



## **2 Inverforth Close, London, NW3 7EX**

Appeal by Mrs Shah against Camden Council's decision to refuse  
planning application: 2017/2057/P

Grounds of appeal and full statement of case on behalf of appellant

21<sup>st</sup> June 2017

**AZ Urban Studio Limited**  
Magdalen House  
136-148 Tooley Street  
London  
SE1 2TU

T +44 (0)20 7234 0234  
[www.azurbanstudio.co.uk](http://www.azurbanstudio.co.uk)

## AZ URBAN STUDIO

2 Inverforth Close, London, NW3  
7EX

Client:

Mrs Shah

Reference: AZ1622  
Status: SUBMISSION  
Date: 21.06.17

Name  
Signature Author:  
Ellen Creegan

Telephone: 020 7234 0234  
Fax: 020 7403 9030

Position .....  
Planning Consultant

ellen@azurbanstudio.co.uk  
[www.azurbanstudio.co.uk](http://www.azurbanstudio.co.uk)

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**Appendix A** - Original decision notice - 2017/2057/P

**Appendix B** - Amended decision notice - 2017/2057/P

**Appendix C** - Officers report - 2017/2057/P

**Appendix D** - Hampstead Conservation Area Statement 2002

**Appendix E** – Approved drawings - 2016/6994/P

**Appendix F** - Decision notice - 2016/6994/P

**Appendix G** - Officers report - 2016/6994/P

## 1. Introduction

- 1.1. This Statement of Case is provided in support of an appeal against Camden Council's decision to refuse planning permission for alterations and extensions to 2 Inverforth Close, London, NW3 7EX.
- 1.2. Planning permission was recently granted in March 2017 for various alterations to the property inclusive of extensions and aesthetic improvements (planning application reference 2016/6994/P). The approved development included the erection of a roof extension at first floor level above the existing wing to the rear of the dwelling, the rebuilding of an existing dormer in the rear roof slope, the insertion of a small dormer window into the extended roof slope, the erection of a small single storey rear extension, the replacement of existing windows / French doors, and the reconfiguration of the internal layout. The approved drawings, decision notice and officer report for that permission are included at Appendix E, F, and G, and are an important material consideration in the determination of the present appeal.
- 1.3. Planning permission was subsequently recently refused for a modified form of development to that approved to allow for, additionally to the above described development, a small extension to the internal dormer, and for the erection of a second modest dormer to the external roof slope. The full description of the proposed development (the Appeal Scheme) is:
- "Alterations to dwellinghouse (C3) including: erection of roof extensions; single storey rear extension; replacement ground floor fenestrations; installation of roof lights; replacement front doors and refuse enclosure; and re-landscaping of rear gardens (variation to approved scheme 2016/6994/P dated 20/03/17)".*
- 1.4. Planning permission was refused under delegated authority on 5<sup>th</sup> June 2017 for the following reason:

**Reason 1** - *The proposed dormer extensions by reason of their scale, design and location would result in an overly dominant roofscape and cause harm to the character and appearance of the host dwelling and the Hampstead Conservation Area and would harm the setting of the adjacent GII\* listed*

*structure. The proposed development would therefore be contrary to policy CS14 of the Local Development Framework Core Strategy, policies DP24 and DP25 of the Local Development Framework Development Policies and policies D1 and D1 of the Camden Local Plan submission draft 2016.*

