



Appeal Decision

Site visit made on 3 February 2020 by Mariam Noorgat BSc (Hons)

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 March 2020

Appeal Ref: APP/X5210/W/19/3240809

2nd Floor Flat, 9 Thurlow Road, London NW3 5PJ

- The appeal is made under section 78 of the Town Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Ramin Sedaghat against the decision of London Borough of Camden Council.
 - The application Ref 2019/3108/P dated 27 August 2019 was refused by notice dated 16 September 2019.
 - The development proposed is loft conversion with new dormer windows as part of 2nd floor flat plus internal renovations and refurbishments to 2nd floor flat.
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Decision

1. The appeal is allowed and planning permission is granted for loft conversion with new dormer windows as part of 2nd floor flat plus internal renovations and refurbishments to 2nd floor flat at 9 Thurlow Road, London NW3 5PJ, in accordance with the terms of the application Ref: 2019/3108/P, dated 27 August 2019, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Ordnance Survey Map, Block Plan, HD1139/5000, HD1139/5001, HD1139/5002, HD1139/5003, HD1139/5004, HD1139/5005, HD1139/5006 and HD1139/5007.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. From the Council's officer report and appellant's statement, I am aware that a rear dormer was approved under 2018/6386/P and is identical to that in the submitted plans. My site visit established this rear dormer has already been constructed. As such, I will focus my considerations on the front and side dormers.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host dwelling, street scene and The Fitzjohns and Netherhall Conservation Area (Conservation Area).

Reasons

5. In line with the duty imposed on me by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, I have given considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
6. The appeal property forms the right-hand half of a pair of three-storey semi-detached houses with a lower ground floor, set in an established residential area. During my site visit, extensive internal renovations were taking place to the whole house. The appeal property and the neighbouring property, No. 10, have a hipped roof which is largely unaltered with only a few low key front rooflights. The two houses and surrounding similar properties have common architectural features to the front elevation, such as corbels, window trims and canopy entryways, all of which provide a positive contribution to the Conservation Area.
7. The Fitzjohns and Netherhall Conservation Area Statement, Adopted 2001, (Appraisal), specifically identifies Nos 1-10 and Nos 29 and 30 opposite, as all being 19th century Italianate villas having hipped roofs with overhanging eaves. The properties west from No. 11 are slightly different in design. The Appraisal further states that Nos 1-10 and 19 – 30 Thurlow Road make a positive contribution to the character and appearance of the Conservation Area with the only negative feature stated as being the external staircase at No.7. According to the officer's report, the dormers at No 5 were granted planning permission before the adoption of the Appraisal, so most likely were in place at the time of the appraisal and did not prevent No 5 from being considered a positive feature. Furthermore, the dormers at No 8 were granted planning permission despite the Appraisal being a consideration at that time. Currently, most of the houses between Nos 1-8 have dormers visible in the street scene with the appellant counting 6 front dormers and 2 side dormers on these 8 properties. In my view, these other dormers do not eradicate the positive contribution the properties make to the Conservation Area, largely because of their modest scale and the unaltered architectural features on the façades below, as described above.
8. Although the proposed dormers would represent new features on the front and side roofslopes of this dwelling, their scale and appearance would be in keeping with the dormers at the nearby houses. Section F/N16 of the Appraisal states "Dormers at the front and side will not be allowed where a cluster of roofs remain largely, but not necessarily completely, unimpaired". However as very few of the surrounding roofscapes are unimpaired, the proposal would not be contrary to this advice. Instead the proposed dormers would respect the consistency of the similarly designed semi-detached dwellings nearby.
9. Section F/N15 of the Appraisal says that roof extensions are unlikely to be acceptable if "the property forms part of a symmetrical composition, the balance of which would be upset", and the Camden Planning Guidance, Altering and extending your home, March 2019 (SPG) adds that roof extensions would

be considered unacceptable to “buildings designed as a complete composition where its architectural style would be undermined”. Whilst the appeal dwelling and No.10 share the same level of unadulterated symmetry at roof level, this is not a strong characteristic locally and, as the majority of the architectural features at the front façade would be unaltered, there would still be a sense of symmetry between the pair. As such, the positive contribution the appeal property and No.10 make to the Conservation Area would not be materially diminished.

10. I note that F/N15 of the Appraisal also states “roof extensions are unlikely to be acceptable where: it would be detrimental to the form and character of the existing building”. Also, the SPG states that roof extensions would be unacceptable for buildings with a shallow pitched roofs with eaves. Although the appeal dwelling has a shallow roof pitch, the proposed dormers would not dominate the roofscape as evidenced by the similarly sized dormers witnessed in the vicinity of the appeal site. Notwithstanding this, the dormers would be subordinate in size by virtue of their separation distance from the roof ridge and eaves. This combined with the use of traditional materials would result in them appearing as sympathetic additions when viewed in the street scene.
11. For these reasons, I conclude the development would not harm the character and appearance of the host dwelling, street scene and Conservation Area. I therefore do not find conflict with Policies D1 and D2 of The London Borough of Camden Local Plan, 2017, which seek to preserve or enhance the historic environment and heritage assets.

Conditions

12. In the interests of certainty, a condition is necessary to ensure the development is carried in accordance with the approved plans and within three years of the date of this decision. Furthermore, in the interests of protecting the character and appearance of the Conservation Area, a condition is necessary to ensure matching materials are used.

Recommendation and Conclusion

13. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Mariam Noorgat

APPEAL PLANNING OFFICER

Inspector’s Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer’s report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR