



Appeal Decision

Site visit made on 16 December 2019

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2020

Appeal Ref: APP/X5210/W/19/3236468

Flat 10, The Hamptons, 52 West End Lane, London NW6 2NE

- 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 J and Miss E Reitman against the decision of the Council of the London Borough of Camden.
 - The application Ref 2018/5657/P, dated 18 December 2018, was refused by notice dated 19 July 2019.
 - The development proposed is the installation of 1 x rear and 1 x side facing dormer windows; installation of 4 x roof lights.
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Decision

1. The appeal is allowed and planning permission granted for the installation of 1 x rear and 1 x side facing dormer windows; installation of 4 x roof lights at Flat 10, The Hamptons, 52 West End Lane, London NW6 2NE, in accordance with the terms of the application, Ref 2018/5657/P, dated 18 December 2018, 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 approved plans: 2751/03, 2751/04B, 2751/06B, 2751/07B and 2751/08.
 - 3) Prior to the installation of the dormer windows, details of the external materials, including the window frames, shall be submitted to and be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Application for costs

2. An application for costs was made by Mr J and Miss E Reitman against the Council of the London Borough of Camden. This application is the subject of a separate Decision.

Preliminary Matter

3. Permission has been granted at appeal¹ for 5 rooflights and a rear facing dormer window to Flat 10. The main difference with the present proposal is

¹ APP/X5210/W/18/3197457 – Installation of a rear facing dormer, 1No rooflight to the rear, 2No rooflights to the side and 2No rooflights to the front at 52, Flat 10, The Hamptons, West End Lane, London NW6 2NE – dated 13 September 2018.

that it seeks to alter the previous scheme by replacing one of the rooflights to the side roof with a dormer.

Main Issue

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the South Hampstead Conservation Area (the CA).

Reasons

5. The CA is significant because it includes an extensive, predominantly Victorian residential area of wide streets lined by mature trees and large and rhythmically spaced brick buildings. The South Hampstead Conservation Area Character Appraisal and Management Strategy February 2011 (the CA Appraisal) explains that the bulk of these substantial residential properties is moderated by their placement within the plot – set back from the street in verdant front gardens – and because the elevations are carefully modelled, using recession and projection and decorative details to great effect. Part of the significance includes the attractive, wide variety of prominent roof forms and the CA Appraisal explains that all the original, carefully designed roofscapes play a very important role in maintaining the character of the CA.
6. In this case, the appeal site forms a top section within a large and imposing detached villa that is identified as a positive contributor to the CA. It is one of 4 similar villas (The Hamptons buildings) that front onto West End Lane and is located adjoining the junction with Woodchurch Road.
7. The Council has permitted, in 2017, rear dormers to 58 West End Lane², one of The Hamptons buildings, and while this building is set mid-block there are some views from Woodchurch Road to the rear elevation. The appeal decision in 2018 at this site allowed a rear dormer, on the basis that it did not harm the character and appearance of the CA because, amongst other matters, it had an acceptable design and there was already a varied roofscape to the area. Subsequently, the Council has also approved, in 2019, a further dormer at the rear of Flat 9, 52 The Hamptons³, in substantial part because the appeal had been allowed. While these decisions do not set a precedent for a further dormer to the side of the appeal building, they do, nevertheless, indicate that dormers to The Hamptons buildings would not be unacceptable as a matter of principle and this present proposal can be considered on its merits.
8. Furthermore, the surrounding area has buildings with a wide variety of architectural detailing that includes dormers and other features that help form the character of the area. Nevertheless, I appreciate the points that the Council make regarding the consistency of appearance that The Hamptons buildings have. The front and side shallow sloping roofs make a positive contribution to their character when viewed from West End Lane. However, there is some variation between these buildings. For instance, No 52 has a side extension that comes up to eaves level that influences the roof profile of this building. Furthermore, the staggered position of these buildings in the street and the established trees limits some views of the 4 buildings as a group.