- 1.5. The decision notice is included at Appendix A to this statement. The officer's delegated report is included at Appendix B.
- 1.6. This Statement outlines the case for appeal against the Council's decision. The planning application to which this appeal relates was submitted with a comprehensive Design and Access / Planning Statement which set out:
  - The site and its planning constraints;
  - An overview of the planning history of the site;
  - A description of the proposed development;
  - Review of the planning policy relevant to the development;
  - An assessment of the proposals and their compliance with the relevant planning policy; and
  - An overview of the Construction Management Strategy.
- 1.7. A Heritage Statement was submitted as part of the application and set out:
  - The history of Inverforth Close and its relevant context;
  - An assessment of the significance of the nearby Grade II\* listed buildings and Registered Historic Park and Garden;
  - An assessment of the contribution no.2 Inverforth Close makes to the setting of the Hampstead Conservation Area;
  - A detailed description of the works proposed and;
  - An assessment of the impact of the works upon the significance and setting of the various heritage assets.
- 1.8. All submitted supporting material and drawings are included as part of this appeal.
- 1.9. We would ask that the Inspector refers to the above documentation and the further assessment provided here as to why, having regard to the development plan and other material considerations, planning permission should be granted.

**2. Reason 1: Scale, design and location causing harm to the character and appearance of the host dwelling and the Hampstead Conservation Area, and harming the setting of the adjacent Grade II\* listed structure**

- 2.1. Planning permission was refused on 5<sup>th</sup> June 2017 for development described as “Alterations to dwellinghouse (C3) including: erection of roof extensions; single storey rear extension; replacement ground floor fenestrations; installation of roof lights; replacement front doors and refuse enclosure; and re-landscaping of rear gardens (variation to approved scheme 2016/6994/P dated 20/03/17)”. The Council provided one reason for refusal which was worded as follows:

*“The proposed dormer extensions by reason of their scale, design and location would result in an overly dominant roofscape and cause harm to the character and appearance of the host dwelling and the Hampstead Conservation Area and would harm the setting of the adjacent GII\* listed structure. The proposed development would therefore be contrary to policy CS14 of the Local Development Framework Core Strategy, policies DP24 and DP25 of the Local Development Framework Development Policies and policies D1 and D1 of the Camden Local Plan submission draft 2016”.*

- 2.2. We would bring to the attention of the Planning Inspectorate that the Council, in their reason for refusal, duplicate reference to policy D1 of the Camden Local Plan submission draft 2016. Confirmation has been received from the Case Officer that this was an administrative error and that the Council intended to refer to policy D1 and D2 of the Camden Local Plan submission draft 2016. A revised version of the decision notice has now been added to the Council’s online planning register and is included at appendix C.

- 2.3. The specific planning policies listed in the Council’s reason for refusal are:

- Policy CS14 of the Local Development Framework Core Strategy 2010
- Policy DP24 of the Local Development Framework Development Policies 2010
- Policy DP25 of the Local Development Framework Development Policies 2010
- Policy D1 of the Camden Local Plan submission draft 2016

- Policy D2 of the Camden Local Plan submission draft 2016

The policies will be assessed individually for the purposes of clarity.

### ***Policy context***

#### ***NPPF***

- 2.4. Chapter 12 of the National Planning Policy Framework (NPPF) (2012) seeks to conserve and enhance the historic environment. Paragraph 131 of this document states that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- 2.5. Paragraph 133 of this document states that where a proposed development will lead to substantial harm to or total loss of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- the nature of the heritage asset prevents all reasonable uses of the site; and
  - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
  - the harm or loss is outweighed by the benefit of bringing the site back into use.

- 2.6. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

*Policy CS14 of the Local Development Framework Core Strategy (Promoting high quality places and conserving our heritage)*

- 2.7. The Council will ensure that Camden's places and buildings are attractive, safe and easy to use, by:
- a) requiring development of the highest standard of design that respects local context and character;
  - b) preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens;
  - c) ...
  - d) ...
  - e) ...

*Policy DP24 of the Local Development Framework Development Policies (Securing high quality design)*

- 2.8. The Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider:
- a) character, setting, context and the form and scale of neighbouring buildings;
  - b) the character and proportions of the existing building, where alterations and extensions are proposed;
  - c) the quality of materials to be used;
  - d) the provision of visually interesting frontages at street level;
  - e) the appropriate location for building services equipment;
  - f) existing natural features, such as topography and trees;
  - g) the provision of appropriate hard and soft landscaping including boundary treatments;
  - h) the provision of appropriate amenity space; and
  - i) accessibility.



*Policy DP25 of the Local Development Framework Development Policies  
(Conserving Camden's heritage)*

**Conservation areas**

2.9. In order to maintain the character of Camden's conservation areas, the Council will:

- a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;
- b) only permit development within conservation areas that preserves and enhances the character and appearance of the area;
- c) ...
- d) ...
- e) ...

**Listed buildings**

To preserve or enhance the borough's listed buildings, the Council will:

- f) ...
- g) ...
- h) not permit development that it considers would cause harm to the setting of a listed building.

**Other heritage assets**

The Council will seek to protect other heritage assets including Parks and Gardens of Special Historic Interest and London Squares.

*Policy D1 of the Camden Local Plan submission draft 2016 (Design)*

2.10. The Council will seek to secure high quality design in development. The Council will require that development:

- a) respects local context and character;
- b) preserves or enhances the historic environment and heritage assets in accordance with Policy D2 – Heritage;
- c) ...
- d) ...
- e) comprises details and materials that are of high quality and complement the local character;
- f) ...

- g) ...
- h) ...
- i) ...
- j) ...
- k) ...
- l) ...
- m) preserves significant and protected views;
- n) ...
- o) ...

The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

*Policy D2 of the Camden Local Plan submission draft 2016 (Heritage)*

- 2.11. The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

**Conservation areas**

In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.

The Council will:

- a) require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
- b) ...
- c) ...
- d) ...

**Listed Buildings**

To preserve or enhance the borough's listed buildings, the Council will:

- e) ...
- f) ...

- g) resist development that would cause harm to significance of a listed building through an effect on its setting.

### **Officers Report**

- 2.12. The Council's reason for refusal states that it is the 'scale, design and location' of the proposed dormers which cause harm to the character and appearance of the host dwelling and the Hampstead Conservation Area and would harm the setting of the adjacent GII\* listed structure. These concerns are expanded upon within the officer's report. Relevant sections of the report are repeated below.
- 2.13. Paragraph 3.4 of the officer's report confirms that the proposed extensions would result in a volumetric uplift of 19.8% above the existing property, the footprint of the dwelling would be increased by 8%, and the Gross Internal Area of the dwelling would be increased by 21.2%. The report confirms that *"these calculated figures would indicate that the proposed additions would remain proportionate (in numerical terms) and would remain within the range previously considered 'proportionate' in similar previous cases determined within the Borough"*. The report does however detail that consideration must also be given to the design and siting of the proposal in terms of its impacts upon the openness of the Metropolitan Open Land (MOL).
- 2.14. Paragraph 3.6 of the report does go on to detail that *"the proposed enlarged roof extensions would involve a greater addition in terms of mass (volume) as well as floor area, however, due to the positioning of these elements officers still take the view that the impact upon the openness of the MOL would not form a reason for refusal"*. We would highlight the officer's assessment that due to the positioning (i.e. the concealed positioning) of both the proposed extended dormer and additional small dormer, they will not impact adversely upon the openness of the MOL.
- 2.15. Paragraph 3.10 of the delegated report states that the *"view of the proposed extensions from public areas of the adjacent listed structure as well as the conservation area is therefore a principle concern"*. In appendix 2, the case officer has provided photographs of existing views from the adjacent Pergola (Grade II listed). These images do in fact show that the proposed roof

extensions to no.2 Inverforth Close will not be seen from The Hill Garden or the Pergola. This is further detailed in the subsequent sections of this Statement.

- 2.16. Paragraph 3.16 of the delegated report states that the changes proposed would do very little to increase the resulting internal floorspace. The report states that *'The proposed variations would result in approximately 1sqm of additional space to a child's playroom only as well as some additional head room to a small study room'*. We would firstly comment that the proposed dormer extensions add valuable head height to these rooms which is not currently provided through the approved scheme. Under the approved scheme, the children's playroom (bedroom 2) is served by three skylights and a small dormer which sits behind the entrance door to this room. The proposed extension to this dormer would enhance the usability of this room as a playroom / bedroom and would improve the level of outlook / sunlight and daylight for this habitable room. The approved scheme also results in the study being served by a skylight. Again, by replacing this skylight with a dormer window, the usability of this room and the amenity of the occupants would be enhanced.

### **Assessment**

- 2.17. A full review of the planning history for the property is set out in the Planning Statement which was submitted as part of the application. Not only does this review provide an overview of the past planning permissions on the site, it also reviews how the proposals have been significantly reduced in size since the previous submission from July 2016. It details how, upon presentation of the reduced scheme (which is the subject of this appeal) in December 2016 to the Council, both the Planning Officer and the Design and Conservation Officer were supportive of the revised scheme. These views were unfortunately modified in the week prior to the determination date for the application.
- 2.18. As noted above, the reason for refusal states that it is the 'scale, design and location' of the proposed dormers which are objectionable. These three elements will be assessed individually for the purposes of clarity:

## Scale

- 2.19. Paragraph 3.12 of the officer's delegated report states that the approved scheme under planning application reference 2016/6994/P remained contrary to design guidance regarding the scale of dormer windows (as set out in CPG1), however it was designed to mirror existing roof extensions to no.1 Inverforth Close, helping to reunite the pair.
- 2.20. It is firstly important to note that the volumetric increase resulting from the dormers meets the 'rule of thumb' volume / floor space increase of 20-25% used by Camden Council for extensions within designated MOL. The proposed volume increase is 19.8%, and the proposed increase in GIA is 21.2%. As a result, the proposed meets the both Council's test of proportionality and the tests set out in paragraph 89 of the NPPF; London Plan policy 7.17; or Core Strategy policy 15 for properties situated on Metropolitan Open Land (MOL). This suggests that the dormers are numerically of an appropriate scale whilst compared with the scale of the host dwelling.
- 2.21. Whilst assessing CPG1 which the Council refer to, Paragraph 5.8 of that document advises that a roof alteration or addition is likely to be unacceptable in the following circumstances where there is likely to be an adverse affect on the skyline, the appearance of the building or the surrounding street scene:
- *There is an unbroken run of valley roofs;*
  - *Complete terraces or groups of buildings have a roof line that is largely unimpaired by alterations or extensions, even when a proposal involves adding to the whole terrace or group as a coordinated design;*
  - *Buildings or terraces which already have an additional storey or mansard;*
  - *Buildings already higher than neighbouring properties where an additional storey would add significantly to the bulk or unbalance the architectural composition;*
  - *Buildings or terraces which have a roof line that is exposed to important London-wide and local views from public spaces;*
  - *Buildings whose roof construction or form are unsuitable for roof additions such as shallow pitched roofs with eaves;*

- *The building is designed as a complete composition where its architectural style would be undermined by any addition at roof level;*
- *Buildings are part of a group where differing heights add visual interest and where a roof extension would detract from this variety of form;*
- *Where the scale and proportions of the building would be overwhelmed by additional extension.*

- 2.22. Whilst considering the proposed increase in the width of the dormer and the additional small dormer alongside this guidance, it is firstly important to note that the proposals will not have an adverse effect on the skyline, on the appearance of the building, or on the surrounding street scene. The points included within paragraph 5.8 will however be assessed for the purposes of clarity.
- 2.23. It is our contention that the proposed extension to the approved dormer and the addition of a smaller dormer are fully compliant with the above points contained within Camden's Guidance; there is not an unbroken run of valley roofs in the Close, and the rooflines in the Close are not uniform / unimpaired – all properties in the close differ in design and many of the dwellings have been previously altered or extended.
- 2.24. Although no's 1 and 2 Inverforth Close were originally one building which was later subdivided, the architectural composition of the dwellings has been gradually altered through the construction of various alterations and extensions to the dwellings. Although the properties remain of the same design when viewed from the Close, the composition of the rear elevations cannot be compared given that the rear wing of no.2 Inverforth Close is fully concealed from any external vantage points.
- 2.25. There is also no definitive level of symmetry between no's 1 and 2 Inverforth Close as the height of the roof to the rear wing of no.1 Inverforth Close will remain to exceed that recently approved at no.2 Inverforth Close. No.1 Inverforth Close already comprises dormers in both its rear and east facing roof slopes and there are clear differences between the size and positioning of the rear wings of the dwellings. The symmetry of these buildings desired by the Council, cannot therefore positively contribute to the setting of the conservation area as the roofscape of no.2 cannot be seen within the context

