
Appeal Decision

Site visit made on 2 May 2017

by C L Humphrey BA (Hons) DipTP MRTPI

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

Decision date: 16th May 2017

Appeal Ref: APP/X5210/W/16/3166039

62 Pilgrim's Lane, Camden, London NW3 1SN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Ms Subitha Subramaniam against the Council of the London Borough of Camden.
 - The application, Ref 2016/1141/P, is dated 29 February 2016.
 - The development proposed is remodelled existing dormer roof extensions, alterations to window openings and internal reconfiguration to an apartment occupying the first, second and third floors of an existing terraced property.
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Decision

1. The appeal is dismissed and planning permission for remodelled existing dormer roof extensions, alterations to window openings and internal reconfiguration to an apartment occupying the first, second and third floors of an existing terraced property is refused.

Procedural Matter

2. I note from the Appellant's Grounds of Appeal that the scheme was amended and revised plans were submitted to the Council during the course of the application. However, the appellant has confirmed that they wish the appeal to proceed on the basis of the plans as originally submitted with the application.

Main Issue

3. Based upon the evidence before me, I consider that the main issue is whether the appeal proposal would preserve or enhance the character or appearance of the Hampstead Conservation Area.

Reasons

4. The appeal property is a flat which occupies the first, second and third floors of a 4 storey terraced building located on the eastern side of Pilgrim's Lane within the Hampstead Conservation Area (the Conservation Area). Hampstead sits on the hills that extend across this part of north London, and the character of the Conservation Area is derived from its topography, the open backdrop of Hampstead Heath and the quality and diversity of the built form. The short terrace within which the appeal property is situated retains many original features, including timber sash windows, and makes a positive contribution to the character and appearance of the Conservation Area.
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5. The appeal proposal would replace the existing front and rear dormers with larger dormer roof extensions. It is also proposed to alter 4 of the existing window openings on the rear elevation. The front elevation and roof of the appeal property are clearly visible in views along Pilgrim's Lane. The rear of the appeal property can be seen from the back gardens of neighbouring properties on Pilgrim's Lane and from properties on Downshire Hill to the east. The proposed development would be prominent from these vantage points.
6. The proposed front dormer would be wider than the combined width of the 2 existing dormers and the void between them. Furthermore, its position within the roof slope and strongly horizontal emphasis would not reflect the placement or proportions of windows on the elevation below. The proposed rear dormer would occupy much of the roof slope, and would have an elongated horizontal form at odds with the vertical emphasis of the rear elevation. Moreover, both dormers would feature minimal framing and large expanses of glass which would not reflect the existing traditional timber sashes and glazing pattern within the main building. Overall, by reason of their considerable width, height, bulk, materials and detailed design, the proposed front and rear dormers would appear as disproportionately large, overly dominant and discordant features which would fail to respect the established architectural hierarchy, proportions and fenestration materials of the appeal property and terrace as a whole. The intended use of traditional lead cladding would not ameliorate this harm.
7. Whilst the existing dormers may be in poor condition, and the proposed replacements would enable improvements to thermal efficiency, this does not justify the harm that would result from the appeal proposal particularly as there is no reason to believe that these matters could not be reasonably resolved via other more sympathetic means.
8. There are other examples of dormer in the surrounding area, which I observed during my site visit. Many of these dormers are smaller than the proposed development and are thus not directly comparable with the appeal proposal. Although some examples of large dormers do exist in the locality I do not have full details of their planning history and consider that, rather than setting a precedent, they demonstrate how the cumulative effect of incremental changes to buildings can have an adverse effect on their character and appearance. I therefore give these other developments little weight and have reached my conclusions on the appeal proposal on the basis of the evidence before me.
9. The proposed alterations to the rear window openings would result in the loss of the attractive curved brick heads and timber joinery, which are strongly characteristic of the fenestration on the appeal property and the terrace as a whole. Furthermore, the enlarged and elongated form of the replacement windows would significantly alter the established solid to void ratio and disrupt the architectural rhythm of the appeal property and terrace.
10. The appellant makes the case that the proposed alterations to the window openings would facilitate improved access to the roof terrace and increase levels of natural daylight and ventilation. However, I noted during my site visit that the existing double doors facilitate satisfactory access to the terrace and the windows provide a good level of light and ventilation. Whilst the proposed replacement windows may improve security and thermal efficiency, I have no reason to believe that these benefits could not be achieved in a less intrusive manner. Consequently, I give these matters little weight.

11. I observed during my site visit that a number of properties in the surrounding area have windows featuring minimal framing and large areas of glazing, although I do not have details of their planning history. However, these windows generally form part of a contemporary extension or an individual building rather than an alteration to traditional window openings. As such, they are not directly comparable with the appeal proposal and so I afford them little weight. In any event, I am required to reach conclusions based on the individual circumstances of this appeal.
12. For the reasons set out above, I conclude that the appeal proposal would not preserve or enhance the character or appearance of the Hampstead Conservation Area. As such, it would conflict with the design, heritage conservation and protection aims of Policies CS5 and CS14 of the Camden Local Development Framework Core Strategy and Policies DP24 and DP25 of the Camden Local Development Framework Development Policies (LDFDP).
13. Although the Council makes reference to Policy DP26 of the LDFDP I do not consider it to be directly relevant to the main issue because it relates to managing the impact of development on occupiers and neighbours, and therefore I have not had regard to it in this instance. The Council has referred to Policies A1 and D1 of the emerging Camden Local Plan. However, whilst I note that the plan is at an advanced stage of preparation, I have not been provided with copies of these policies and so I have not had regard to them on this occasion.
14. As set out in paragraph 132 of the National Planning Policy Framework (the Framework), when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Any harm requires clear and convincing justification. In the parlance of the Framework, the identified harm to the designated heritage asset is less than substantial and should therefore be weighed against the public benefits of the proposal. The refurbishment of the appeal property and internal improvements to the accommodation do not amount to public benefits sufficient to outweigh the harm caused to the designated heritage asset.

Other Matters

15. The appellant has raised concerns regarding inconsistency and delays in the Council's handling of the application. It appears from the evidence before me that the Council provided detailed and consistent advice regarding their concerns, and allowed the appellant the opportunity to amend the scheme. These matters do not materially affect my consideration of the planning merits of the appeal proposal.

Conclusion

16. For the reasons given above and having regard to all other matters raised, including the letter of support from the owner of the garden flat at No 62, I conclude that the appeal should be dismissed and planning permission refused.

CL Humphrey

INSPECTOR