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## Appeal Decision

Site visit made on 10 January 2017

**by JP Roberts BSc(Hons), LLB(Hons), MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 2 February 2017**

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**Appeal Ref: APP/X5210/W/16/3157363**

**Flat 1st Floor, 71 Ravenshaw Street, Camden, London NW6 1NP**

- 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 Ms Blathnaid Mahony against the decision of the Council of the London Borough of Camden.
  - The application Ref 2016/0990/P, dated 22 February 2016, was refused by notice dated 3 June 2016.
  - The development proposed is a loft conversion.
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### Decision

1. The appeal is allowed and planning permission is granted for a loft conversion at Flat 1st Floor, 71 Ravenshaw Street, Camden, London NW6 1NP in accordance with the terms of the application, Ref 2016/0990/P, dated 22 February 2016, 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 Refs: 504/1, 504/2, 504/3, 504/4, 504/5, 504/6, 504/7, 504/8, 504/9 and 504/100.

### Preliminary matter

2. The Council's decision notice describes the proposal as the "erection of a full width rear dormer with Juliet balcony and glass balustrade and installation of 2 x front rooflights". This more fully describes what is intended and I shall deal with the appeal on this basis.

### Main Issue

3. The effect of the proposed rear dormer on the character and appearance of the surrounding mainly residential area.

### Reasons

4. The appeal premises are a first floor flat in a two storey terraced building, with a small rear garden backing onto a wide swathe of about 7 or 8 railway lines, not far to the west of West Hampstead Thameslink station. The proposal would include a rear roof dormer which would fill the width of the property and would extend from the eaves line to the ridge. The Council's Camden Planning Guidance (CPG) was adopted in 2105 and seeks amongst other things that a 500mm gap between the extension and the ridge should be provided. It also
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discourages full length dormers. This policy supplements Core Strategy Policy CS14 which seeks high standards of design, as does Camden Development Policies Policy DP24 which also aims to ensure that development respects the neighbouring properties and the character and proportion of the existing building. The Fortune Green and West Hampstead Neighbourhood Plan has also been adopted since the refusal of permission. Policy 2 of that Plan requires extensions to be in character and proportion to their context and setting.

5. The proposal would comply with none of the set-in requirements of the CPG, and it would appear top-heavy and cumbersome, and would fail to respect the design and proportions of the existing building. The unbalanced proportions would be aggravated by the presence of the large door serving the Juliet balcony, which would fail to respect the proportions of the window in the first floor elevation below, also required by the CPG. In my view the proposal does not amount to good design.
6. However, there are two considerations which are relevant. The first of these is that there are already a considerable number of large rear dormers in the terrace. Public views of the terrace are limited, to which I refer below, but it appears that about half of the dwellings in the terrace already have large rear roof dormers, of various designs and colours. Several of these are on consecutive properties which add to their prominence. Due to the high, exposed position of the dormers, they have a very significant impact on the way in which the whole terrace is perceived. In my judgement, in such a context, the addition of one further dormer would have a very limited impact on the appearance of the rear of the terrace.
7. I recognise that many of the dormers may have been carried out as permitted development not requiring specific planning permission from the Council, and that they were not subject to control assessed against the Council's policies. However, this does not alter the fact that these dormers already have a substantial impact on the appearance of the rear of the terrace. Moreover, from what I saw on my visit, most of the properties in Ravenshaw Road appear to be single dwellinghouses, where occupiers may take advantage of permitted development rights in the future.
8. The other consideration is that the rear elevation of the terrace is only glimpsed in public views. The only truly public view is from Maygrove Peace Park, about 100m to the south-east of the site, where the site can be seen through railings and across the train tracks, and at an oblique angle. This is not an important viewpoint, and is not a place from which many people are likely to see the development.
9. The site can also be seen, albeit at speed, from passing trains along the tracks opposite the appeal site. I attach limited weight to such views, as not only are they fleeting, but it is more difficult to identify a sense of place as a passenger unless one is very familiar with the locality. A large residential block lies opposite the site on the other side of the railway tracks, but it is not clear from what I saw whether there are windows to habitable rooms facing the railway lines.
10. Thus, whilst I agree that the dormer would be of poor design, in my view it would have only a very limited impact on the character and appearance of the surrounding area. This small effect, along with the paucity of places from

which it could be seen, justifies not rigidly applying the policies referred to above, as their underlying objective, to protect local character and appearance, would not be materially undermined.

11. I therefore conclude on the main issue that the proposal would not result in material harm to the character and appearance of the area. Whilst it would conflict with the policies to which I have referred, the particular circumstances of the case justify departing from them.

### **Conditions**

12. The Council has suggested a number of conditions which I have assessed in the light of national guidance. A condition to require the development to be carried out in accordance with the approved plans is needed in the interests of good planning and for the avoidance of doubt. The Council has suggested a condition requiring materials to match the existing building, but as the plans specify suitable materials, such a condition is unnecessary.

### **Conclusion**

13. For the reasons given above, I conclude that the appeal should be allowed.

*JP Roberts*

INSPECTOR