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# Appeal Decision

Site visit made on 9 September 2016

**by Gary Deane BSc (Hons) DipTP MRTPI**

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

**Decision date: 3 October 2016**

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**Appeal Ref: APP/X5210/W/16/3149742**  
**37 and 39 Rudall Crescent, London NW3 1RR**

- 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 Bernard Howard against the decision of the Council of the London Borough of Camden.
  - The application Ref 2015/6903/P, dated 9 December 2015, was refused by notice dated 19 February 2016.
  - The development proposed is described as a rear dormer window.
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## Decision

1. The appeal is allowed and planning permission is granted for the erection of a dormer extension on each of the rear roof slopes of 37 and 39 Rudall Crescent London NW3 1RR in accordance with the terms of the application Ref 2015/6903/P, dated 9 December 2015, subject to the following conditions:
  - 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: Refs 1083.01.00(-), 1083.01.03(C), 1083.01.04(B), 1083.02.01(B), 1083.02.02(A), 1083.03.03(B), 1083.01.24(I), 1083.02.22(C), 1083.02.21(C), 1083.03.13(F) and 1083.01.25(G).

## Procedural matters

2. The description of development in the above heading is taken from the application form lodged with the Council. However, the plans show that the proposal is to erect a dormer extension on each of rear roof slopes of 37 and 39 Rudall Crescent. I have assessed the proposal on that basis and, for accuracy, amended the description of development in my decision.
3. An additional plan<sup>1</sup> was submitted at the appeal stage, which shows the proposed roof of the appeal dwellings. As the extra drawing makes no change to the proposal itself, I am satisfied that no interests would be prejudiced if I were to consider it. Therefore, I have assessed the proposed development in the light of the plans provided at both the application and appeal stages.

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<sup>1</sup> Drawing number 1083.01.25(G) entitled Proposed Roof Plans

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## **Main issue**

4. The main issue is the effect of the proposal on the character and appearance of the host buildings, the terrace to which they belong and the local area.

## **Reasons**

5. The appeal properties are 2-storey houses with pitched roofs that are situated towards one end of a terrace of 5 similar properties within the Hampstead Conservation Area (CA), which is predominantly residential in character. The modern design and general appearance of the dwellings within the terrace sets them apart from the more traditional style of nearby properties.
6. The Council's Conservation Area Statement (CAS) notes that the group to which Nos 37 and 39 belong creates an appealing contrast to its Victorian neighbours and that it forms a continuous 2-storey terrace that is set back behind a brick wall. It also identifies the dwellings within the terrace as positive contributors to the CA and, more generally, notes that great care should be taken with regard to roof level alterations. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, as required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
7. The Council considers the terrace to be generally uniform in appearance and includes aerial photographs to illustrate this. However, the terrace is staggered in height and layout and so when seen 'on the ground' each of the dwellings within it has a noticeably different rear building line and eaves level. In addition, the photographs provided do not show the rear dormer extension that has recently been introduced to the mid-terrace dwelling, which is No 35. Although smaller than those proposed, this existing dormer is a sizeable addition and it occupies a prominent position on both the host building and in the middle of the terrace. Taken together, these features disrupt any strong sense of uniformity in the roof form and general appearance of the terrace when seen at the rear. Furthermore, the Council has recently granted planning permission to erect ground floor extensions, first floor windows and roof lights at the back of both Nos 37 and 39. Once complete, these approved extensions and alterations would further differentiate the rears of the appeal dwellings from their counterparts within the same terrace.
8. Each of the new dormers would be significant in scale and thus a notable addition to rear of each dwelling. Nevertheless, in each case a good expanse of rear roof slope would still be evident with adequate space around each dormer on all sides so that it would appear as a proportionate addition. In that context, each proposed dormer would not appear overly large, wide or tall nor would it visually dominate the rear elevation of the completed building.
9. Although the windows of the new dormers would be relatively large, they would match the modern style of the host building and would be centrally placed above the window below and so would line up. In each case, there would be no particular disruption to the pattern of fenestration in the rear elevation. The external materials would also be appropriate. Overall, I consider that the design, scale and general appearance of the new dormers would be acceptable and that they would be sympathetic additions to the host buildings.

10. As the new dormers would be at the back of the terrace, there would be no effect on the character and qualities of the street scene along Rudall Crescent. The interesting contrast between the appearance of the terrace and the traditional style of other nearby properties along this road would be maintained with the new built form in place.
11. At the rear, each new dormer would add visual interest to the rear elevation that otherwise has a rather utilitarian appearance, which would be evident from the rear gardens of each property. The wider visual effect of the appeal scheme would be limited given that the site is largely visually contained. Each dormer would be visible from the upper level rear windows of some properties along Gayton Crescent, just to the north. In these views, the new dormers would be seen against the far more substantial built form of the host buildings and the terrace, which has a varied roof profile given the prominent dormer at No 35 and the roof lights on the other properties. Consequently, the new dormers would not be obtrusive nor appear as unwelcome additions to the local area. As only fleeting glimpses of the new dormers would be possible from Gayton Crescent through the narrow gaps between buildings, the proposal would not draw the eye from this public vantage point.
12. Camden's Planning Guidance for Design (CPG1) advises that for a group of unaltered roofs, alterations are likely to be unacceptable where complete terraces or groups of buildings have a roof line that is largely unimpaired by alterations or extensions. It also states that dormers will not be acceptable if they are introduced onto an unbroken roofscape. As the terrace has a prominent rear dormer, with which the new dormers would be visually read, its roofscape could not reasonably be described as largely unimpaired or unbroken to which the CPG1 refers.
13. On the main issue, I conclude that the proposal would have no harmful effect on the character and appearance of the host buildings, the terrace or the local area. The character and appearance of the CA would be preserved. Accordingly, it does not conflict with Policy CS14 of the Camden Core Strategy 2010-2025 and Policies DP24 and DP25 of the Camden Development Policies 2010-2025. These policies require development to be of the highest standard that respects local context and character and to also preserve or enhance the character or appearance of conservation areas. The proposal would also comply with the National Planning Policy Framework, which seeks to conserve heritage assets in a manner appropriate to their significance.
14. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. As the external materials are specified on the plans and these are acceptable, it is unnecessary to require a condition to ensure that these match with the existing building.
15. Overall, for the reasons set out above, and taking into account all other matters raised, I conclude that the appeal should be allowed.

*Gary Deane*

INSPECTOR