



Appeal Decision **ALLOWED**

Site visit made on 21 August 2001

by **W. G. Pryce** MSc DipArch RIBA MRTPI

an Inspector appointed by the Secretary of State for Transport,
Local Government and the Regions

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Date

25 AUG 2001

Appeal Ref: APP/X5210/A/01/1064412
12B Medley Road, London NW6 2HJ.

- 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 Karl Strobl Esq. against the decision of the London Borough of Camden Council.
- The application ref:PWX0003109, dated 18 December 2000, was refused by notice dated 13 March 2001.
- The development proposed is a loft conversion.

Summary of Decision: The appeal is allowed and planning permission granted, subject to the conditions set out in the Formal Decision.

Main Issue

1. From the written representations and my inspection of the site and the surrounding area, I consider the main issue in this case is the effect of the proposed dormer on the character and appearance of the existing building or the terrace.

Development Plan and other Planning Policies

2. The development plan for the locality comprises the London Borough of Camden Unitary Development Plan (UDP) adopted in 2000. Of particular relevance to this case, policy EN1 of the UDP is a general policy setting out the need for new development to protect and improve the physical environment. Dealing specifically with roof extensions, policy EN24 seeks to resist inappropriate roof extensions and sets out the four criteria used to assess the acceptability of such proposals. Amongst these criteria is the need for new extensions to have regard to the prominence of the roof as well as the characteristics and architectural detailing of the building. Exemplifying the criteria, the Council's Supplementary Planning Guidance (SPG) provides useful advice on the implementation of policy EN24.

Reasons

3. Medley Road is a small cul-de-sac leading off Iverson Road, which is a busy route linking West Hampstead with Kilburn. Nos.9 – 12 Medley Road including the appeal premises, comprises a terrace of modestly sized basement plus two-storey residential properties, built in the Victorian period with London stock bricks and of a traditional character and appearance. No.12 has been converted into three flats. The properties are narrow with large two-storey extensions projecting into the small and somewhat cramped rear gardens. Whilst the rear elevation and the roof of the terrace can be seen at an oblique angle from the rear of the dwellings facing onto Iverson Road, Nos.9 – 12

look out over the rear of some older industrial premises and a wide expanse of railway embankment and tracks.

4. I have noted that the Council accepts the principal of dormer windows front and rear in terraces of this type and in this case, there are several examples of distinctly varying architectural quality in the vicinity. With regard to the front dormer, it is evident that the round-headed style that is proposed in this case is widely prevalent in the area and I agree with the Council's view that the modest size and design of these examples compliments the appearance of the main elevation of the terraces with their arched doorways and decorative bay windows.
5. With regard to the proposed rear dormer, I have examined carefully the Council's advice concerning roof extensions and in my opinion, the principles set out are both helpful and important. It is clearly evident from the conglomeration of different types of roof extensions that have been carried out on the rear of the dwellings fronting onto Iverson Road that unless these general principles are adhered to, the overall effect on the terrace can be particularly unfortunate. However, in this case the proposal is set well back from the eaves and below the line of the ridge. Whilst I accept that the window would be relatively wide in relation to the roof, it would have a one metre verge on each side of the roof which in my opinion would be sufficient separation, to respect the integrity of the roof and preserve the strong visual rhythm of the party wall upstands and chimneys.
6. In addition, the dormer is well designed with a suitably reduced depth so as to ensure that the window would be seen as subordinate to those at first floor level and in keeping with the scale and character of the building. The rear extensions to both Nos.11 and 12 Medley Road are very large and dominate the rear elevations of the buildings. It would not be possible to see the proposed dormer from any part of the garden or indeed from other gardens within the terrace. Furthermore, apart from the children's play ground that is situated well down Iverson Road, the open aspect to the rear results in the terrace being only really visible from the railway or from the rear of Iverson Road dwellings.
7. Whilst the view from the railway is an important consideration, these are not listed buildings and I am satisfied that the overall quality of the design would not make it appear incongruous or out of place from these more distant views. With regard to the Iverson Road dwellings, it is my view that when seen from an angle, the proposed dormer would not appear unduly prominent. I consider the proposed set back would preserve the character, shape and line of the original roof and of the terrace. I have therefore concluded that the proposed loft conversion would not be detrimental to the character and appearance of the existing building or to the terrace. As a result, the proposed development would not be in conflict with the policies and advice contained within the UDP.

Conditions

8. I have read the list of conditions suggested by the Council and in this respect I have also had regard to the advice contained within Circular 11/95. In order to safeguard the appearance of the building a condition is required concerning the materials to be used.

Conclusion

9. For the reasons I have given and having regard to all other matters raised, I have concluded that this appeal should succeed.

Formal Decision

10. The appeal is allowed and planning permission granted for a loft conversion at 12B Medley Road, London NW6 2HJ in accordance with the terms of application No. PWX0003109/R1, dated 18 December 2000, and the plans submitted therewith, subject to the following conditions:

- (1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
- (2) The materials to be used in the construction of the external surfaces of the new dormer windows shall match those of the existing building unless otherwise agreed in writing by the local planning authority.

Information

11. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged in the High Court within six weeks of the date of the decision.
12. This decision does not convey any approval or consent that may be required under any enactment, byelaw, order or regulation other than section 57 of the Town and Country Planning Act 1990.
13. Attention is drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970, as amended.



INSPECTOR