
Appeal Decision

Site visit made on 22 February 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 10 March 2017

Appeal Ref: APP/X5210/W/16/3164805
Flat B, 18 Iverson Road, London NW6 2HE

- 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 Miss Catherine Winston against the decision of the Council of the London Borough of Camden.
 - The application Ref 2016/2562/P, dated 6 May 2016, was refused by notice dated 15 September 2016.
 - The development proposed is a rear roof dormer and use of existing flat roof as a roof terrace.
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Decision

1. The appeal is allowed and planning permission is granted for a rear roof dormer and use of existing flat roof as a roof terrace at Flat B, 18 Iverson Road, London NW6 2HE in accordance with the application Ref 2016/2562/P, dated 6 May 2016 and subject to the following conditions:-
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 00.01; 01.01; 01.02; 01.03; P2 01.01 A; P2 01.02 A; P2 01.03 A.
 - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the dormer extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) No development shall commence until details of the position of and type of glazing to be used in the privacy screen adjacent to No 16 Iverson Terrace have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and thereafter retained.

Main Issues

2. The main issues are the effect of the development on i) the character and appearance of the host building and wider street scene and ii) the living conditions of adjacent residents in terms of privacy.
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Reasons

Character and Appearance

3. The appeal site is a mid-terrace property, some four storeys in height including basement level. The rear of the terrace is characterised by the consistent presence of tall flat-roofed rear additions to the main dwellings, projecting into rear garden areas. A steep railway embankment is situated in close proximity to the rear boundary line of the terrace.
4. It is undisputed by the parties that the roofline of the terrace is currently uninterrupted by dormer extensions. However, notwithstanding this, the proposed dormer in this case would be relatively small, less than half the width of the main roof and would be set down markedly in relation to the ridgeline. The structure would therefore be distinctly subordinate to the main dwelling. Furthermore the glazed balustrade, because of the nature of the material involved, would be recessive in appearance and viewed against the upper parts of the main dwelling would not be at all imposing.
5. Moreover, the rear of the property and wider terrace is substantially screened from public viewpoints by the aforementioned railway embankment, to the extent that it would only be visible with any degree of clarity from passing trains. However any visibility from that perspective would be fleeting only.
6. The Council has drawn my attention to a proposal for a mansard roof extension at a different property in Camden, where the terrace was largely unaltered, which was dismissed on appeal. I have been provided with little information in relation to this case, however I note from the decision letter that the site was considered by the Inspector to be in a prominent location. It therefore seems to me that the circumstances of that case are not comparable to the current appeal.
7. Taking the aforementioned factors into consideration I conclude that the dormer and terrace would not appear prominent or incongruous and would not result in harm to the character and appearance of the host building and wider street scene. It would not therefore conflict with the Policy CS14 of the Camden Core Strategy 2010 (CS) or Policy DP24 of the Camden Local Development Framework Development Policies 2010 (DP) insofar as they seek to promote high quality design and ensure that development respects the character of the area. I have taken into account the guidance in the Fortune Green and West Hampstead Neighbourhood Plan 2015 which states that roof alterations are likely to be unacceptable where rooflines are largely unimpaired by alterations and extensions. However the circumstances of this case as set out above, justify an exception being made to this guidance.

Living conditions

8. The terrace would incorporate a tall glazed privacy screen (some 1.8 metres in height) adjacent to the side boundary of the property. I am firmly of the view, subject to its precise position and the obscurity of the glazing, that the screen would be effective in ensuring that windows in the rear / side elevation of No 16 Iverson Road would not be overlooked. On the opposite side of the proposed terrace a lower glazed balustrade would be proposed. However in this direction there are no windows in the adjacent side facing rear addition of No 20, and any views of neighbouring property would be at longer distance and

limited to oblique angles to ensure there would be no unacceptable overlooking.

9. I conclude that the proposal would not result in harm to the living conditions of adjacent residents in terms of privacy. The proposal would not therefore conflict with Policy CS5 of the CS or Policy DP26 of the DP insofar as they seek to protect the living conditions of residents.
10. Whilst I appreciate that noise from social gathering may be intrusive from time to time, the proposal is to extend the residential use of the property within an established residential area. Accordingly, concern about noise intrusion would not be a compelling ground to justify the refusal of planning permission.

Conditions and Conclusion

11. For the above reasons, I conclude that the appeal should succeed and planning permission be granted.
12. Conditions specifying the plans and requiring details to be agreed of the materials to be used in the external surfaces of the dormer extension are needed to safeguard the character and appearance of the area. Details of the privacy screen are required to protect the living conditions of adjacent residents.

Roy Merrett

INSPECTOR