² Application 2016/4441/P - Erection of 2 storey rear extension; erection of 2 x dormer windows to rear roofslope; 3 x rooflights to front roofslope; and conversion of existing 16 x studio flats into 5 x 2 bedroom flats, 1 x 1 bedroom flat and 8 x studio flats – 58 West End Lane, London NW6 2NE – dated 17 January 2017

³ Application 2019/3482/P - Erection of dormer window to rear roof slope; installation of 2 roof lights to side roof slope and 2 roof lights to front roof slope - Flat 9 The Hamptons 52 West End Lane London NW6 2NE – dated 13 September 2019

9. No 52 is a prominent building and its rear, front and south facing side elevation are apparent in street scene views. The rear facing dormer and rooflights proposed by this appeal are similar to that permitted already and I have found no reason to disagree with the earlier assessment. They can be constructed in any case.
10. The side dormer would replace a recessed doorway situated between the two substantial chimney stacks. The dormer would be acceptably designed, with sufficient roof space remaining around it such that the dormer would not appear dominant or out of scale with this end roof hip. In mid-distance views from parts of Woodchurch Road, the side cheek would be visible, but the dormer would be a minor and inconspicuous addition to this large building that would, when seen in conjunction with the proposed rear dormer (and the permitted dormer and other changes at Flat 9), be a modest and traditional addition to the roof form not out of character with the building, the other The Hamptons buildings or the surrounding area.
11. From parts of West End Lane, from the broadly south west, there would be views up towards the roof where the dormer would be clearly visible. However, it would be framed in a recessed position back from and between the two large chimney stacks. The dormer would be viewed in association with this sizeable side of the building, it would not draw the eye and the design and materials would harmonise acceptably with the building as a whole and the wider CA. Furthermore, in these wider views, the site would be seen in the context of the other surrounding roofscapes in which dormer windows and rooflights are a well-established component of the character and appearance of the area.
12. In other views, such as from Messina Avenue, there would be angled views up towards the roof, however, the chimneys would still be a dominant feature and the existing front roof slope would be retained with only the addition of rooflights. The side dormer would not cause harm in these views, either to the building itself, or when seen in the wider context of The Hamptons buildings.
13. I am mindful of the duty to pay special attention to the desirability of preserving or enhancing the character or appearance of any land or buildings in a Conservation Area. I consider that the side dormer would be a minor and sympathetic addition to the end roof hip. In conjunction with the rear dormer and other rooflights (and taking into account the dormer and other changes permitted to Flat 9) the proposal overall would preserve the character and appearance of the building, The Hamptons buildings as a group and the CA. There would be no harm to the significance of the CA. Accordingly, as I have found that the proposals would preserve the character and appearance of the CA, and its significance, there is no need to weigh the effect of the proposal against any public benefits.
14. I note the concern that if this scheme was allowed it may lead to similar proposals for the adjoining buildings, which have similar characteristics and it is said that this cumulatively would cause harm. However, I have assessed this proposal on its merits in the context of this site and found that it would be acceptable. Other schemes would need to be assessed on their merits and the planning policy situation at that time and, therefore, I am satisfied that this is not a reason for dismissing the present proposal.
15. In the light of the above analysis, I conclude that the proposal would preserve the character and appearance of the CA, would not harm its significance, and

therefore would accord with Policies D1 and D2 of the Camden Local Plan (2017) and the National Planning Policy Framework which seek, amongst other things, to secure high quality design in development which preserves or enhances the historic environment and heritage assets.

16. Accordingly, I also find that the proposal would not conflict with the general approach and advice for development in the Camden Planning Guidance documents Altering and Extending Your Home (March 2019), Amenity (March 2018) and Design (November 2018) or the design advice in the CA Appraisal. While the reason for refusal lists The London Plan (2016), it does not reference any policies and, furthermore, any relevant policies from this Plan have not been highlighted in the original planning report or the appeal statement. Consequently, my attention has not been drawn to any specific policies or potential conflict with the London Plan in this case.

Conditions

17. The Council has suggested three conditions which I have considered. Conditions setting out the standard time limit and a list of the approved plans are necessary in the interests of certainty. A condition is necessary to require the external materials for the dormer windows to be submitted and approved in the interests of the character and appearance of the CA and for consistency with the previous appeal decision.

Conclusion

18. Having regard to the above, and taking all other matters into account, I conclude that the appeal should be allowed.

David Wyborn

INSPECTOR