

APPEAL STATEMENT

Proposed Dormer at 32B Chetwynd Road, London, NW5 1BY

Dated 13 April 2017

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1. Description of Proposal

As set out in the Design and Access Statement (submitted with the planning application) the proposed dormer has been designed specifically to take account of the guidelines set out in CPG 5.11 (Camden Planning Guidance - Roof Dormers).

The overall size and location of the proposed dormer has been carefully considered in respect of the existing building and neighbouring properties.

The proposed dormer would be constructed using traditional materials appropriate for the conservation area. The dormer roof, cheeks and flashings will be in lead in accordance with good detailing practice recommended by The Lead Development Association (all as detailed on application drawing no. 234/ P 02). The windows will be in timber.

2. Views of Proposed dormer

The proposed dormer is on the rear elevation of the property and will be barely visible from the Western end of Twisden Road and, being masked by the existing neighbouring dormer at no. 34 Chetwynd Road, not visible at all from the Eastern end of Twisden Road.

Apart from the one slight distant view the dormer will not be visible from any of the other surrounding streets.

Naturally the dormer will be visible from the rear of some of the neighbouring properties but as it is of modest scale (particularly when compared with the existing dormer at no.34 Chetwynd Road) it is the contention that it will not "*have a detrimental impact upon the host building*".



Distant view of No. 32B Chetwynd Road (marked in red) from West end of Twisden Road



Distant view of No. 32B Chetwynd Road (marked in red) from East end of Twisden Road

3. Reasons for Refusal

The council has given the following reasons for refusal ...

“The proposed rear dormer window, by reason of its design, scale and location, would result in a prominent form of development which would have a detrimental impact upon the host building, detract from the integrity of the largely unaltered roofscape of the group of buildings 4-54 Chetwynd Road and have a detrimental impact upon the character and appearance of the Dartmouth Park Conservation Area, ...”

and cited the proposed dormer as being contrary to the following policies:

CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy

DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies

DP25 (Conserving Camden's heritage)

D1 (Design) of the London Borough of Camden Local Plan Submission Draft 2016

D2 (Heritage)

For convenience the policies referred to have been set out in the attached appendix i.

4. Comments on Reasons for Refusal

It is a matter of opinion as to whether the proposed dormer would *“by reason of its design, scale and location ... result in a prominent form of development”*.

It is rather disingenuous of the Council to suggest that proposed dormer would have a detrimental impact upon the character and appearance of the Dartmouth Park Conservation Area by narrowly focusing on the *‘largely unaltered roofscape of the group of buildings 4-54 Chetwynd Road’*. In the narrow context of no.s 4-54 Chetwynd Road there are actually three other properties with dormers (two with both front and rear dormers which are actually immediate neighbours to No.32 Chetwynd Road).

In addition a further dormer (yet to be built) was given permission at 41 Twisden Road (Planning Application - 2015/2088/P allowed on Appeal). This will be just as visible (or not) as 32B Chetwynd Road. There are (or will be) 4 other properties effectively within the same ‘block’ as 32B Chetwynd Road.

There are numerous examples of other dormers within the Dartmouth Park Conservation Area and on Chetwynd Road alone there are 23* in total (14 are on the rear elevations and 9 on the front elevations).

*As evidenced in appendices ii) Ariel views of dormers on Chetwynd Road - West

and iii) Ariel views of dormers on Chetwynd Road -East

It is important to note that the design of the dormer is within the specific design parameters set out in CPG 5.11 (Camden Planning Guidance - Roof Dormers). It is acknowledged that the roof of the dormer is closer than the usual 500mm minimum to the ridge but importantly it does not cut through the ridge. The Inspector is invited to refer to an earlier successful Appeal Decision for 41 Twisden Road regarding this point if thought relevant.

In any event the Council has not said that the proposed dormer is contrary to its own specific design guidance for dormers given in CPG 5.11. Presumably this is because it would be difficult to demonstrate how factually the proposed dormer is at variance with the guidelines. The Council has instead referred to more generalised policies and again, it is a matter of opinion as to whether the proposed dormer is contrary to these.

5. Conduct of the Council

The Council's Decision (dated 1 March 2017) concludes with the statement ...

"In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework."

The inspector will no doubt be familiar with these policies but for the benefit of the applicant these are set out in full at the end of appendix i

The conduct of the Council has manifestly neither been positive nor actively looked for solutions in considering the application.

It is incumbent on the Council to consider each planning application on its own merits having regard to the applicable guidelines and policies in place at the time. This is fully accepted by the applicant who would have felt that the process would have been fairer had this approach been followed.

What actually happened is that the Council made a decision to refuse at the earliest opportunity. In an unprecedented communication from the Council (the first time ever in over 30 years experience of Robert Dearman Architect) the decision to refuse was made in the 'Email of Validation' see appendix iv.

The council stated "...Although I have validated and registered the application, the proposal is not acceptable at its current state." This is astounding as clearly no site visit had been made at the time (or indeed subsequently at all during the application process) to assess if the proposed dormer would indeed result in a "...prominent form of development".

It is clear that the Council had made its mind up without having properly considered the planning application.

6. Conclusion

In contrast to the carefully considered planning application the Council seems to have refused without any consideration to the merits or otherwise of the proposed scheme.

It is a matter of opinion as to whether the proposed dormer is really so prominent in nature as to have a detrimental impact to the *'host building ... (and) ...upon the character and appearance of the Dartmouth Park Conservation Area'*.

The proposed dormer is modest in scale, barely visible from the street and designed to take account of the Council's own policy guidelines in respect of dormer extensions. As such it is difficult to understand why the Council considers the dormer to be so detrimental.

The council would seem to be inconsistent with its approach to granting planning permission as a very similar proposal at 37 Chetwynd Road was granted permission (Planning Application - 2010/6324/P) and has since been built.

As there is currently no planning policy that absolutely prohibits dormers on *'the group of buildings 4-54 Chetwynd Road'* then the Council should have favourably considered the application as it complies with its own guidelines. It is hoped that the Inspector will share this opinion and allow this appeal.