of the conservation area. The roofscape of no.2 Inverforth Close is also not exposed to The Hill Park and Garden or to the Listed Pergola. This is further expanded upon in the 'location' assessment further on in this statement. The addition of the small dormer to the western roof slope will provide an element of symmetry on this roof slope as the approved scheme for the single dormer and the skylight appears unbalanced. This level of symmetry enhances the appearance of the building when viewed from within the Close.

2.26. Whilst reviewing paragraph 5.11 of CPG1, that document advises that roof dormers should be sensitive changes which maintain the overall structure of the existing roof form. The guidance states that proposals that achieve this will be generally considered acceptable providing that the following circumstances are met:

- a) The pitch of the existing roof is sufficient to allow adequate habitable space without the creation of disproportionately large dormers or raising the roof ridge. Dormers should not be introduced to shallow-pitched roofs.*
- b) Dormers should not be introduced where they cut through the roof ridge or the sloped edge of a hipped roof. They should also be sufficiently below the ridge of the roof in order to avoid projecting into the roofline when viewed from a distance. Usually a 500mm gap is required between the dormer and the ridge or hip to maintain this separation (see Figure 4). Full-length dormers, on both the front and rear of the property, will be discouraged to minimise the prominence of these structures.*
- c) Dormers should not be introduced where they interrupt an unbroken roofscape.*
- d) In number, form, scale and pane size, the dormer and window should relate to the façade below and the surface area of the roof. They should appear as separate small projections on the roof surface. They should generally be aligned with windows on the lower floors and be of a size that is clearly subordinate to the windows below. In some very narrow frontage houses, a single dormer placed centrally may be preferable (see Figure 4). It is important to ensure the dormer sides ("cheeks") are no wider than the structure requires as this can give an*

*overly dominant appearance. Deep fascias and eaves gutters should be avoided.*

- e) Where buildings have a parapet the lower edge of the dormer should be located below the parapet line (see Figure 4).*
- f) Materials should complement the main building and the wider townscape and the use of traditional materials such as timber, lead and hanging tiles are preferred.*

2.27. Regarding point (a) above, the pitch of the roof has been raised and approved under the recently approved scheme. This ridge can sufficiently accommodate dormer roofs as permitted under the previous application. We would also comment that this approved roof pitch remains shallower than that of the adjoining property at no.1 Inverforth Close. The dormer extension and additional dormer proposed do not result in disproportionately large additions to the roof slope and this is expanded upon in the subsequent sections of this report.

2.28. In response to point (b) of paragraph 5.11 of CPG1, the proposed dormer extension and the additional modest dormer do not cut through the roof ridge or sloped edge of the hip of the rear wing. The proposed dormers sit sufficiently below the ridge of the roof (600mm below, whereas CPG1 advises 500mm), and are not full-length dormers along both roof slopes of the wing. There is a distance of 900mm between the southern edge of the proposed extended dormer and the southern roof slope of the wing, which increases to 3.3 metres to the lower part of the dormer / roof slope. The dormers are proportionate to the rear wing of the dwelling and do not dominate the overall roof of the dwelling.

2.29. Point (c) stating that dormers should not be introduced where they interrupt an unbroken roofscape is complied with – as noted in the Planning Statement for the application, dormer extensions are evident at almost of the properties in Inverforth Close. Dormers are therefore not only characteristic of no.2 Inverforth Close, they are also characteristic of the roofscape of the Close itself.

