



Appeal Decision

Site visit made on 21 August 2018

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2018

Appeal Ref: APP/X5210/W/18/3197852
9, Flat C, 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 Mr L Trevellyan, H&W (Automation Ltd) against the decision of the Council of the London Borough of Camden.
 - The application Ref 2017/5485/P, dated 25 October 2017, was refused by notice dated 20 December 2017.
 - The development proposed was originally described as "roof conversion to supply additional bedroom within Flat C".
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Decision

1. The appeal is dismissed insofar as it relates to the dormer window to the rear of the property.
2. The appeal is allowed insofar as it relates to the dormer to the front of the property and planning permission is granted for the installation of a front dormer window at 9, Flat C, Medley Road, London, NW6 2HJ in accordance with the terms of the application, Ref 2017/5485/P, dated 25 October 2017, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted, insofar as it relates to the front dormer window, shall be carried out in accordance with the following approved plans: S101 and P101.

Procedural Matters

3. In part allowing the appeal, I am satisfied that the two elements of the proposal are clearly severable and can be implemented independently of each other.
4. I have also amended the description of development from that taken from the planning application form. The original description did not make reference to the proposed acts of development, so in the interests of precision, I have made specific reference to this. I also note that the Council made a similar change during the consideration of the application. In making this change, I am satisfied that the interests of the main parties have not been compromised.

5. The Council's decision notice only makes reference to 1 dormer window but the officer report makes it clear that their concerns relate to both the dormer to the front of the building as well as to the rear. Despite the imprecise nature of the refusal reason, the Council's concerns are clear and I have considered the appeal on this basis.
6. During the course of the appeal, the revised National Planning Policy Framework (the Framework) has been published. Both main parties were given an opportunity to comment on any relevant implications for the appeal, and any comments received have been taken into account in my reasoning.

Main Issue

7. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

8. The appeal site is located on the south western side of a short cul-de-sac that contains 12 properties. Nos 9 – 12 Medley Road form a cohesive group of 4 terraced buildings which provide accommodation over 3 floors and have a raised ground floor level with a lower ground floor below. The adjoining building to the south east of the site, no 8 Medley Road, has a different visual appearance. It is a taller 3 storeys in height and is set closer to the highway.
9. The Council state that the front dormer window would be of a similar design to the dormer windows that are readily apparent on Iverson Road. Furthermore, they consider that its modest design and positioning above the bay window would ensure that it appears as a subordinate addition to the roof. Based on what I observed on site, I agree with this analysis. However, their concern is that the proposal would be an inappropriate addition to a row of terraced properties with an otherwise unimpaired roofline.
10. The buildings in the terrace do not have any roof alterations. However, although nos 9 – 12 form a cohesive group of buildings, due to the land levels in the road, there is a step in the eaves height at the mid-point of the terrace. Furthermore, the appeal site exhibits an important visual difference to the rest of the terrace. The building has a full height, square bay window as opposed to the hipped bay windows of the other properties which only serve the ground and lower ground floors. The full height bay runs to the eaves line of the building and this wraps around the roof of the bay window. This has the effect of interrupting the eaves line in a prominent manner. The eaves height of the terrace is therefore not consistent or unimpaired.
11. The presence of no 8 also has an effect on the roofline. Whilst this building is visually different, it is experienced as an integral part of the wider terrace and has the appearance of a dominant bookend. Although the building does not have any roof alterations, due to its taller height and its siting forward of the appeal site, it has the effect of truncating the roof of the adjoining terrace. As a consequence, the form of the roofline is further impaired by this building.
12. Therefore, when considered as a composition, the 5 buildings do not have an unimpaired roofline. Instead, due to the staggered eaves height, the altered eaves line caused by the bay window, and the presence of the taller and dominant end of terrace property, the buildings present a varied roofline within the street scene.

13. When the acceptable design of the proposed round-headed front dormer window is considered in the context of the varied roofline identified above, I consider that the front dormer window would add to this variety in an appropriate manner. The front dormer would therefore not harm the character and appearance of the surrounding area. Consequently, it would accord with policy D1 of the Camden Local Plan 2017 (LP) and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan, Adopted September 2015 (NP) which taken together require development to be of a high quality of design that respects local context and character.
14. In contrast to the proposed dormer window to the front, the proposed dormer window to the rear would be a more significant alteration to the building.
15. The rear elevation is visible from the development to the rear of the site. It contains a series of traditional windows of differing sizes and the proportions of the windows and their associated glazing bars help to create a pleasing vertical emphasis to the elevation.
16. The proposed dormer window would incorporate a row of 4 windows. It would be a wide addition to the roof and the windows would not incorporate any glazing bar details. The proposed dormer would be marginally set down from the ridge of the building. It would also be set back from the eaves height of the building. However, due to the unrelieved width of the dormer, it would introduce a strong horizontal feature within the roof space that would jar with the pleasing aesthetics of the rear elevation.
17. I observed on site that there are examples of similar dormer windows close to the appeal site. However, I am not aware of the planning history of these alterations. Furthermore, the appellant has drawn to my attention an appeal decision in relation to a property on the opposite side of Medley Road (ref: APP/X5210/A/01/1064412) that granted planning permission for a rear dormer window. Whilst I note the Inspector's comments in allowing the appeal, the proposal was narrower than that proposed in this scheme and the design was materially different. I am therefore satisfied that I am not bound by the findings of a previous Inspector.
18. For the reasons identified above, the proposed dormer window to the rear elevation of the building would have a harmful effect on the character and appearance of the area. Consequently, it would fail to accord with policy D1 of the LP and policy 2 of the NP which taken together require development to be of a high quality of design that respects local context and character.

Other Matters

19. I note the comments from neighbouring residents in relation to health concerns and the effect of noise, disturbance and dust caused by development. However, the proposed front dormer window would be a modest alteration to the property and I considered that the effect of this work on the basement flat and the adjoining building would be limited. This matter does not therefore alter my findings in relation to the main issue.

Conclusion

20. For the reasons set out above, the appeal is allowed insofar as it relates to the proposed front dormer window subject to the statutory condition limiting the

validity of the permission and to a condition specifying which plans are approved and compliance with them.

21. In relation to the dormer window to the rear, the appeal is dismissed.

Martin Chandler

INSPECTOR