



Appeal Decision

Site visit made on 22 June 2018

by **Peter D Biggers BSC Hons MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 July 2018

Appeal Ref: APP/X5210/D/18/3198382

8 Aldred Road, West Hampstead, London NW6 1AN.

- 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 Mike Leonard against the decision of the London Borough of Camden Council.
 - The application Ref 2017/6346/P, dated 11 January 2018, was refused by notice dated 23 February 2018.
 - The development proposed is remodelling of existing rear outrigger to include new extension at first floor level and infill extension at lower ground. Remodelling of roof to the rear in the form of mansard type.
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Decision

1. The appeal is dismissed insofar as it relates to the rear lower ground and ground floor extension.
2. The appeal is allowed insofar as it relates to the roof extension and alterations to the front bay at lower ground floor level. Planning permission is granted for the installation of new windows and door to front lower ground bay window and rear dormer extension at 8 Aldred Road, West Hampstead, London NW6 1AN in accordance with the terms of the application, Ref 2017/6346/P, dated 11 January 2018 and the plans submitted with it, so far as relevant to those parts of the development hereby permitted and 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: insofar as these relate to the rear dormer extension and alterations to the front bay at lower ground floor level: 102_201_PL-2; 102_211_PL-2; 102_221_PL-2; 102_301_PL-2; 102_311_PL-2; 102_321_PL-2; 102_401_PL-2.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) No construction work will be carried out on the property before 08.00 or after 18.00 on Mondays to Saturdays or at any time on Sundays or on Bank or Public Holidays.

Procedural Matter

3. The description of development in the application form does not include reference to the alterations to the front bay at lower ground floor level and does not clearly

describe the roof extension. Therefore for the purposes of the decision I have taken the description of the permitted works from the decision notice.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host dwelling, and the surroundings of the terrace of properties on Aldred Road.

Reasons

5. Aldred Road on its north-west side is characterised by Victorian two storey terraced properties with basements to a traditional style in brick and painted brick with stucco detailing and repeating bay window detail along the terrace. Rooflights to the front elevation indicate the presence of accommodation within the roof space of some of the properties. The rear of the terrace is dominated by large two storey, paired, outrigger offshoots with hipped roof and upstanding party wall detail and whilst these have seen some alteration they typically retain the hipped roof, timber windows and similar detailing. As such they give an attractive uniformity to the character and appearance of the rear of the terrace. I accept that at higher levels in the rear of the terrace there are a number of large dormer roof extensions, enlarging and lighting the roof level accommodation, to the extent that there is less integrity at a higher level and the principle of large dormers is an established part of the rear elevation.
6. Regarding the proposal to demolish the rear outrigger and rebuild it with a modified part flat roof, part hip but incorporating a parapet, the whole structure would appear out of keeping with the largely symmetrical form of the paired outriggers in the terrace. As the proposed design would include large clear glazed vertical windows I am not persuaded by the appellant's argument that the roof has been designed to increase light into the extension. The need to reconfigure the outrigger hipped roof, slightly increasing the pitch, to install a flat roof with rooflight and install a parapet detail has not been justified given the impact this design would have on the overall character and appearance. Additional light to the corridor in the outrigger extension could have been achieved using traditional rooflights in the roofslope. Moreover the change of roof form also necessitates the removal of a sash window to the rear and its replacement with 'hit and miss' brickwork which would simply remove a characteristic window design and introduce a large expanse of blank brickwork in the rear elevation.
7. Whilst the use of in-situ precast concrete to form the main structure at lower ground floor and in the infill extension is a departure from the traditional materials of the terrace as it is at a low level the variation would not necessarily be inappropriate. It would not be in conflict with *Camden Planning Guidance 1 on Design* which allows modern materials if used sensitively and where they would not dominate. However acceptability of concrete as a material at the foot of the outrigger would not outweigh the harm to the character and appearance of the property and the terrace from the changes at higher level in the rear outrigger.
8. It has been put to me that as this is a rear elevation which is not visible from the public realm there should be greater flexibility to allow the proposed extensions and that the form and design of the extensions would not harm the character to any significant effect. I acknowledge that the rear of No 8 is not visible from the public realm and other than some private views from surrounding properties the extension would not be seen other than from the garden itself. However neither national nor local policy qualifies the requirement to enhance the character of an

area by allowing any standard of design to the rear of properties simply because it cannot be seen.

9. The extensions would conflict with the policy objectives of policy D1 of the *London Borough of Camden Local Plan* (CLP) which requires extensions to consider the character, setting, context and form and scale of neighbouring buildings and the character and proportions of the existing building. A neighbourhood plan has also been 'made' for Fortune Green and West Hampstead. Policy 2 of the Neighbourhood Plan controls design and character and specifically seeks to ensure that extensions are in character and proportion with their context and setting including the relationship to surrounding properties, in this case the terrace. As extensions are very often to the rear of properties the policy is clearly intended to apply to rear elevations.
10. With respect to the roof level dormer extension most of the existing rear dormers in the terrace extend virtually the full height and width of the roofslope; indeed at the request of the Council the appellant has revised the design to be slightly inset from the eaves behind a small parapet detail. It has been put to me by the Council that the extant dormers typically maintain some solid structure to the sides of the fenestration, whereas the proposed dormer would not, being designed as full height and width glazing. However the varying styles of associated structure to the side of extant dormer windows merely introduces further variance in the character and appearance of the terrace at roof level and introduces greater mass at height on the houses. By contrast, the proposed design for No 8 would achieve a lightweight dormer to the property in a crisp contemporary style and I am not persuaded by the Council's argument that it would appear flimsy and of poor quality.
11. With regard to the changes proposed to the lower ground floor front bay the installation of windows and doors would actually improve the appearance of the front lower ground floor from the front of the property replacing solid walling and reflecting the bay windows at the upper levels.
12. With respect to both the rear dormer extension and the lower ground front bay alterations, the proposals are both physical and functionally separate to the main rear extension at lower ground and ground floor and therefore it is open to me to issue a split decision and allow these alterations whilst dismissing the main rear extension. Both elements would accord with CLP policy D1 and policy 2 of the Neighbourhood Plan.

Other Matters

13. The Council concluded that the rear extension at lower ground and ground floor levels would not have an adverse impact on the living conditions for neighbouring occupants, particularly those at No 7 Aldred Road. Those at Nos 2 and 3 Orestes Mews and those at Nos 96 and 98 Hillfield Road are unlikely to be affected to any significant extent given the distances involved and the presence of garden trees. However, even if I was to agree with the Council regarding the impact of the lower ground floor extension on No 7, the fact that the rear extensions were acceptable in terms of their impact on living conditions for surrounding occupants would not outweigh the adverse visual impact they would have on the character and appearance of the host property and the terrace.
14. I accept that the appellant, in proposing the rear extension, is seeking to make sustainable and effective use of his home, an objective which is encouraged by the Framework. However, by definition, sustainable development can only be achieved if the social benefit, which the extension would bring in maximising floorspace and

reconfiguring the arrangement of spaces is not at the expense of other sustainability objectives. Paragraph 8 of the Framework states that all economic, social and environmental gains should be sought jointly. In terms of paragraph 9 of the Framework, and for the reasons given above, the development of the lower ground and ground floor extension would not be a positive improvement in the quality of the built environment and would have a negative impact on the character and appearance of the property and the terrace on Aldred Road. In this case, this part of the proposal would not therefore be sustainable development in the terms of the Framework.

Conditions and Conclusion

15. I have considered the conditions suggested by the Council against the advice in the *Planning Practice Guidance* and for their clarity. A condition requiring development to be carried out in accordance with the submitted plans is necessary as this provides certainty that the development would be carried out in the form proposed. A condition requiring matching materials to be used on the external surfaces of the building should also be imposed to protect the character and appearance of the dwelling and of the surroundings to the development. In order to protect the present and future occupants of the neighbouring properties from disruption during construction it is necessary to attach a condition controlling hours of construction. Although this was not requested by the Council, the condition responds to concerns raised by third parties. It would not pose any undue restrictions on the appellant or his contractor's ability to complete the construction but would allow the Council to ensure excessive working hours and the impacts that would have would be avoided.
16. In reaching my decision I have had regard to the matters before me but for the reasons above the appeal should be dismissed in respect of the rear lower ground and ground floor extensions but allowed in respect of the rear dormer extension and installation of windows and doors into the front lower ground bay window.

P. D. Biggers

INSPECTOR