



Date: 21/08/2020  
Your Ref: APP/X5210/W/20/3250270  
Our Refs: 2019/6120/P  
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The Planning Inspectorate  
Room 3/23  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Dear Planning Inspectorate,

**50A Dennington Park Road London, NW6 1BD**

**Appeal on behalf of Mr Dakar Shami for the refusal of planning permission**

The Council refused planning permission under Delegated Powers on 17/03/2020, ref. 2019/6120/P.

The Description of Development was as follows:

Erection of a replacement dormer and one roof light at rear, in connection with the 2nd floor attic flat (Class C3)

The reasons for refusal:

1. The proposed rear dormer, by reason of its design, size and bulk, and the roof light, by reason of its size and location, would be overly dominant and incongruous additions that would detract from the character and appearance of the host building, adjoining terrace and wider area, contrary to policy D1 (Design) of the London Borough of Camden Local Plan 2017 and policy 2 (Design & Character) of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

**Site Description**

The application site is comprised of a two storey with lower ground floor and loft mid terrace building. The building is in use as four flats with the application relating to the 2<sup>nd</sup> floor flat. The rear roof slope features a modestly sized rear dormer, which appears to be an original feature of the building, plus 3 roof lights.

The site is not located within a conservation area although is located within the Fortune Green and West Hampstead Neighbourhood Plan area.

## **Status of the Development Plan**

### **Development Plan**

For the purposes of s38(3) of the PCPA (Planning and Compulsory Purchase Act 2004), the development plan applying to the application sites comprises the London Plan 2016, the Camden Local Plan 2017 and the Fortune Green and West Hampstead Neighbourhood Plan 2015.

### **The London Plan 2016**

Minor alterations to the London Plan were formally published (adopted) in March 2016, and the incorporated into the London Plan 2016 (the Spatial Development Strategy for London consolidated with alterations since 2011). The London Plan 2016 is not considered to contain any policies of particular relevance to the application.

A new draft London Plan was considered at Examination in Public in 2019, and the Mayor of London issued an "intend to publish" draft in December 2019. The draft London Plan may be a material consideration in the determination of planning applications in some instances. However, the draft London Plan is not considered to contain any policies of particular relevance to the application.

**The Camden Local Plan was adopted in July 2017.** The relevant policy in the Camden Local Plan 2017 is:

- Policy D1 (Design)

**The Fortune Green and West Hampstead Neighbourhood Plan September 2015.**

The relevant policy in the Camden Local Plan 2017 is:

- Policy 2 (Design & Character)

### **Other relevant policy and guidance**

#### **NPPF 2019**

With reference to the National Planning Policy Framework 2019, policies and guidance contained within Camden's Plan 2017 are recent and up to date in accordance with paragraph 31-33 and 213.

There are no material differences between the NPPF and Camden Local Plan in relation to this appeal. Therefore Camden's policies should be given substantial weight in the decision of this appeal.

### **Camden Planning Guidance (CPG)**

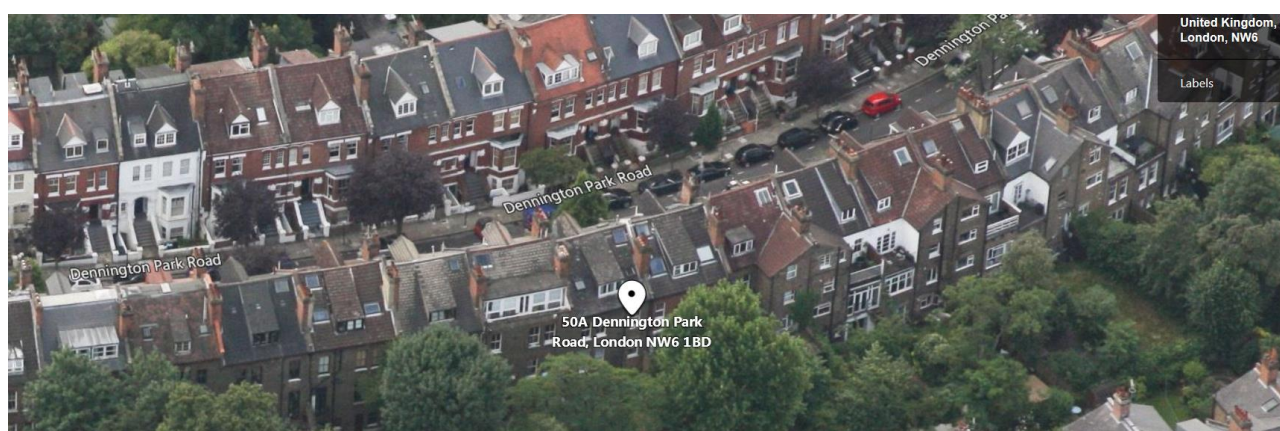
CPG Altering and extending your home (March 2018)

## **COMMENTS ON APPELLANT'S GROUNDS OF APPEAL**

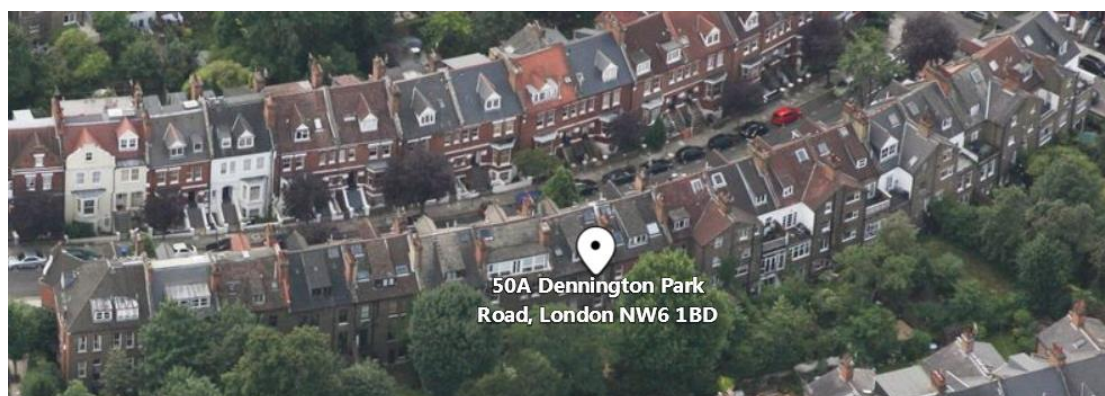
The pertinent points made in the appeal statement are summarised below in italics and addressed beneath.

*Paragraph 6.1 states the rear roofscape of this terrace of properties has a variety of original and replacement dormers of different forms. There is no prevailing form of development at roof level resulting in a mixed character. Therefore, there is scope for a variety of roof additions without impacting negatively on the prevailing character of the area.*

*The Council do not agree with this statement. Figure 1 and 2 show that only three properties have replacement or enlarged rear dormers, all the remaining properties feature their original rear dormers.*



*Figure 1 – Aerial image showing the rear roof slopes on Dennington Park road*



*Figure 2 – Aerial image showing the rear roof slopes on Dennington Park road*

*Paragraph 6.1 and 6.2 state that the existing dormer roof extension does not provide any roof slope between the top of the dormer and the ridge of the main roof, detrimental to the character and appearance of the property, and contrary to the council's design guidance for dormer roof extensions. Additionally, the windows in the existing dormer do not relate well to the windows below at second floor level, and the existing roof lights result in visual clutter in the roof slope.*

*The existing dormer is not detrimental to the character and appearance of the property. The dormer at the appeal site is an original feature, with a distinctive profile which forms*

*part of the established character of the property and wider terrace. CPG Altering and extending your home states that 'Usually a 500mm gap is required between the dormer and the ridge or hip as well as from the party wall and eaves to maintain an adequate separation'. This is a general minimum requirement for new dormers and should not be interpreted to mean that this modestly sized original dormers is harmful to the character and appearance of the building. The dormer windows not aligning with the second floor windows is not a significant factor which influences how the existing dormer reads as part of the buildings composition. It is noted that the rooflights add visual clutter the roofslope, but this is not justification for the addition of an overly dominant dormer.*

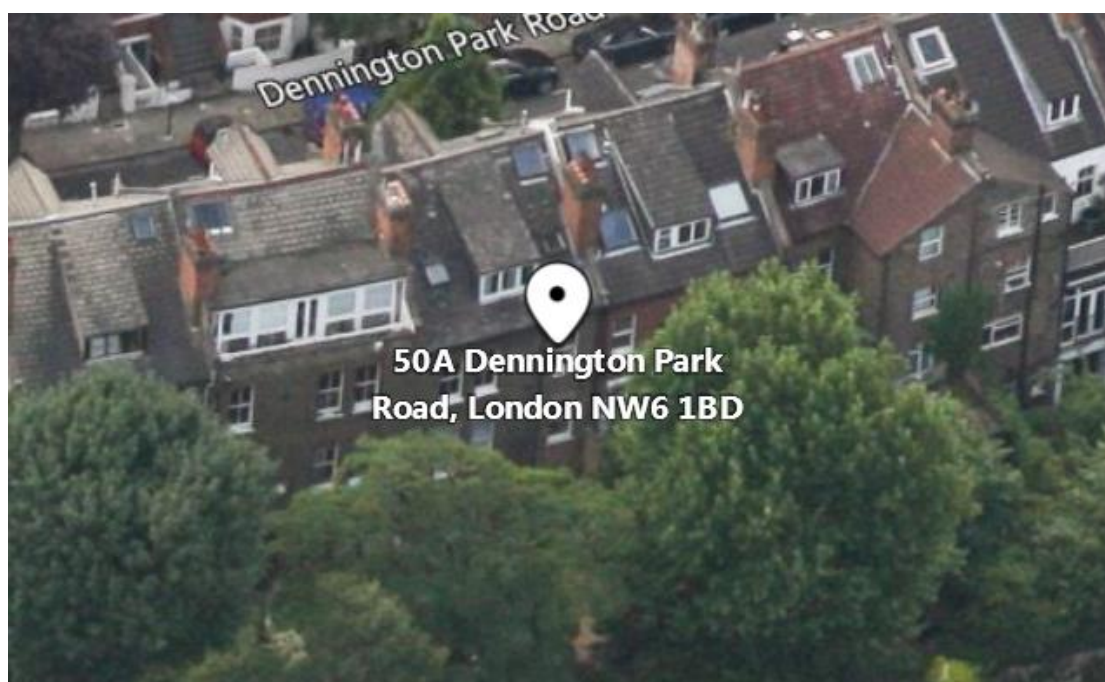


Figure 3 Aerial image of appeal site and neighbouring rear dormer

*Paragraph 6.6 to 6.8 state that 'the existing dormer roof extension and roof lights would be replaced by a rear dormer roof extension which would have a separation of 500mm with the party walls of the neighbouring properties. And one roof light would be inserted in the roof slope. The proposed dormer exceeds these criteria. The windows of the proposed dormer roof extension are similar in size and design to the windows below and overall, by virtue of their position, size and design relate well to the windows below.*

*As stated above the 500mm separation is a general minimum requirement for new dormers. The assessment is based on the overall scale and bulk of the dormer in relation to the roof slope. As shown in figure 4 shows the proposed 500mm separation appears tokenistic and does little to reduce the overall bulk of the dormer. The proposed dormer would appear like the neighbouring dormer shown in figure 3 which demonstrates the harm such unsympathetic dormers can have on the character of a building. Whereas the approved dormer would be similar to that shown on the right side of Figure 5. This is a more modestly proportioned dormer which does not undermine the proportions of the building. The proposed dormer windows to not clearly*



*align with the windows below, but it is the overall bulk of the dormer, rather than the detailed fenestration which would cause harm to the building.*



Figure 4 proposed dormer subject of this appeal to left and dormer approved under ref. 2018/3674/P to the right



Figure 5 Aerial view showing what is understood to be 2 of the 3 non-original dormers on this terrace.

*Paragraph 6.10 states that the reason for refusal also objects to the proposed roof light. This roof light is small and would be partially screened from views in neighbouring rear gardens and at the rear from windows in Pandora Road. The proposed roof light would replace three larger existing roof lights that do not relate sympathetically to the*

*roof. The proposed roof light is a subordinate addition to the roof slope which would not cause any harm to the character and appearance of the building.*

*The roof light is large and has been awkwardly fitted into the remaining space between the dormer and roof ridge. This is in contrast to the more discreetly sized roof light approved under ref. 2018/3674/P. The rooflight would be visible from neighbouring properties in Pandora Road. The presence of existing unsympathetically installed roof lights is not a justification for additional harm.*

*The proposed rear dormer, by reason of its design, size and bulk, and the roof light, by reason of its size and location, would be overly dominant and incongruous additions that would detract from the character and appearance of the host building, adjoining terrace and wider area.*

## **Conclusion**

The proposed dormer and roof light subject to this appeal are considered to be overly dominant additions which would harm the character and appearance of the property and wider terrace. The existing roofline on this terrace largely features modestly proportioned original rear dormers which hold some architectural merit. The approved dormer sets the maximum sized dormer which would still remain subordinate to the roof. The Council maintain that there is no compelling reason to allow a larger dormer to that which has already been approved and respectfully request that the Inspector dismiss this appeal.

## **Suggested condition should the Inspector be minded to allow the appeal**

### **Conditions:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans [Location Plan, A01, A02, A03, A04 (all revision 005 dated 12/03/2020)]

Reason: For the avoidance of doubt and in the interest of proper planning.

2. All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

3. The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

If any further clarification of the appeal submissions is required please do not hesitate to contact Josh Lawlor on the above direct dial number or email address.

Josh Lawlor  
Planning Officer

