



Appeal Decision

Site visit made on 9 October 2020

by Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2020

Appeal Ref: APP/X5210/W/20/3250270

50A Dennington Park Road, London, NW6 1BD

- 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 Oliver Bruh against the decision of London Borough of Camden.
 - The application Ref 2019/6120/P, dated 8 December 2019, was refused by notice dated 17 March 2020.
 - The development proposed is the erection of a replacement dormer and one rooflight at rear, in connection with the 2nd floor attic flat.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect on the character and appearance of the appeal property and the surrounding area.

Reasons

3. The appeal proposal relates to a top floor, one bedroom, residential flat, with existing front and rear dormers. It is situated in a four story, Victorian mid-terraced house, which has been split into four flats.
4. Both parties refer to essentially the same policies of the Council, in particular Policy D1 (Design) of Camden Local Plan 2017, and Policy 2: Design & Character of the Fortune Green and West Hampstead Neighbourhood Plan September 2015. It is therefore only necessary for me to refer to some details of Policy. Policy 2 sets out the way in which development will achieve design which complements and enhances the distinct local character and identity of the area. From the list of factors in that policy, the following are those that I consider are mainly relevant to this appeal.
 - ii. Development which maintains the positive contributions to character of existing buildings and structures.
 - vii. Extensions - and infill development - being in character and proportion with its context and setting, including the relationship to any adjoining properties.
5. Camden Planning Guidance 'Altering and Extending your Home' includes the following statements: roof dormers should be designed sensitively so they do not dominate the roof plane. They should be appropriately designed and

- subordinate in size to the main roof and host building, and should be sufficiently below the ridge of the roof in order to avoid projecting into the roofline when viewed from a distance. Usually a 500mm gap is required between the dormer and the ridge, as well as from the party wall and eaves, to maintain an adequate separation (however this distance should not be treated as a maximum entitlement and sometimes greater distances will be required to provide a smaller dormer to ensure that it is not too bulky or prominent as a roof feature). In number, form, scale and window pane size, the dormer and window should relate to the façade below and the surface area of the roof.
6. For the appellant it is noted that the site is not within a conservation area and the only change is the proposed dormer and rooflight in the rear roof slope that are not visible from the street. The reason for the proposal is that it would allow more head room and usable floor space in a flat that is currently below minimum space standards for new residential development.
 7. Planning permission was granted in August 2019 (planning ref: 2018/3674/P) for the "erection of replacement dormer and rooflight at rear, in connection with the 2nd floor attic flat (Class C3)." This development was for a centrally placed dormer with a flat roof and a rooflight, the latter being somewhat smaller than the current proposal, but also set high in the roof slope, just below the ridge. This rooflight is not dissimilar in size, shape and position to an existing rooflight. The appellant criticises the dormer in this permitted scheme on the basis that its vertical face is completely filled with 4 windows, thus having no relationship with the shape or spacing of the 3 windows at first floor and second floor level. In contradistinction, the 3 separate windows in the current proposal reflect the shape of the windows at first floor, although only 2 of them are in the same vertical alignment.
 8. In the appellant's Design and Access Statement, details are given of a considerable number of examples of similar dormer windows in the area that stretch across much or all of the rear roof slope. These are in Dennington Park Road itself, in Pandora Road that faces the back of the appeal property, and in Holmdale Road that links Dennington Park Road with Pandora Road.
 9. Whilst the evidence clearly shows that there are a number of dormer windows on the rear roof slopes of the houses in the block that is defined by Dennington Park Road, Pandora Road, Holmdale Road and Sumatra Road, some of which appear to be well designed and integrated into the host buildings, that is no reason not to apply appropriate judgement about the appearance and relationship of the proposed development. It is evident that the current proposal has sought to relate the windows and their spacing to the first and second floor windows below. However, the spacing and relationship of the lower windows is not entirely pleasing and they do not relate well to the ground floor.
 10. In my judgement, whilst the proposal meets some of the requirements of the policies to which I have made reference (for example, it is sufficiently below the ridge), it is the overall effect in the context of the host building that is important. The illustration in the Council's response to the appeal (on page 5) demonstrates to me the acceptability of the dormer and associated rooflight in the extant permission, and the bulky and unsympathetic nature of what is now proposed. The proposal would bring a poor relationship of windows from the ground floor, the second and third floors, to the dormer. The dormer itself

would be over dominant in the roof and the attempt to provide a satisfactory relationship with the windows in the 2 floors below does not succeed. For these reasons, I conclude that the appeal proposal would have a detrimental effect on the character and appearance of the appeal property and the surrounding area.

11. As mentioned in paragraph 6 above, this development would allow more head room and usable floor space in a flat that is currently below minimum space standards for new residential development. Clearly this is an advantage of the scheme, although it is not quantified: and I notice from the existing and proposed floorplans that the living room gains some floorspace from a reduction in the width of the bathroom. Whilst the appeal site is not within a conservation area, it is an attractive residential environment primarily consisting of Victorian terraced houses of pleasing proportions and detailing. I am not persuaded that the additional space benefit to the individual flat outweighs the harmful effect on the character and appearance of the appeal property and the surrounding area.

Conclusions

12. I have decided, on the basis of my reasoning above, that the appeal should be dismissed.

Terrence Kemmann-Lane

INSPECTOR