

Appeal Decision

Site visit made on 23 May 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 05 June 2017

Appeal Ref: APP/X5210/W/17/3171177

Upper Flat, 26 Agamemnon Road, London NW6 1DY

- 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 Mr Nicolas Trebino against the decision of the Council of the London Borough of Camden.
 - The application Ref 2016/7018/P, dated 21 December 2016, was refused by notice dated 13 February 2017.
 - The development proposed is loft conversion involving the installation of a rear dormer extension, 3 x front rooflights and 2 x rear rooflights.
-

Decision

1. The appeal is allowed and planning permission is granted for loft conversion involving the installation of a rear dormer extension, 3 x front rooflights and 2 x rear rooflights at Upper Flat, 26 Agamemnon Road, London NW6 1DY in accordance with the application Ref 2016/7018/P, dated 21 December 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: 1609-01_PL_200; 1609-01_PL_201; 1609-01_PL_202; 1609-01_PL_203; 1609-01_PL_301 Rev: D; 1609-01_PL_302 Rev: D; 1609-01_PL_303 Rev: D.
 - 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.

Procedural Matter

2. I have taken the description of development from the Council's decision notice, as reflected on the appeal form.

Main Issue

3. The main issue is the effect of the proposed dormer extension on the character and appearance of the dwelling and surrounding area.
-

Reasons

4. The appeal site is part of a two storey terrace of properties, incorporating tall back to back offshoot extensions to the rear. Beyond the rear boundary of the appeal site, immediately to the west, is the tall perimeter planting associated with the Gondar Gardens Reservoir site. This site is currently inaccessible to the public.
5. The proposed dormer extension would be substantially set within the main rear roof slope of the dwelling but would also encroach into the shorter lean-to roof of the offshoot extension, via the hip line between the two parts of the building. This arrangement would constrain the rear facing elevation of the proposed dormer, necessitating the use of an unconventional, irregular shaped window.
6. The dormer would be visible from close range within the rear yard areas of the appeal site and adjacent property. However, being set in markedly from the edges of the main roof, particularly from the sides and eaves line, it would be subordinate in scale to the main dwelling and would not appear as a dominant feature. Furthermore, whilst it would encroach over the hip line between the two parts of the building, this encroachment would not be at all distinct or obtrusive due to the hip line resting in a valley location between the two roof slopes.
7. From the rear of properties further along the terrace to the south, the dormer would be significantly screened by the apex of the off-shoot extension. During my visit it was apparent that the rear of the appeal site and adjoining parts of the terrace would not be visible from public viewpoints along Gondar Gardens to the north and west of the site.
8. Even if in the future the reservoir site were to become accessible to the public, it seems to me that the tall perimeter planting within that site would serve to screen or substantially filter views of the proposal, whilst negating any sense of the appeal site appearing as part of a cohesive and unaltered section of the terrace. I also noted during my visit that dormer extensions have previously been added to the rear of other dwellings along the terrace, visible from Gondar Gardens, close to the junction with Agamemnon Road. If the development were to become visible from the reservoir site, it would not therefore be in the context of an otherwise unbroken roofscape.
9. Taking the aforementioned factors into consideration, I conclude that the dormer would not appear incongruous, nor would it appear as an interruption to an otherwise unimpaired roofline. Whilst it would incorporate an unusually designed window, this would be substantially hidden from view and so would not tend to draw the eye. Consequently, taking into account the above context, the proposal would not result in harm to the character and appearance of the dwelling or surrounding area.
10. The development would not therefore conflict with the Policy CS14 of the Camden Core Strategy 2010; Policy DP24 of the Camden Local Development Framework Development Policies 2010; Policy D1 of the Draft Camden Local Plan or Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015 insofar as they seek to promote the highest quality of design having regard to character, setting and context.

11. I have taken into account the Council's Design Planning Guidance (CPG1) 2015, which sets out various guidelines for the design of roof dormers. The proposal would not strictly accord with all of the guidelines therein, however the specific circumstances of this case, as set out above, serve to justify the development.

Conditions and Conclusion

12. For the above reasons, and having considered all other points raised, I conclude that the appeal should succeed and planning permission be granted.
13. 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.

Roy Merrett

INSPECTOR