2.30. Although not specified in the Officer's delegated report, we suspect that it is part (d) of paragraph 5.11 of CPG1 that the Officer is referring to when stating



that the approved scheme was contrary to the design guidance regarding the scale of dormer windows. This is because the approved dormer to the internal roof slope is not a 'separate small projection on the roof surface' and does not 'generally align with the windows at ground floor level' as required by the guidance.

- 2.31. With regards to the internal dormer, we would note that longer dormers are already characteristic of no.1 and no.2 Inverforth Close and such features are not therefore alien to the character and appearance of the dwelling. It is also important to note that the test for the internal dormer, as outlined in the reason for refusal, is whether the extension of 2.6 metres would result in an overly dominant roofscape and cause harm to the character and appearance of the host dwelling and to the Hampstead Conservation Area, and would harm the setting of the adjacent G II\* listed structure. The subsequent sections of this statement confirm that as the proposed extension to the dormer window will not be dissimilar to the approved situation, there will be no harm caused to the overall appearance of the dwelling. The statement also confirms that there will be no harm to the character of the conservation area or to the setting of the adjacent G II\* listed structure.
- 2.32. The proposed modest dormer to the external western roof slope is however compliant with this section (d) of the guidance and seeks to add a second small projection to the western roof slope.
- 2.33. Regarding part (e), the dwelling does not have a parapet so this does not apply.
- 2.34. Part (f) of paragraph 5.11 of CPG1 is addressed below in the 'design' section of this statement.

### *Design*

- 2.35. The design of the proposed extension to the internal dormer, and that to the external single dormer has been devised such that the additions will be harmonious with the approved scheme. The materials proposed to the extension to the approved dormer and to the new small dormer are the same as those approved, comprising clay tile cladding to match the existing roof

and a lead roof to match that of the existing. These materials will visually blend with the existing materials and will therefore harmonise with the character and appearance of the host dwelling, as well as that of the surrounding dwellings.

- 2.36. Although an element of symmetry between no's 1 and 2 Inverforth Close would be lost as a result of an extension of 2.6 metres to the internal dormer, we would question the necessity of this symmetry given (1) the individual character of the dwellings which are a result of various alterations and extensions to the dwellings, (2) the individual character and design of the eight properties in Inverforth Close and (3) given the inability to view both the rear roofscapes of both no.1 and no.2 Inverforth Close in tandem.
- 2.37. As noted above, the addition of a second smaller dormer to the external roof slope will enhance the level of symmetry on this roof slope. The replacement of the approved skylight with a small dormer to match that approved will rebalance the appearance of this roof slope and therefore enhance the overall character and appearance of the dwelling when viewed from the western end of the Close and from within the context of the conservation area.

### *Location*

- 2.38. As noted in both the Heritage Statement and the officer's report for the application, the Hampstead Conservation Area Statement (2001) does not make special mention of the property or note it as making a positive contribution to the character of the conservation area. It does however advise that the properties in Inverforth Close form the backdrop to The Hill Garden and the listed Pergola. However, as shown by the photographs within the Heritage Statement, it is the roofscape of no.1 Inverforth Close which is visible from The Hill Garden and Pergola, rather than that of no.2 Inverforth Close.
- 2.39. Appendix 2 photograph 1 of the officer's delegated report for the refused application shows the existing view of Inverforth Close from The Hill Garden Pergola. The case officer has annotated the photograph stating, '*Backdrop formed by roofline of no's 1&2 Inverforth Close*'. The photograph shows the

southern roof slope of the main dwelling of no.1 Inverforth Close, as well as the southern and eastern roof slopes of the rear wing of this property. No.2 Inverforth Close is not at all visible from this viewpoint.

2.40. Similarly, appendix 2 photograph 2 of the officer's report shows the chimney stack and the very top of the southern roof slope of the rear wing of no.1 Inverforth Close, however there is no available view of any element of no.2 Inverforth Close.

