1f. The ground floor at No 1f is set along the boundary with No 35 and the first floor is set in around 1 metre from the boundary, although there is a more recent first floor extension at the south western end of the house, which extends to the boundary with No 35.

6. The basement accommodation at No 35 includes a large dining/kitchen/living space and the windows serving that space are only 9 metres from the boundary with the appeal property. The outlook from these windows and, more especially, from the amenity space to the rear, is already significantly compromised by the proximity, bulk and apparent height of the dwelling at No 1f, which extends along the whole width of the house at No 35. The proposed new roof would project around 2.5 metres higher than the existing flat-roof level of the dwelling, and the mansard-style roof would have a slope of some 80 degrees. It would extend the full length of the house. On the basis of this additional height and general bulk, I consider that it would be significantly detrimental to the outlook of the occupiers of No 35.
7. The appellant has submitted a daylight and sunlight report which indicates that the proposed roof would have limited impact on daylight and sunlight received by windows in No 35. I acknowledge that the likely impact would be within acceptable limits as set out in British Standards. However, the main issue here relates to outlook, and there would be some effect on daylight, albeit slight, which merely adds to my concerns regarding the oppressive impact that the roof would have on the residential amenities of the occupiers of No 35.
8. Finally, the appellant contends that the proposal secures the ability for a family in residence in the borough to remain in the dwelling. I have some sympathy with this desire, but the house has already been extended and the roof extension proposed would be harmful to the residential amenities of the occupiers of No 35. I have no evidence before me as to the inadequacy of the appeal property as a family home and, in any case, I do not consider that the additional space generated by the proposal would outweigh the resulting harm to living conditions of the occupiers of No 35.
9. In conclusion, I find that the proposal would be harmful to the living conditions of the occupiers of No 35 Lyncroft Gardens by way of outlook. On this basis, it would conflict with Policies CS5 of the Camden Core Strategy, and Policy DP26 of the Council's Local Development Framework Development Policies document, both of which relate to protecting the amenities of local residents, including protection against harm to amenity by way of overshadowing and outlook. I therefore dismiss this appeal.

J D Westbrook

INSPECTOR