

APPEAL:

We are appealing the refusal of householder planning permission [2022/1188/P](#) which was an application to create a new roof terrace above an existing rear dormer with glazed balustrades and roof light at 51 Solent Road, London NW6 1TY.

Relevant Planning History

The site has no relevant planning history. It is located on the west side of Solent Road and contains a two storey terrace property. The building is not listed and the site does not fall within a conservation area but is within the Fortune Green and West Hampstead Neighbourhood Forum area.

Why this application ([2022/1188/P](#)) was made

Green County Developments was engaged by the current owners of the property to try and secure permission for a roof terrace. There are many roof terraces in the area and the applicants wanted to emulate this on their own property.

GCD recently finished work on a nearby property (28 Achilles Road) which was granted planning permission for a roof terrace at the same level – planning reference 2020/2474/P. The Achilles Road property involved a new roof terrace on the existing flat roof of the outrigger extension.



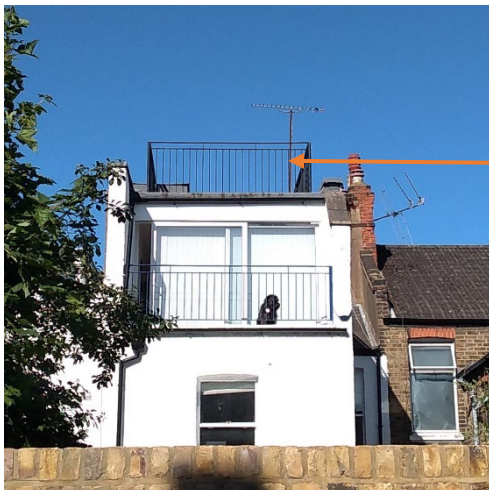
51 Solent Road – Photograph of rear of the property taken from the roof terrace of property opposite:

This is the proposed siting of the roof terrace that we applied for at 51 Solent Road



Left: Photograph taken from roof terrace of house opposite 51 Achilles Road. The photograph is looking towards Mill Lane. A roof terrace at a much higher level than our proposal is visible here.

Photographs taken from 51 Solent Road:



Second Floor roof terrace at 24 Sumatra Road. This sits directly across from 51 Solent Road and is the property where the previous photographs were taken from.



Other terraces on Sumatra Road
visible from 51 Solent Road



A roof terrace at 55 Solent Road close to the
host property (this terrace is at a different level to our
proposals but the nearby context has many roof terraces at
various levels)

Reasons ([2022/1188/P](#)) was refused:

- 1. The proposed roof terrace and balustrades, by virtue of their location, design, bulk and massing, would result in an incongruous and dominant addition to the existing building. This would cause harm to the character and appearance of the area, local roofscape and streetscene, contrary to Policies D1 (Design) of the London Borough of Camden Local Plan 2017 and Policy 2 (Design and Character) of the Fortune Green and West Hampstead Neighbourhood Plan 2016.***
- 2. The proposed terrace, due to its siting and location, would result in direct overlooking, loss of privacy for adjacent neighbours on Solent Road and Sumatra Road It would therefore be contrary to policy A1 (Managing the impacts of development) of the London Borough of Camden Local Plan 2017***

Why we disagree with the reasons for refusal:

As demonstrated in photographs taken to and from 51 Solent Road, the immediate urban context already demonstrates a number of balconies and terraces. The case officer for the application highlighted to us during the application that many of these did not have formal permission. However, we would argue that as there are a great many terraces and balconies in the locality, the local roofscape is now typified by their presence.

The siting and location of the roof terrace is the same position at second floor level as the approved scheme that we mentioned earlier in this report at 28 Achilles Road. While this property differs slightly in that it had a flat roof over the outrigger on which to place a terrace, where as here we are proposing that the terrace sits on the dormer over the outrigger – the level that the terrace would sit is exactly the same. Therefore the overlooking/loss of privacy element in the second reason for refusal is in direct contradiction to what was allowed at Achilles Road.



Left: Proposal at 51 Solent Road (Second floor roof terrace over dormer on outrigger)

Right: Approved roof terrace drawing at 28 Achilles Road (Second floor roof terrace over flat roof of outrigger). The terrace here was not allowed the full depth of the flat roof extension and was set inboard of the rear. The dormer extension at 51 Solent is already set back from the main outrigger so its impact on its neighbour no different.

CONCLUSION

Our application for a roof terrace over the outrigger dormer is no different in its essence from other locally approved schemes at the rear of the property. Its impact in terms of bulk/mass and overlooking/loss of privacy is no different.

The local context has many terraces and balconies in the locality, at varying levels, and the local roofscape is now typified by their presence. We therefore believe that our proposal should be allowed.

GREEN COUNTY DEVELOPMENTS

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