2.41. Appendix 2 photograph 3 of the officer's report shows a tall boundary wall concealed by a hedge and with a view in the background of the southern roof slope of the rear wing of no.1 Inverforth Close. Again, there is no available view afforded towards no.2. It is also important to note that this photograph has been taken from a set of steps which lead down from The Hill Garden Central Temple Summerhouse down to The Hill Garden Western Pergola (please see photograph below which shows these steps). Visitors standing within the Summerhouse may be able to have a glimpse at the southern roof slope of the rear wing of no.1 Inverforth Close, but they cannot see the roof slope of no.2 Inverforth Close due to the existing high boundary wall. In addition, as visitors travel down the steps towards the Western Pergola, this view is fully concealed by the high boundary wall.



**Steps leading down from Summerhouse to Pergola**

- 2.42. Paragraph 3.12 of the officer's report advises that *"although public views are currently obscured by border shrubs/hedges; were this boundary vegetation to be removed from the rear of the site the roof form of the property would become highly visible from the adjacent listed structures"*. We would comment that even if this existing vegetation was to be removed, views towards no.2 would be extremely limited given the presence of the existing high boundary wall. If the existing hedges and planting were to be removed, visitors to The Hill Garden may have a slight glimpse of the proposed dormer facing into the courtyard of no.2 Inverforth Close from the eastern side of the Summerhouse but this would be largely concealed by either (1) the existing rear wing of no.1 Inverforth Close, or by (2) the Summerhouse itself. This is evidenced by photograph no.4 of appendix 2 in the officer's delegated report.
- 2.43. Photograph 5 of the officer's delegated report shows a view of Inverforth Close when stood in The Hill Gardens from the southern side of the Western Pergola. The officer's annotation of *'Backdrop formed by roofline of Inverforth Close'* again points to the roof ridge and chimney of no.1 Inverforth Close rather than that of no.2 Inverforth Close. The only part of no.2 Inverforth Close visible from this vantage point is the chimney to the rear wing of the dwelling.
- 2.44. It is important to note that the chimney to the rear wing currently in situ has an overall height of 7.5 metres, whereas the height of the approved ridge of the rear wing is only 6.5 metres in height. This reduction in height will result in only the very top of the roof ridge being visible from this part of The Hill Garden – neither the extended dormer to the private courtyard or the additional small dormer to the western roof slope will be visible from this location. The proposed extension to the dormer to the inner roof slope will not therefore *"encroach heavily upon the adjacent listed pergola"* as noted in the officer's delegated report.
- 2.45. As stated in the Planning Statement submitted as part of the application, the officer's delegated report for the previous approval (included at Appendix G of this report) confirms that the internal dormer would not be visible in public or private views, with views only possible from within the site itself.
- 2.46. In any case, as set out in the above sections of this Statement, even if a glimpse of the extended dormer is visible from the eastern side of the summerhouse, the proposed extension to the dormer has been appropriately

designed such that it will not have an adverse impact on the character and appearance of the host dwelling.

