

Appeal Decision

Site Visit made on 9 August 2021 by S Witherley CIHCM MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2021

Appeal Ref: APP/X5210/W/21/3271046

50, Flat 3rd Floor, Belsize Park Gardens, London NW3 4ND

- 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 Soomro against the decision of London Borough of Camden.
 - The application Ref 2020/3717/P, dated 13 August 2020, was refused by notice dated 2 December 2020.
 - The description of development proposed on the application form is: *Side dormer enlargement*.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of side dormer extension and fenestration alterations on existing side dormer, at 50, Flat 3rd Floor, Belsize Park Gardens, London, NW3 4ND in accordance with the terms of the application, Ref 2020/3717/P, dated 13 August 2020, subject to the following conditions:
 - 1) The development hereby permitted must be begun not later than the end of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: LP-00; EX-01 Rev. P-01; EX-02 Rev. P-01; PA-01 Rev. P-01; PA-02 Rev. P-01.
 - 3) All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description used in the decision has been taken from the Council's decision notice. The appellant confirms the description changed during the validation of the application.
4. The Government has published on 20 July 2021 a revised version of the National Planning Policy Framework. Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. Both parties were given the

opportunity to comment on the revisions and I have had regard to those comments received.

5. The CPGs have been updated and adopted since the decision was made. However, the Council note in their statement that the content is not materially different in relation to the relevant sections so there will be no prejudice to the appellant in determining the appeal.

Main Issue

6. The effect of the proposal on the character and appearance of the appeal property, including whether the proposed development would preserve or enhance the character or appearance of the Belsize Conservation Area (CA) in which it is located.

Reasons for the Recommendation

7. Flat No. 3 is located on the top floor of a large impressive three storey semi-detached villa.
8. It is located within the CA with its significance deriving from the impressive, paired villas built in the mid-19th century. The councils CA statement, Belsize, notes that No. 50 is located in a group of buildings that make a positive contribution to the CA. These villas have a number of similar and consistent architectural features which present uniformity and detailing which are positive contributing factors to the character and appearance of this part of the CA and the CA as a whole.
9. Notwithstanding this, the uniformity and detailing along this part of Belsize Park Gardens is not replicated above eaves level where numerous modifications, including the additions of side and front dormers are now very much present. These roof top additions vary in design, scale and form and are clearly an established part of the overall character and appearance of this part of the CA.
10. Given the overall height, scale and form of No. 50 and its adjoining neighbour, it is difficult to view the entire roof scape from street level. Even when stood directly in front of the properties, it is necessary to step back some distance to appreciate its scale, form and features, even then you do not capture it fully.
11. From the east the front roof profile of No 50 is visible, however, the side roof profile of the adjoining neighbour, No. 49 is not readily visible. This is partly due to the limited gap between it and its neighbour and also as a result of the street camber. What is readily visible, however, is the large double dormer on the side and front roof profiles of the neighbouring property, No. 2 Belsize Grove, which sits at right angles to No. 50.
12. When approaching No. 50 from the west, its side roof profile is far more visible in the street scape due to the gap between it and the neighbouring property. Nevertheless, the flank wall remains partially obscured as a result of a mature tree. In long views the front projecting element of the building is highly visible along with the modest chimney stack which sits upon the front projecting element and down from the more prominent chimney stack that runs along the centre of the properties. As you get closer to the property, the existing side dormer becomes more prominent in views along with the adjacent chimney stack which would sit forward of the proposed dormer.

13. Consequently, when seen in views from this approach and when viewed from directly in front of the pair of semi-detached properties, the proposal, as a result of its design, scale and form, would appear as a subordinate addition to the existing side dormer and given its overall design and mass would not imbalance the pair of semi-detached properties. Furthermore, as the proposal would be set back from the existing chimney, with its height not exceeding that of existing dormer, it would integrate well with and appear subordinate in relation to the existing side dormer and overall scale of the existing roof. Thus, it would not appear as a bulky or incongruous addition and would maintain the existing roof form.
14. In addition, it would not detract from or erode the existing features of the original roof profile such as the prominent central chimney stacks. As such, the proposal would not diminish the contribution the appeal property makes to the significance of this part of the CA or the CA as whole. Overall, it would be a sensitive addition that would not conflict with the requirements the CPG *Altering and extending your home* (2021) and CPG Design (2021) seek to achieve in relation to good design.
15. In conclusion, I find that the proposed development would not cause harm to the character and appearance of the appeal property and as such would preserve the significance of the CA, as it relates to the appeal site, and as a whole. It would therefore accord with Policies D1 and D2 of the Camden Local Plan (2017) which, amongst other things, seek high quality design that respects the local context and character, and which preserves the historic environment. The development would also avoid conflict with the National Planning Policy Frameworks historic environment conservation requirements.

Other Matters

16. Third-party representations were received which objected to the proposal, however, the objections contained limited details other than stating they objected to the proposal and that it should not go ahead. Notwithstanding this I have dealt with the Council's main issue in the above reasons.

Conditions

17. I have imposed the standard time limit condition and have specified the approved plans as this provides certainty. A condition is necessary for the materials to match those that are used in the existing property to maintain the character and appearance of the area.

Conclusion and Recommendation

18. There are no material considerations that indicate the application should be determined other than in accordance with the development plan.
19. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall allow the appeal subject to the conditions set out in the report.

Chris Preston

INSPECTOR