
Appeal Decision

Site visit made on 10 April 2018

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 April 2018

Appeal Ref: APP/X5210/W/17/3190809

2nd Floor Flat, 36 Mill Lane, London NW6 1NR

- 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 Park Investments (Mr Russell Park) against the decision of the Council of the London Borough of Camden.
 - The application Ref 2017/4390/P, dated 1 August 2017, was refused by notice dated 16 October 2017.
 - The development proposed is the erection of mansard roof extensions to existing 2nd floor residential flat.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of mansard roof extensions to the existing 2nd floor residential flat at 36 Mill Lane, London NW6 1NR in accordance with the terms of the application, ref 2017/4390/P, dated 1 August 2017, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match as closely as possible those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plan: 16524/02 Rev C.

Preliminary Matter

2. The appeal property is a second floor flat which sits within a four storey terrace. The appeal proposal includes extensions to the main roof and rear 'closet wing' of the property. Planning permission has been granted for the extension to the main roof¹. The Council, therefore found this element of the proposal to be acceptable. I see no reason to disagree and have framed the main issue accordingly.

Main Issue

3. The main issue is the effect of the proposed extension to the closet wing on the character and appearance of the host property and the terrace as a whole.

¹ Application reference 2017/2062/P

Reasons

4. There is little uniformity in the rear elevation of the appeal terrace. Although the closet wing extensions to Nos 32, 36 and 38 are identifiable, the wing of No 38 has been altered and extended, as has the main roof of that property. The closet wing of No 32 has a roof extension which projects above the parapet of the main roof of the terrace. Whilst I understand that the Council's planning policies have changed since that extension was granted permission, it nevertheless forms part of the character of the terrace. Moreover, it is difficult to discern a significant degree of uniformity of the main roof of the terrace and this would be still less apparent if the approved extension to the roof of the appeal property were constructed. I also note that planning permission has been granted for substantial upper floor extensions to the rear of Nos 40-42².
5. The flat roofs of the closet wings to Nos 36 and 38 sit approximately half a storey below the parapet wall of the main roof. This, together with their relatively narrow width, results in the wings being subservient in scale to the main building. The approved mansard extension to the main roof of the appeal property would increase its height by some 2.65m for the full width of the property. The proposed extension to the closet wing would increase its height by a similar amount. The width of the wing relative to the remainder of the property would not alter. Consequently, I consider that the proposal would not materially diminish the subservience of the closet wing.
6. The Camden Planning Guidance on Design Supplementary Planning Document presumes against extensions that are higher than one full storey below roof eaves/parapet level, or that rise above the general height of neighbouring projections and nearby extensions. In this case, the closet wing is currently less than one full storey below the main roof of the terrace. The proposed extension would take the height closet wing above the height of the main roof parapet. However, I have already found that its height relative to the extended main roof would not change. Furthermore, having regard to the roof extension to No 32 and the proposed extension to the rear of Nos 40-42, I consider that the proposed closet wing extension would not be out of keeping with the height of neighbouring projections and nearby extensions. The form of the roof, the dormer window and the external materials used would also be consistent with the main roof extension.
7. As a result of the closet wing extension, one of the dormer windows in the approved main roof extension would need to be reduced in depth, leaving only a shallow window above the closet wing roof. This would be an awkward design detail with no precedent elsewhere along the terrace. However, it would comprise a relatively small part of the proposal and would be inconspicuously located. It is likely that the affected window would not be seen in public views and, at most, glimpsed in semi-public and private views.
8. Indeed, the closet wing extension would only be seen obliquely in public views from a short section of Ravenshaw Street. Whilst it would be seen in a wider range of semi-public and private views, having regard to my findings above on its scale, height, context and appearance, I consider that the closet wing extension would not be incongruous or dominant. Therefore, I conclude that the proposed extension to the closet wing would not have a harmful effect on the character and appearance of the host property or the terrace as a whole.

² Application reference 2016/2661/P

As such, it would not conflict with Policy D1 of the Council's Local Plan 2017 or Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan insofar as they require development to be of a high quality of design which respects local context and character. It would further accord with Policy 2 insofar as it requires extensions to be in proportion with their context and setting, including the relationship to adjoining properties.

Conditions

9. The Council has suggested a condition requiring external finishes to match as closely as possible those of the existing building. This is necessary to safeguard the character and appearance of the area. In addition, a condition specifying the approved plan is necessary in the interests of certainty.

Conclusion

10. For the reasons set out above, the appeal should be allowed.

Simon Warder

INSPECTOR