
Appeal Decision

Site visit made on 1 March 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 22 March 2017

Appeal Ref: APP/X5210/W/16/3163886

167 Fordwych Road, Camden, London NW2 3NG

- 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 Shodja Edin Moossavi Nejad against the decision of the Council of the London Borough of Camden.
 - The application Ref 2015/6982/P, dated 12 December 2015, was refused by notice dated 10 October 2016.
 - The development proposed is the erection of two side dormers and hip to gable extension to the rear of the dwellinghouse (Class C3).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of development as it appears on the appeal form. Whilst this differs from that shown on the planning application form, it most accurately describes the development to which the appeal relates. It is clear that the Council are content with this approach since the same description appears on their decision notice. I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the building and the area.

Reasons

4. The appeal building is a two storey detached dwelling that has been subdivided into two flats. It is finished in painted brick with contrasting headers and a two storey off set bay window which has its own roof. The main roof is a shallow slate hip with finial detailing. Whilst the external colour and finish of other buildings in the street scene differs, many share the same general form.
 5. The two dormer windows would represent a substantial and noticeable change to the form of the roof. They would introduce a vertical element to what is a shallow roof and given that they would project from the ridge, would appear as overly large and bulky, non-subservient additions. The use of a cat slide style roof would not, in my view, lessen their visual effect. The result of this would be a contrived roof shape that would appear top heavy and given that there are a very limited number of examples of others, the dormers would be
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uncharacteristic and consequentially detrimental to both the design of the building itself and the street scene.

6. With regard to the hip to gable extension at the rear, this would be largely obscure in the public realm, screened as it would be by the dormers. Its overall visual effect would therefore be limited to the rear garden of the appeal building and those surrounding it. Nevertheless, it would add bulk and mass to the other roof alterations, making the roof profile overall considerably more prominent, to the detriment of the design and proportions of the building. It would add to the harm that I have identified above.
7. The proposed development would therefore be harmful to the character and appearance of the building and the area. As such, it would conflict with Policies CS5 and CS14 of the Core Strategy¹ and Policy DP24 of the Local Plan². These Policies seek to ensure, amongst other things and along with section 7 of the Framework, new development is of a high quality design and appearance that respects the characteristics of local areas and local context.

Other Matters

8. I note that there are two side dormer windows projecting from the roof of Number 163 Fordwych Road, brought forward from the issuing of a Lawful Development Certificate (LDC). The appellant has also brought my attention to another LDC issued in respect of No 195. Both of these schemes also included a hip to gable extension.
9. The dormers in respect of both schemes are a different design and siting to the ones before me as part of this appeal. I agree with the Council that the ones in the roof of 163 particularly do appear to be an anomaly in the street scene. Moreover, they serve to highlight how visible side dormer windows would be from street level. The street scene comprises mainly unaltered shallow roof pitches that, when taken together with the external detailing of the buildings, make a positive contribution to one of the street scenes defining characteristics.
10. It is relevant to point out that these two examples are further different to the appeal before me since the issuing of an LDC considers purely whether a given development is lawful. In this case with regard to the GPDO³. The issuing of an LDC does not consider any harm that may arise out of the development permitted by the GPDO. Taking all of these factors together therefore, the existence of these dormers and hip to gable extensions does not persuade me that this appeal should be allowed.
11. I accept that the proposed development would be finished in materials befitting of the host building and it would not adversely effect of the living conditions of neighbours. However, this would have to be the case to make the proposed development acceptable in planning terms. As such they cannot be used to weigh against harm.
12. The appeal building does not benefit from rights under the GPDO as it is two flats. This is however a matter that is governed by separate legislative controls over which this decision has no influence. I do not dispute the fact that the

¹ Local Development Framework Camden Core Strategy 2010-2025 (2010)

² Local Development Framework Camden Development Policies 2010-2025 (2010)

³ Town and Country Planning (General Permitted Development) (England) Order 2015

appellant is in need of the extra space that an extension would create but I have not been provided with evidence of any specific circumstances that could be weighed against the harm that I have identified.

Conclusion

13. For the above reasons and having regard to all other matters raised, the appeal is dismissed.

John Morrison

INSPECTOR