



## Appeal Decision

Site visit made on 9 May 2017

by **R A Exton Dip URP MRTPI**

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

Decision date: 8<sup>th</sup> June 2017

---

### Appeal Ref: **APP/X5210/W/3168906**

### Flat D, 19 Belsize Park Gardens, London NW3 4JG

- 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 Nick Durack against the decision of the Council of the London Borough of Camden.
  - The application Ref 2016/5209/P, dated 22 September 2016, was refused by notice dated 15 November 2016.
  - The development proposed is erection of a side dormer to an existing loft conversion.
- 

### Decision

1. The appeal is allowed. Planning permission is granted for erection of a side dormer to an existing loft conversion at Flat D, 19 Belsize Park Gardens, London NW3 4JG, in accordance with the terms of the application, Ref 2016/5209/P dated 22 September 2016, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos 101(P), 102(P), 103(P), 104(P), 105(P), 106(P), 107(P), 108(P), 109(P) Amendment A, 110(P) Amendment A, 111(P) Amendment A, 112(P) Amendment A, 113(P).
  - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the dormer extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
  - 4) No development shall commence until detailed plans, sections and elevations of the dormer extension hereby permitted at a scale of 1:20 have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and surrounding area paying special attention to its status as a conservation area.

### Reasons

3. The appeal site comprises a flat occupying the uppermost two levels within one half of a pair of substantial dwellings on the southern side of Belsize Park
-

Gardens which is located within the Belsize Conservation Area (BCA). This is characterised by its imposing Italianate villas built in the mid-19<sup>th</sup> century with a considerable degree of architectural uniformity and detailing. This is described in the Conservation Statement that was adopted by the Council in 2002. Belsize Park Gardens reflects these attributes but whilst there is a degree of uniformity in appearance of these buildings up to eaves level, there is much variation above this. Additions of dormer windows of different forms and sizes are common on both side elevations and front and rear elevations, often in combination with balconies.

4. I note the Council's comments on these developments regarding when they were likely to have been carried out relative to their ability to enforce, the status of the development plan and other guidance referred to. Many of these roof additions appear to have been constructed prior to 2002 although they were not noted as a negative feature within this particular part of the conservation area. Policy DP24 of the Camden Development Policies 2010-2025 require high quality design and its supporting text indicates that past alterations and extensions should not necessarily be regarded as a precedent for subsequent proposals. Similar advice is provided in the council's Planning Guidance on design adopted in 2015. However, from the information provided by the appellant, roof extensions have continued to be granted permission by the council within the context of the existing development plan policy. Regardless of how these developments came into existence I consider that they do now contribute to the character and appearance of the BCA.
5. Alterations to roof slopes facing onto Belsize Park Gardens are visible within the street scene and consequently have an effect on the character and appearance of the BCA and individual buildings. Alterations to side roof slopes are generally only seen when close to the building and so also have an effect on the character and appearance of the host building but a lesser effect on the BCA.
6. The proposed dormer extension would be seen from the road directly in front of the site when looking into the space between Nos 19 and 21 Belsize Park Gardens. However, due to its position towards the middle of the building on its side elevation, there would be very limited visibility within the street scene overall. As a result of this, and in the context of other comparable development in the vicinity, I consider that the proposal would preserve the character and appearance of the BCA. I consider that the combination of the scale, bulk and siting of the proposal relative to that of the host building combined with its limited visibility would not result in a harmful effect on its character and appearance either.
7. Consequently, for the above reasons, the proposal would comply with policy CS14 of the Camden Core Strategy 2010-2025, policies DP24 and DP25 of the Camden Development Policies 2010-2025 which are consistent with the content of the National Planning Policy Framework and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. These seek to ensure high quality design and preserve and enhance the character and appearance of conservation areas.

### **Other Matters**

8. I have taken account of the neighbouring resident's comments regarding impact on living conditions. Given the orientation of the proposal and its

separation distance from the neighbouring resident's dwelling I do not consider there would be harm as a result of overshadowing and outlook. Consequently the proposal would not be contrary to Policy DP26 of the Camden Development Policies 2010-2015 which is consistent with the content of the National Planning Policy Framework.

**Conclusion**

9. For the reasons set out above and having regard to all other matters raised the appeal is allowed. The council has suggested a condition that facing materials should match the existing roof. However, for reasons of clarity I have reworded it to require further details to be provided. I have also reworded the suggested condition requiring larger scale plans in order that it is precise and enforceable. These conditions are necessary to ensure a satisfactory appearance. I have imposed a condition specifying the relevant drawings as this provides certainty.

*Richard Exton*

INSPECTOR