



## Appeal Decision

Site visit made on 4 April 2017

**by Graham M Garnham BA BPhil MRTPI**

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

**Decision date: 27 April 2017**

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**Appeal Ref: APP/X5210/D/17/3170357**

**34 Ingham Road, London, NW6 1DE**

- 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 Will Jeffery against the decision of London Borough of Camden Council.
  - The application Ref 2016/5069/P, dated 15 September 2016, was refused by notice dated 2 February 2017.
  - The development proposed is erection of a 1.1 m high black painted metal balustrade above the existing two-storey rear addition to create a roof terrace.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The Council's decision notice describes the proposal as: "alterations to the rear elevation at second floor level, including the creation of a roof terrace above the two storey outrigger enclosed by new balustrade and privacy screens, and replacement of existing rear dormer window with a door". I consider that this is an accurate and fuller description, which includes both the main points of contention (the roof terrace and the privacy screens). I have considered the appeal accordingly.

### Main Issue

3. I consider that this is the effect of the proposal on the character and appearance of the host building and its surroundings.

### Reasons

4. The appeal property is within a stepped terrace of paired, two storey houses, many of which also have accommodation within the roofspace. At the rear is an original two storey addition (described by the Council as an outrigger). Above this, and occupying its full width and about half its depth, is a "pod" dormer. The Council says this was built as permitted development. The main rear roof slope is very largely occupied by a flat-roofed dormer, built out to the back wall of the house. The remaining section of pitched roof on the outrigger is to be raised into a flat surface to form a roof terrace, which would
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- be accessed through a door at the end of the "pod" dormer. The terrace would have privacy screens to either side and a balustrade at the end.
5. The Council does not object to the replacement door on the grounds that it could be installed as permitted development. The 1.1 metre balustrade, painted black, would be similar to others in the vicinity, and is also accepted. I have no reason to disagree with the Council on these aspects. I focus my attention on the matters in dispute, the flat roof and the privacy screens.
  6. The raising of the outer edge of the remaining roof slope of the outrigger to form a flat surface would result in a further loss of the original form of the rear of the property. However, many outriggers to the rear of Ingham Road already have flat roofs. Given that the property has been subject to major changes, and has not been identified as being a heritage asset or in a conservation area, I consider that this further relatively minor alteration would not be unduly out of keeping with the house or its surroundings.
  7. The appellant has referred to a number of other roof terraces in the area. These include some at second floor level to the rear of the south side of Ingham Road which, however, I was unable to see from the public realm. I was able to see one further along the road, on the appeal side, from the rear of the appeal property. There are also balconies set into the rear roof slopes of some houses to the rear, on Weech Road. I draw two findings from these observations. Firstly, second floor roof terraces are relatively uncommon in the visible setting of the appeal site. Secondly, the black metal balustrades used for safety enclosure are a traditional method that is both in keeping with the houses and relatively inconspicuous from the back of nearby properties.
  8. In contrast to these other means of enclosure, the sides of the roof terrace at no.34 would be 1.8 metre high slatted wood panelling, to the full depth of the terrace. The visual impact would be considerably greater than the use of balustrades along the sides, and the height of timber work would appear discordant in relation to the more traditional materials deployed on both the existing rear elevation of the host house and elsewhere in the vicinity. The position of the terrace on the outer part of the outrigger would also give it a high degree of prominence from the back of other properties nearby. In addition, the incongruous nature and elevated height of the panelling would be seen through a gap in frontage development along Fortune Green Road, to the west.
  9. The appellant has provided information about several other cases of rear roof terraces. This includes an appeal decision at 47 Burrard Road, which lies behind the far side of Ingham Road from the appeal site (dated 7 June 2016, ref APP/X5210/W/16/3145069). That Inspector observed that "roof ... terraces formalised by perimeter railings are commonplace" to the rear of the south side of Ingham Road. I was unable to see this for myself, but I did not observe a similar situation to the rear of the appeal terrace. In addition, none of the other examples referred to appear to replicate the appeal proposal in certain critical aspects – namely, the use of high timber panelling at the far end of a two storey outrigger. Hence I find little support for the appeal proposal from these other cases. I have also been unable to corroborate the appellant's assertion that "six rear roof terraces, almost identical to that which forms the basis of this appeal, exist along the same street".

10. I have had regard to the fact that the Council does not object to the proposal on the grounds of neighbours' loss of privacy. Section 5 of the Camden Planning Guidance on *Design* [CPG1] (2015), identifies that balconies and terraces can provide valuable amenity space. However, this is explicitly for flats that would otherwise have little or no private exterior space – while the appeal property is a family house with a rear garden. CPG1 also says that balconies and terraces should be an integral element in the design of elevations, which I consider would not be the case with this appeal.
11. I conclude overall and on balance that the proposal would significantly detract from the character and appearance of the host building and its surroundings, with respect to the proposed timber panelling (privacy screens). This would be contrary to Policy CS14 of the Camden Core Strategy (2010) and Policy DP24 in the Camden Development Policies (2010). Among other things, these policies seek high design standards that respect local context and character and the qualities of an existing building. The proposal would also fall short with regard to Policy 2 of the Fortune Green & West Hampstead Neighbourhood Plan (2015). This requires all development to be of a high quality design which complements and enhances the distinct local character and identity of the neighbourhood. More detailed guidance in CPG1 would also not be satisfied, for example the aim of complementing the design of the host elevation and using materials to match existing.
12. Thus planning permission should be withheld and I dismiss the appeal.

*G Garnham*

INSPECTOR