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## Appeal Decision

Site visit made on 27 June 2017

by **A J Mageean BA (Hons) BPI PhD MRTPI**

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

Decision date: 31<sup>st</sup> July 2017

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### Appeal Ref: **APP/X5210/W/17/3173765**

### Flat B, 32 Chetwynd Road, London NW5 1BY

- 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 William Gately against the decision of the Council of the London Borough of Camden.
  - The application Ref 2017/0031/P, dated 4 January 2017, was refused by notice dated 1 March 2017.
  - The development proposed is dormer to rear elevation.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. At the time of my site visit I was unable to access the rear garden to view the roof area. However I was able to partly view the roof from the single storey flat roof to the rear of the building. I have also been provided with a number of photographs of the appeal site and the host building, and am satisfied that I have sufficient information to enable me to assess the proposal.
3. The Council cited a number of policies from the London Borough of Camden Local Plan Submission Draft 2016 in its reason for refusal. I note that this development plan, the Camden Local Plan (LP), has recently been adopted and can therefore be afforded full weight in the decision-making process. As there are no material differences between the policies which have been cited and those in the current Camden Core Strategy 2010 (CS) and Camden's Development Policies 2010 (DP), other than further emphasis on the importance of good design, neither party has been prejudiced by this change in policy circumstances.

### Main Issue

4. The main issue is the effect of the proposed rear dormer on the character and appearance of the host building, and whether it would preserve or enhance the character or appearance of the Dartmouth Park Conservation Area.

### Reasons

5. The Council's Dartmouth Park Conservation Area Appraisal and Management Strategy (CAAMS) describes the general character of the area as varied but mostly residential. It notes that roofscapes are '*highly important*'. The appeal site is located within the Dartmouth West Sub-Area, and is part of an area of

terraced housing developed between 1850 and 1880. Variations in decorative elevational treatments are noted as being one of the key aspects of the sub-area. It is also noted that there are few roof alterations, which *'gives the area a cohesive and well preserved appearance'*.

6. The appeal building is a mid-terrace property within a long terraced row of two and three storey properties. This three storey building is part of the terrace comprising No's 2-64 Chetwynd Road which is noted in the CAAMS as making a positive contribution to the Conservation Area (CA). This property has existing front and rear rooflights.
7. Whilst there have been few roof alterations within this terrace, the large dormer windows to the front and rear of No's 34 and 36 Chetwynd Road, adjacent to the appeal site, are discordant features within this roofscape. I understand that these additions date from the 1980's, prior to the designation of the CA, and the introduction of stricter controls. In this context I note that the CAAMS points to dormers which were erected prior to CA status as being one of the negative features of the sub-area.
8. I appreciate that the appellant has sought to design the proposed rear dormer addition in accordance with the Council's design guidance<sup>1</sup>. Whilst not cited as part of the reason for refusal in this case, this adopted supplementary planning guidance is a material consideration. I also note that this guidance applies to all areas and not only sensitive environments. I accept that some aspects of this guidance have been met, including the use of traditional materials, and the fact that this would be a single central dormer in what is a relatively narrow property. However, whilst it would not be full length and would occupy a little less than 50% of the width of the roof, it would nonetheless incorporate two four pane windows, meaning that it would appear as a relatively wide addition and would dominate this roofslope.
9. This guidance also states that dormers should be sufficiently below the ridge of the roof in order to avoid projecting into the roofline when viewed from a distance, noting that a 500mm gap is usually required to maintain this separation. In the present case this requirement would clearly be breached, with the proposed dormer positioned only slightly below ridge level. Whilst I accept that the ridge line would not be raised, this addition would become a visible element of the roofscape.
10. The visibility of this addition in the surrounding area would for the most part be limited to the partial view from the eastern and western ends of Twisden Road. Whilst distant views may be possible from Spencer Road due to the rising gradient of land to the east, it would not, as the Council suggests, be highly visible from either York Rise or Spencer Road. Furthermore I also note that views of the dormer to the west would be somewhat masked by the chimney stacks and the dormers to the neighbouring properties. Nevertheless due to the location and size of the proposed dormer, this would be a visually obtrusive addition to the roofscape in some public and private views.
11. I accept that the surrounding roofscape is not devoid of visual clutter, and that in addition to the neighbouring dormers referred to above the Council notes the other dormer addition to this terraced row at No 52. Nevertheless, the roofscape between No's 4-32 remains intact and, noting the importance of the

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<sup>1</sup> Camden Planning Guidance 1 (updated 2015)

roofscape to the character of the CA, would be harmed by the addition of the appeal proposal.

12. The parties have referred to other examples of rear dormer additions within the vicinity of the appeal site. Specific reference is made to that allowed at appeal at 41 Twisden Road<sup>2</sup>, in which the Inspector noted that though the distance between the dormer and roof ridge was slight, this would not be a disproportionately large addition, and views of it would be restricted. He also noted that whilst dormer windows are relatively rare in the surrounding area, they are not a wholly uncharacteristic feature. I accept that this property is part of the same perimeter block as the appeal site however, due to the narrowing of this block towards its eastern end, views of No 41 Twisden Road from the public realm are somewhat more restricted.
13. Reference is also made to the approval by the Council for a rear dormer addition to No 37 Chetwynd Road, located on the opposite side of the road to the appeal site. Whilst full details of this case are not provided, I note that the Council felt that this dormer complied with design guidance.
14. In considering the relevance of preceding decisions, I note the supporting text to CS Policy DC24 refers to the importance of respecting local character, noting that past alterations and extensions to surrounding properties should not necessarily be regarded as a precedent for subsequent proposals for alterations and extensions. As such it is important to consider each case on its own merits.
15. I note the appellant's view about the apparent subjectivity of such decisions. Nonetheless, the statutory duty in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. In the present case whilst I have found that the proposal would cause harm to the character and appearance of the CA, I consider that this harm would be less than substantial. As such, having regard to paragraph 134 of the National Planning Policy Framework, this harm must be weighed against the public benefits of the proposal. I accept that the dormer addition would improve the quality of accommodation for the appellant, however this does not equate to a public benefit which would outweigh the harm identified.
16. In this case I have found that the proposal would have a detrimental effect on the character and appearance of the host building, and that it would not preserve or enhance the character or appearance of the Dartmouth Park Conservation Area. Therefore it would not accord with Policy CS14 of the CS, Policies DP24 and DP25 of the DP, or Policies D1 and D2 of the LP, which, taken together, require development to be of the highest standard of design, to consider the character of the area, and to preserve and enhance the character and appearance of conservation areas.

## **Conclusion**

17. For these reasons, and as material considerations do not indicate that I should conclude other than in accordance with the development plan taken as a whole, the appeal is dismissed.

*AJ Mageean*

INSPECTOR

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<sup>2</sup> APP/X5210/D/15/3132754