### ***Planning Policy Summary***

- 2.47. With regards to national planning policy, the proposed extension of 2.6 metres to the internal dormer and the additional small dormer to the western roof slope will not lead to substantial harm to or loss of a designated heritage asset. The proposal is therefore in full compliance with paragraphs 133 and 134 of the NPPF.
- 2.48. The proposals are of a very high standard of design which preserve and enhance both the character and appearance of the Close and the setting of the Hampstead Conservation Area. By virtue of the small scale of the dormers and their concealed positions, they will also preserve and enhance the setting of the adjacent listed buildings and structures, and the historic park and garden. The proposals are therefore fully compliant with local planning policy CS14 of the Local Development Framework Core Strategy (2010).
- 2.49. Whilst comparing the proposed dormer extension and additional dormer alongside policy DP24 of the Local Development Framework Development Policies (2010), it is noted that the proposals are proportionate to the scale of the host dwelling, and are harmonious with the character setting, context, form and scale of the neighbouring buildings within the Close. The materials proposed are consistent with those proposed as part of the approved scheme and are very modest additions to the extensions and alterations previously approved.
- 2.50. In terms of conserving Camden's Heritage, the works proposed conform to the parameters of Policy DP25 of the Local Development Framework Policies (2010); the modest extension to the inner dormer is only visible from within the internal courtyard itself and views are not afforded from within the context of the Hampstead Conservation Area or from the adjacent listed structures / the registered park and garden. Even if the current boundary treatment which provides an additional level of concealment to the internal dormer was to be removed, by virtue of 1. the existing high boundary wall, 2. the siting of the rear wing of no.1 Inverforth Close, and 3. the listed summerhouse, only a very

brief (and largely obscured) glimpse of the proposed dormer extension would be available from the eastern side of the summerhouse.

The proposed single dormer to the western roof slope would balance the level of symmetry of this roof slope when viewed from the western end of the Close and within the context of the conservation area. This modest dormer will preserve and enhance the character and appearance of the building and would not cause harm to the other heritage assets within the proximity of the site.

- 2.51. In terms of the draft policies D1 and D2 of the Camden Local Plan submission draft (2016), we would reiterate that the dormers are of a high-quality design which respect and complement the local context and character of the Close. The proposals seek to preserve and enhance the historic environment and heritage assets and do not detract from the significant views from the surrounding heritage assets. The proposals have fully taken into consideration the Hampstead Conservation Area Statement (2002) (which recognises that the properties in Inverforth Close form the 'backdrop' to The Hill Garden / listed pergola) by ensuring that the proposed extensions cannot be viewed in the contact of these heritage assets. The proposals will preserve the setting and significance of the heritage assets and are fully compliant with draft planning policies D1 and D2.

### 3. Conclusion

- 3.1. The proposal to enlarge the width of the approved internal dormer by 2.6 metres and to add an additional small dormer to the western roof slope of no.2 Inverforth Close are modest alterations to an already approved scheme. The extensions will not harmfully impact the character and appearance of the dwelling and the Hampstead Conservation Area, and will not harm the setting or significance of the adjacent listed buildings / structures or the registered park and garden.
- 3.2. The scale of the extended dormer to the internal roof slope, along with that of the small additional dormer will be appropriate to the size of the main dwelling given that a large portion of the roofscape will remain unaltered, and given that their measurements have been deemed proportionate to the dwelling in terms of their impact on the Metropolitan Open Land.
- 3.3. The proposed extension to the approved dormer and the additional small dormer have been appropriately designed to harmonise with the approved scheme and adhere to the character of the surrounding properties in the Close where dormers already prevail.
- 3.4. The extension of the approved dormer by 2.6 metres will allow the dormer to remain as a subservient and proportionate addition to the roof slope of the rear wing and a full view of the internal courtyard area of the dwelling will not be available from any external vantage points. This part of the proposal will not therefore impede views from the adjacent listed pergola and summerhouse and will not therefore harm the setting of these structures.
- 3.5. The proposed dormer to the external roof slope is visible within the western end of the Close and subsequently within the context of the Hampstead Conservation Area. This addition enhances the level of symmetry on the external roof slope and will therefore enhance the character and appearance of the dwelling when viewed within the context of the heritage asset.
- 3.6. It is for these reasons we respectfully ask the Inspector to allow the appeal.

#### **4. Appendices**

***Appendix A - Original decision notice - 2017/2057/P***

***Appendix B - Amended decision notice - 2017/2057/P***

***Appendix C - Officers report - 2017/2057/P***

***Appendix D - Hampstead Conservation Area Statement 2002***

***Appendix E – Approved drawings - 2016/6994/P***

***Appendix F - Decision notice - 2016/6994/P***

***Appendix G - Officers report - 2016/6994/P***