

**21 PATSHULL ROAD KENTISH TOWN LONDON NW5 2JX**

**PLANNING, DESIGN, ACCESS AND SIGNIFICANCE APPRAISAL**

**FEBRUARY 2018**

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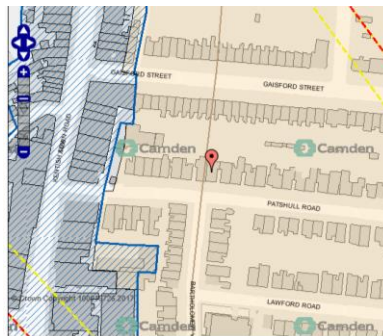
michael burroughs associates

## 1.0 INTRODUCTION

1. This is a Planning, Design, Access and Significance Appraisal in respect of proposal for a side dormer addition at No 21 Patshull Road.
2. The application follows an earlier application for a side dormer and a side extension. Prior to formal submission the Council advised (**Annex 1**) that a side dormer could be justified on the basis of the recent appeal decision at No. 73 where the Inspector concluded *there is very limited visibility of the side parts of the roofs* in this area. However, during the course of the application the dormer element was removed as the Council considered that *dormers are a common feature on the eastern end of Patshull Road (near 73), but they're not around no.21*.
3. This supporting statement sets out why the Council's previous analysis is deeply flawed.

## 2.0 THE SITE

4. The site is situated to the east of Kentish Town Road within the Bartholomew Estate Conservation Area.



5. No. 21 is a semi-detached house built in the 1860s within the group Nos 5-97 odd. They are identified as positive contributors to the Conservation Area in the Conservation Area Statement (2000). The house is 3-storeys with relatively high floor to ceiling heights.
6. From the front, its original appearance is essentially unchanged:



**The Surrounding Area**

7. Many properties on the north side of Patshull Road have front, side or rear dormer additions. Fourteen properties on the north side in particular have side dormers:



**No. 37**



**Nos. 55-57, 59-61, 63-65, 69**



**Nos. 85-83, 79-81, 77-75**



8. Fifteen properties on the south side of Patshull Road have similar side dormers also:



**Nos. 32-34, 40**



**Nos. 48-50, 52-54, 56-58, 60-62, 64-66,**



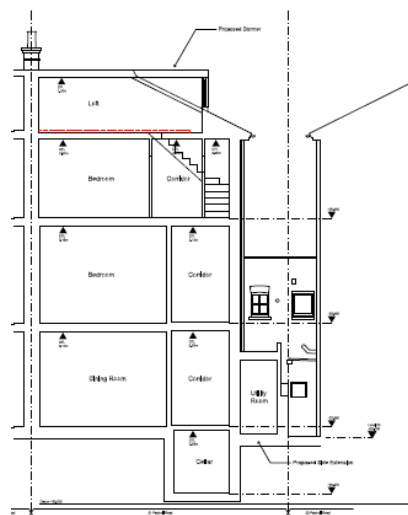
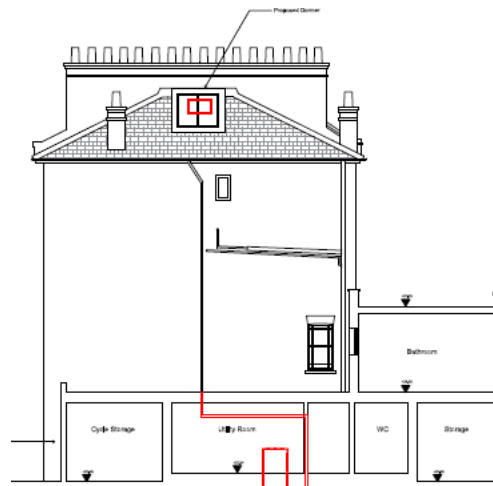
**No. 68-70**

### 3.0 PLANNING HISTORY

9. **2017/7060/P:** In February 2018 planning permission was granted for a single storey side extension at the property.

### 4.0 THE PROPOSAL

10. The application proposes adding a simple flat side dormer onto the existing roof to create usable space at third floor level.



### 5.0 PLANNING POLICY

11. The relevant operational policies are in:

- Bartholomew Estate Conservation Area Statement (2000);

- The NPPF (2012);
- CPG1 Design (September 2013); and
- Camden’s Local Plan (2017).

**Bartholomew Estate Conservation Area Statement (“CAS”)**

12. The CAS identifies Nos 5-97 (odd) and 4-86 (even) as unlisted buildings making a positive contribution to the character and appearance of the Conservation Area.
13. The CAS recognises the Conservation Area is a compact and well preserved Victorian residential development built over a 20-year period. Patshull Road falls within sub area 2 Dartmouth Family Estate.
14. This part of the Conservation Area was located between the Christ Church Estate and the St Bartholomew Hospital Estate. The area comprised about 12 acres and was developed by the 5<sup>th</sup> Earl of Dartmouth in the 1860s.
15. The CAS recognises Nos. 58-86 Patshull Road have rear dormer additions.
16. **Policy BE1 (New Development)** states new development should be seen as an opportunity to enhance the Conservation Area. It requires all development to respect existing features such as building lines, rooflines, elevation design, architectural characteristics, detailing, profile and materials of adjoining buildings.
17. **Policy BE15 (Roof extensions)** says dormers at the front and side will generally not be allowed where a cluster of roofs remain largely, but not necessarily completely, unaltered. It highlights where the roof form is a shallow pitch the scale and position of the dormer in the roof slope should respect the ridge and hip lines and general proportions of the building.
18. The aerial photos show dormer additions are now very much part of the established character of Patshull Road.

**The NPPF**

19. This expresses current national policy on the impact of development on heritage assets. **NPPF para 17 bullet 10** identifies the relevant core planning principle: *conserve heritage*

*assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.*

20. **NPPF Glossary** explains what heritage assets are: *A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).* The Council has not identified or designated No 21 as a heritage asset. The Bartholomew Estate Conservation Area is the only relevant designated asset.
21. **NPPF para 128** sets out the duty of an applicant: *In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...*
22. **NPPF para 132** says *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.*
23. **NPPF para 134** says: *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.*
24. The influential 2008 English Heritage report **Conservation Principles, Policies and Guidance** set out a method for thinking systematically and consistently about the heritage values that can be ascribed to a place and concludes they can be grouped into four categories:
  - *Evidential value: the potential of a place to yield evidence about past human activity.*

- *Historical value: the ways in which past people, events and aspects of life can be connected through a place to the present - it tends to be illustrative or associative.*
- *Aesthetic value: the ways in which people draw sensory and intellectual stimulation from a place.*
- *Communal value: the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.*

25. No. 21 was built in the 1860s. The proposal does not engage any of the above as issues. It has been sensitively designed following pre-app advice to have no impact on the evidential, historical, aesthetic or communal value of the property.

### **Camden's CPG 1 Design**

26. The following advice is relevant:

27. **Para 5.11** advises the addition of roof dormers should be sensitive and maintain the overall structure of the existing roof form. Proposals that achieve this will be generally considered acceptable, providing that the following circumstances are met:

- *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;*
- *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;*
- *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;*
- *Where buildings have a parapet the lower edge of the dormer should be located below the parapet line; and*
- *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.*



28. The aerial photos show that this area is characterised by dormer additions and there is a wide range of these. The proposal respects the existing townscape.
29. The guidance says usually a 500mm gap is required between the dormer and the ridge or hip. However, it is not possible to provide this in this instance as the loft floor to ceiling height would be 1.78m and a staircase could not be inserted if the dormer was lowered. The design is consistent with the other side dormers in the road and the guidance has not been rigidly drafted.

### **Camden Local Plan**

30. **Policy G1 (Delivery and location of growth)** outlines the Council will support development that makes best use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations.
31. **Policy D1 (Design)** says the Council will seek to secure high quality design in development that respects local context and character and preserves or enhances the historic environment and heritage assets.
32. **Policy D2 (Heritage)** requires new development within conservation areas to preserve or, where possible, enhance the character or appearance of the area.

## **6.0 HERITAGE IMPACT**

33. No. 21 is not listed or locally listed. The closest listed building is Blustons at Nos. 213-215 Kentish Town Road which is grade II listed for its 1931 shopfront. This is 100m to the west of the site and is not within its setting.
34. Accordingly, the Conservation Area is the only relevant designated heritage asset.
35. Following the case law in South Lakeland, the statutory test requires the proposals not to harm the character or appearance of the Conservation Area. The proposals satisfy this test.
36. The side dormer addition will have no effect on the appearance of the house or the character of the Conservation Area due to the limited visibility of the side profile of the roof from Patshull Road.

37. This conclusion is consistent with the 2014 appeal decision (**Annex 2**) in respect of No. 73c where the Inspector agreed:

- *The development pattern is very uniform and the gaps between the buildings are narrow. I noted that the appeal property is part of a pair with no visible dormers and it is immediately next door to another pair of villas which also have no visible dormers. But there is very limited visibility of the side parts of the roofs and it was impossible to see both sides at the same time when looking at the pair as one building. There is even less visibility of the rear of roofs, I noted it was only possible to glimpse parts of these on buildings behind those fronting onto Patshull Road through the small gaps between the dwellings.*
- *I also saw that within the street, side dormer windows are much more common than not. There is also some variation in their size and the materials used, which I consider indicates that not all the dormers would have been an original feature. More importantly the side dormer windows have a negligible impact on the overall character and appearance of the area as they are only apparent when standing almost directly in front of them. For the same reason they have an insignificant impact on the overall balance of the semi-detached villas as one building. I also glimpsed the odd rear dormer in the roof tops of buildings behind those fronting onto Patshull Road. But, it was only possible to do so through careful scrutiny looking through the short gaps between the buildings.*
- *Both dormers would be lower than the ridgeline of the roof and set in 500mm from hip, eaves and party wall. Hence they would comply with section 5.11 b) of The Camden Planning Guidance Design (CPG1). This seeks to ensure that dormers do not project into the roofline. Whilst Figure 4, which accompanies section 5.11 indicates that a 500mm gap should also be provided between the top of the dormer and the ridgeline, the text suggests a less rigid approach stating that ‘usually a 500mm gap is required between the dormer and the ridge or hip’ (my underlining). More critically their size and the proposed materials would ensure they have a subservient character. Further to this as the site is located in a level area of dense development, I consider that there are no distant views to the roofline which could be affected or harmed by the proposal.*

## **7.0 ACCESS**

38. The site has excellent public transport accessibility links with a PTAL score of 6a - best. Kentish Town tube station (Northern Line) and over ground is 438m to the north. There are also numerous bus stops within 400m operating along Kentish Town Road.

## **8.0 CONCLUSION**

39. The Council is respectfully invited to permit the application.

# Annexe 1

michael burroughs associates

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**From:** Hazelton, Laura [mailto:Laura.Hazelton@camden.gov.uk]  
**Sent:** 06 December 2017 16:05  
**To:** Emma McBurney <Emma@mbaplanning.com>  
**Cc:** Michael Burroughs <michael@mbaplanning.com>  
**Subject:** RE: 21 Patshull Road pre-app enquiry ref:2017/3269/NEW

Hi Emma,

Good to see you today – apologies it has taken so long to get back to you on this.

You query the acceptability of a rear dormer, but the drawings show a side dormer. Out of the two, a rear dormer would probably be preferable due to the more limited views; but the inspector's decision could certainly provide additional justification for a side dormer.

Based on aerial views, there seems to be more side dormers at the other (eastern) end of Patshull Road, whilst the buildings around no.21 don't feature much development at roof level. A rear dormer would be the safer option, but if your client was intent on a side dormer, I would investigate the other side dormers along the road (and when/if they were approved) to justify its acceptability.

One thing to note is that the dormer shown on your drawings isn't CPG compliant – it needs to be set back by 500mm from the roof ridges and eaves.

Hope this helps.

Kind regards,

Laura Hazelton  
Senior Planning Officer

Telephone: 020 7974 1017



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- on new improved posters on lamp posts
- by signing up to [planning e-alerts](#)
- in the planning section of the [Camden Account](#)
- through adverts in the Camden New Journal and Ham & High

**You can [sign up](#) to our new and improved planning e-alerts to let you know about new planning applications, decisions and appeals.**

# Annexe 2

michael burroughs associates

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# Appeal Decision

Site visit made on 9 April 2014

**by A Banks BA(Hons) DipUD PGCM MRTPI**

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

**Decision date: 7 May 2014**

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**Appeal Ref: APP/X5210/A/14/2212155**

**73c Patshull Road, London NW5 2LE**

- 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 Ms Izzy Fonseca against the decision of the Council of the London Borough of Camden.
  - The application Ref 2013/7328/P, dated 11 November 2013, was refused by notice dated 9 January 2014.
  - The development proposed is rear and side dormer extensions to provide new living accommodation within existing roofspace, and formation of roof terrace to existing flat area of roof to rear.
- 

## Decision

1. The appeal is allowed and planning permission is granted for rear and side dormer extensions to provide new living accommodation within existing roofspace, and formation of roof terrace to existing flat area of roof to rear at 73c Patshull Road, London NW5 2LE in accordance with the terms of the application, Ref 2013/7328/P, dated 11 November 2013, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 111 SK 040 Revision B and 111 SK 030 Revision C.

## Main Issues

2. The main issues are:
  - the effect of the proposed dormers on the character and appearance of the host property and the terrace, and whether they would preserve or enhance the character or appearance of the Bartholomew Estate Conservation Area (CA); and
  - the effect of the roof terrace on the living conditions of neighbouring occupiers with regard to privacy.

## Reasons

### *Character and appearance*

3. The appeal property forms part of a semi-detached three storey Victorian villa, located in a fairly narrow tree lined street. The development pattern is very



uniform and the gaps between the buildings are narrow. I noted that the appeal property is part of a pair with no visible dormers and it is immediately next door to another pair of villas which also have no visible dormers. But there is very limited visibility of the side parts of the roofs and it was impossible to see both sides at the same time when looking at the pair as one building. There is even less visibility of the rear of roofs, I noted it was only possible to glimpse parts of these on buildings behind those fronting onto Patshull Road through the small gaps between the dwellings.

4. I also saw that within the street, side dormer windows are much more common than not. There is also some variation in their size and the materials used, which I consider indicates that not all the dormers would have been an original feature. More importantly the side dormer windows have a negligible impact on the overall character and appearance of the area as they are only apparent when standing almost directly in front of them. For the same reason they have an insignificant impact on the overall balance of the semi-detached villas as one building. I also glimpsed the odd rear dormer in the roof tops of buildings behind those fronting onto Patshull Road. But, it was only possible to do so through careful scrutiny looking through the short gaps between the buildings.
5. Both dormers would be lower than the ridgeline of the roof and set in 500mm from hip, eaves and party wall. Hence they would comply with section 5.11 b) of The Camden Planning Guidance Design (CPG1). This seeks to ensure that dormers do not project into the roofline. Whilst Figure 4, which accompanies section 5.11 indicates that a 500mm gap should also be provided between the top of the dormer and the ridgeline, the text suggests a less rigid approach stating that 'usually a 500mm gap is required between the dormer and the ridge or hip' (my underlining). More critically their size and the proposed materials would ensure they have a subservient character. Further to this as the site is located in a level area of dense development, I consider that there are no distant views to the roofline which could be affected or harmed by the proposal.
6. I note that the Council states that 73 Patshull Road is identified in the Conservation Area Statement as making a positive contribution to the CA. The Statement actually lists 5 – 97 and 4 – 86, a substantial part of the overall street and includes many properties with altered roofs. I acknowledge the Statement highlights concerns regarding roof extensions, which collectively are beginning to erode the character of the CA. But, whilst both dormers would be visible to the occupiers of some properties in the area, the location of No 73 is such that the rear dormer would not be visible from within the public domain and the side dormer would be practically only visible when looking through the side gap.
7. I conclude therefore that the proposed dormers would not harm the character and appearance of the host property or the terrace and they would preserve the character and appearance of the Bartholomew Estate CA. Consequently the dormer windows would comply with The Camden Core Strategy 2010 – 2025 Local Development Framework (CS) Policies CS14, DP24 and DP25. These policies respectively seek to ensure high quality design that respects the local context and character and preserves the character and appearance of the CA.

### *Living conditions*

8. Although I note that the Council states that a number of existing rear terraces do not have planning consent, on my site visit I saw that roof terraces similar to that proposed were a common feature. Standing on the roof top that would become the terrace I saw that due to the oblique positioning of most of the windows in neighbouring properties it was not possible to see directly into any of the neighbouring properties windows. A small side window on the rear projecting part of the neighbouring property to the immediate west was more visible, although I could not see into the room itself. As such, while there would be some overlooking the impact would not significantly affect their privacy. I also looked out from the appeal property's bedroom window to the neighbouring roof terrace and saw that most of the terrace was out of view, except a very small part of the end corner. Whilst it would be possible to look into neighbouring gardens and neighbouring terraces, this would not be very different to the current situation.
9. As a result I conclude that the proposed roof terrace would not result in an unacceptable impact on the living conditions of neighbouring occupiers with regard to privacy. Therefore the proposed development would comply with CS Policies CS5 and DP26 in respect that these policies seek to ensure there is no detrimental impact on neighbours.

### *Other Matters*

10. I have considered the concerns raised by local residents. However matters of structural stability, the resulting ceiling height and the condition of the property do not constitute reasons to dismiss the appeal.
11. The Government's Planning Practice Guidance (PPG) was published on 6 March 2014. The content of the Guidance has been considered but in the light of the facts of this case the document does not alter my conclusions.

### **Conditions**

12. The Council has suggested a number of conditions in the event that the appeal succeeds. I have considered them having regard to The National Planning Policy Framework and the PPG. I have amended them where necessary and in the interests of precision.
13. In the interests of proper planning and for the avoidance of doubt, it is necessary to impose a condition to require the development to be carried out in accordance with the approved plans.
14. A condition to ensure materials resemble those of the existing building is not necessary as the plans specify materials acceptable to this effect.

### **Conclusion**

15. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be allowed.

*A Banks*

INSPECTOR