



Appeal Decision

Site visit made on 7 September 2020 by Ifeanyi Chukwujekwu BSc MSc MIEMA
CEnv AssocRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2020

Appeal Ref: APP/X5210/W/20/3251001

Flat D, 2nd and 3rd Floor, 160 Iverson Road, London NW6 2HH

- 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 Afttab Khanbhai on behalf of KKVMS LLP against the decision of the Council of London Borough of Camden.
 - The application Ref 2019/5380/P, dated 23 October 2019, was refused by notice dated 31 January 2020.
 - The development proposed is to extend existing rear dormer to abut against existing party wall.
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Decision

1. The appeal is allowed, and planning permission is granted for the extension of the existing rear dormer to abut against existing party wall at Flat D, 2nd and 3rd Floor, 160 Iverson Road, London NW6 2HH in accordance with the terms of the application, Ref 2019/5380/P, dated 23 October 2019, 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 shall be carried out in accordance with the following approved plans: Drawing No 001 (Site/Location Plan and Site Photographs) and Drawing No 002 (Site plan and Existing and proposed plans and elevations of dormer extension at Flat D).
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials that match those of the existing dormer.

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.

Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the host property and surrounding area, with particular regard to the design and scale of the proposed dormer window.

Reasons for the Recommendation

4. No. 160 is a three-storey terrace dwelling located on Iverson Road, close to the junction with Medley Road in the Camden area of North West London. It is part of a block of three-storey dwellings and is bounded by nos.158 and 162 Iverson Road. The property has been divided into 4 separate units and Flat D which occupies the second and third floors is the subject of this appeal. The surrounding area is residential and is characterised by terraced blocks of three-storey dwellings. Most properties in the area have small dormer windows at the front and larger rear dormer roof extensions of various sizes, some extending up to the party walls. Thus, these have changed the visual appearance of the rear of a number of streets
5. The proposal would result in the existing dormer being extended to the party wall. Camden's Planning Guidance: Altering and extending your home (2019) (the 'SPG') states that roof dormers should be designed sensitively so they do not dominate the roof plane¹. In order to achieve this, the SPG recommends that a 500-millimetre gap is required between the dormer and the ridge or hip as well as from the party wall and eaves to maintain an adequate separation². Thus, the proposal would be in breach of this recommendation.
6. However, from observations made at the time of my site visit, the existing rear dormer does not extend beyond the ridge or eaves of the host property's roof and neither would the proposal. Thus, it would be similar in design, scale and form to many dormers that can be seen at the rear of this block from Medley Road and wider locality. This includes the one at No. 174 as well as on the neighbouring property, No. 158 which both extend to the party wall. There is a limited visual gap between the dormer at No. 158 and the side of the existing dormer and the proposal to extend up to the shared boundary represents a modest alteration that would have limited visual impact.
7. Whilst the dormer of the proposal before me would extend to the party wall, it would not extend across the full width of the rear roof slope. Its width would not result in the rear dormer appearing as a visually dominant and overbearing feature when compared with other rear dormers within the immediate street or surrounding area, consequently it would not cause material harm to the character and appearance of the appeal property nor to the surrounding area for the reasons noted above.
8. The Council suggest that there is no evidence to indicate that planning permission was granted for the rear dormer located on the adjoining property, No. 158 which also extends to the party wall. However, plans submitted for conversion of single-family dwelling house into 2 flats (1 x 3 bed and 1 x 4 bed)³ indicate this proposed dormer on the roof plan and those plans are listed on the decision notice relating to the approved scheme⁴. In any event, the dormer is one of many in the area with varying styles and sizes as discussed above and the proposed alteration is minor in scale. Whilst the SPG states that presence of unsuitably designed new or altered dormers on neighbouring properties will not serve as a precedent for further development of the same kind⁵, I have considered the proposal on its own individual merits and for the

¹ Dormer windows (paragraph 4.4)

² See Figure 3b

³ Ref 2017/1859/P

⁴ Drawing No.08.208

⁵ Paragraph 4.5

reasons discussed above have considered the proposal to accord with the adopted policies referenced.

9. I find that the proposal would not by reason of its size, scale and bulk be an incongruous addition to the host property which would detract from the character and appearance of the host building, the adjoining terrace and wider area. Accordingly, I find no conflict with Policy D1 of the London Borough of Camden Local Plan (2017) and Policy A14 of the Fortune Green and West Hampstead Neighbourhood Plan 2015 which seek amongst other things to ensure that new development respects local context and character; and that roof extensions and loft conversions fit in with existing rooflines, be in keeping with existing development and extensions should be in proportion to the existing building.

Other Matters

10. I note concerns from a neighbouring resident regarding potential for noise disturbance arising from the proposal. However, the Council was satisfied that there would be no harmful impact in that regard and the presence of dormer windows is an established feature of the urban area. There is nothing to indicate that the accommodation would generate noise levels over and above what would reasonably be expected for a residential property and, if particular residents were causing disturbance, that would be a matter that could be investigated by the relevant department at the Council.
11. I also note reference to previous alleged breaches of planning control. If any development takes place other than in accordance with the approved plans it would be open to the Council to investigate and that is not a reason to withhold planning permission.

Conditions

12. In addition to the standard time limit condition a condition is necessary to ensure that the proposed development is carried out in accordance with approved plans, in the interests of clarity. It is also necessary to attach a condition to ensure that the materials used match those of the existing building in order to ensure a satisfactory appearance.

Conclusion and Recommendation

13. For the reasons given above and having had regard to evidence before me, I recommend that the appeal should be allowed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be allowed.

Chris Preston

INSPECTOR