



Appeal Decision

Site visit made on 9 October 2019

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2019

Appeal Ref: APP/X5210/W/19/3233541

42 Willow Road, London NW3 1TS

- 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 Christopher Prior against the decision of the Council of the London Borough of Camden.
 - The application Ref 2019/1206/P, dated 3 March 2019, was refused by notice dated 14 May 2019.
 - The development proposed is roof alteration and rear dormer roof.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the building and the Hampstead Conservation Area (CA).

Reasons

3. The appeal site is a four-storey end of terrace property, that has been subdivided into two flats; the appeal property occupies the upper floors. The building is prominently located on the corner of Willow Road and Gayton Crescent within the Hampstead Conservation Area (CA). The Council's Conservation Area Statement outlines that the area is of 'considerable quality and variety'. It is characterised by a significant variation in street pattern and building style with open spaces, such as Hampstead Heath, and the overall topography of the area forming key features.
4. The CA statement specifically references the terrace on which the appeal property is located with the pitched roofs and prominent chimneys noted and that the rear elevations are visible from Gayton Crescent and Gayton Road. The statement highlights a poorly designed dormer which mars No.44 Willow Road.
5. The proposed rear dormer would be set down slightly from the ridge line and would not extend fully to the side of the property. Despite this, it would occupy a significant part of the rear roof slope and would be misaligned with the fenestration of the two floors beneath. It would be highly prominent when viewed from Gayton Crescent, particularly where the crescent bends, and despite the use of matching materials, the dormer would be an unduly dominant and incongruous feature.

6. The roof alteration to increase the pitch of the hipped section in order to increase the amount of roof space would conflict with the low angular form of the existing roof. It would reduce the significance of the two chimneys that sit prominently on the gable elevation, defining the terrace when viewed from the lower section of Willow Road and positively contributing to the character and appearance of the property and the CA. The existing roof angles match those of the property at the other end of the terrace. The proposal would unbalance the form of the terrace when viewed from the junctions of New End Square, Flask Walk, Well Walk and Willow Road. This area forms a pleasant treed focal point in the area that also positively contributes to the character and appearance of the CA.
7. I find that the rooflight that is proposed on the hipped section of the roof to be altered would be overly large, dominating this section of the roof and causing harm. The lower section would open outwards to create a balcony feature that would detract from the significance of the chimneys which it would sit between, again causing harm. I do find, however, that the principle of installing a conservation style rooflight of an appropriate size and siting would be acceptable in this context.
8. In support of the appeal, the appellant considers that the roof of the property appears flat and this will be maintained following the development. In the immediate context of the property, due to its height, the roof of the property is not readily visible, however from further afield, particularly from Gayton Crescent, the roof is clearly visible and therefore any alteration to it will also be clearly visible.
9. The proposal would therefore have an unacceptable effect on the character and appearance of the host property and the surrounding area. It would fail to preserve or enhance the character or appearance of the Hampstead CA. Thus, it would be contrary to Policies D1 and D2 of the Camden Local Plan (2017) and Policies DH1 and DH2 of the Hampstead Neighbourhood Plan (2018). These policies seek to ensure, amongst other things, that development is of a high quality and standard of design and preserves or enhances the character and appearance of the historic environment, including CAs.

Other Matters

10. My attention has been drawn to other dormer windows on properties in the surrounding area. I observed these on my site visit. Some of those that I saw served to confirm that poorly designed dormer windows do harm the character and appearance of the host property and the surrounding area. Although I have had regard to their presence and the fact that there are several roof alterations, I have also considered the appeal proposal on its individual merits. The presence of unsuitably designed dormers on neighbouring properties does not serve as a precedent for further development of the same kind.
11. The appellant has referred to dialogue with the Council and the timescale for determination of the planning application. The Council have responded to these matters in their statement. I do not, however, find that these matters are pertinent to the main issue in the appeal, or alter my findings on the main issue.

Planning Balance and Conclusion

12. Having regard to paragraph 196 of the National Planning Policy Framework, I find that the harm to the CA is relatively localised and therefore the proposal would cause less than substantial harm to the significance of the CA. I do not, however, find that this harm is outweighed by any public benefits of the proposal.
13. For the reasons set out above I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR