
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/D/21/3274185

69 St. Augustine's Road, London NW1 9RR

- 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 Ms Catherine Taddei against the decision of the Council of the London Borough of Camden.
 - The application Ref 2020/5481/P, dated 25 November 2020, was refused by notice dated 19 March 2021.
 - The description given on the application form is: A proposed flat roofed dormer to rear elevation roof. Proposed Velux Rooflights to the side and rear elevation roof. A proposed light well with restricted opening casement windows inset to side elevation roof. Internal Alterations.
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Decision

1. The appeal is dismissed.

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. It is noted in the appellant's statement that revised plans are included in Appendix A. It is not clear whether these plans have been before the Council. Where an appeal is made against the Council's decision to refuse planning permission it is generally considered on the basis of the plans and scheme that was before the Council at the time the decision was made. The consultation undertaken by the Council when dealing with the planning application was carried out on the basis of that scheme and that is what interested parties and consultees commented on. Consequently, I am of the view that the appeal should be determined on the basis of the plans that were before the Council at the time the decision was made.
4. A new London Plan 2021 (LP) was published in March 2021 and this post-dates the Council's refusal notice. I afforded the main parties an opportunity to comment upon the implications of this change for the purposes of determining this appeal.
5. The Government 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 provided with the opportunity to comment on the revised NPPF.

Main Issue

6. The main issue is the effect of the development on the character and appearance of the host building and the Camden Square Conservation Area (CA)

Reasons for the Recommendation

7. No. 69 is a semi-detached dwelling located in the CA. The Camden Square Conversation Area Appraisal and Management Strategy (2011) identifies the significance of the CA is derived from the grid layout of streets, similarities in architectural features, subtle variations in plot widths and collective value of high-quality housing, which make a positive contribution to the character and appearance of this part of the CA and the CA as a whole.
8. The appeal property is part of a perimeter block with its rear boundary adjoining and overlooking the rear gardens and elevations of properties in South Villas.
9. The rear of properties in this section of Augustine's Road appears relatively unaltered at roof level and display similar features such as shallow hipped roofs, central chimney stacks, regular and repeating window inserts and a similar palette of materials. Despite a number of roof lights and solar panels upon neighbouring roofs, these did not detract from the attractive and symmetrical rear elevations and roof slopes which contribute positively to the value of the street and its importance to the character and appearance of the area.
10. Notwithstanding that the principal elevation faces the street, the relatively unaltered rear aspects depict the original design of the buildings and form part and parcel of the character and appearance of the CA.
11. The proposal would see the insertion of a box like dormer upon the rear roof plane. It would be set down from the ridge and sit above the eaves. Despite it not extending across the full width of the rear roof plane, due to its siting, it would be located off centre and close to the central chimney stack. This, along with the square, box like proportions would contrast unsympathetically against the existing short and shallow ridgelines of the original dwelling. Furthermore, it would appear out of alignment with the pleasant regular and repeating pattern of window inserts at first and second floor. Its design, along with its juxtaposed position would disrupt the pleasing symmetry that currently exists in the rear façade of the appeal property, its adjoining neighbour and others within this section of street. In addition, I do not consider that there is anything innovative or outstanding in the design of this fairly typical and standard looking box like dormer.
12. Moreover, as the proposal would be in close proximity to the central chimney stack, its box like design and scale would detract from this repeating and original feature that can be seen on roofs throughout this part of the street scape. As such, the proposal as a result of its design, scale and form would detract from the overall character and appearance of both the appeal building and the surrounding CA.

13. Notwithstanding that the development would be located to the rear of the property and the level of harm caused is considered less than substantial, it is, nevertheless, to be given considerable importance and weight, having regard to the statutory duty to preserve or enhance the character or appearance of the CA. This harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Whilst reference has been made to the proposal improving the functionality of the dwelling for a young family to grow and meet future requirements, this is personal to the appellant and provides no public benefit. No evidence has been submitted to show any public benefits. The proposal, therefore, causes harm that is not justified or outweighed, as required by the National Planning Policy Framework (the Framework).
14. Reference has been made to other dormers in the area and I did notice roof dormers on a number of rear elevations of properties located in South Villas. This street forms part of the perimeter block which No. 69 is located and overlooks. Nevertheless, the rear of this street appears to be of a different character and appearance to No. 69. Furthermore, from what I could see of other roof extensions in this street they highlight the need to assess each proposal on its individual merits to ensure that no further harm to the character or appearance of the CA arises. As noted, the immediate context of this part of Augustine's Road remains largely unaltered and free of unsympathetic roof top additions and the presence of dormer windows elsewhere does not set a precedent for further harm in that context.
15. It appears common ground between parties that the proposed roof lights to the side would be an acceptable addition, I have no reason to consider otherwise.
16. For the above reasons, I conclude that the development would have an adverse impact on the character and appearance of the appeal property and fails to preserve or enhance the character or appearance of the CA. Consequently, the proposal would be contrary to Policies D1 and D2 of the Camden Local Plan 2017 which, amongst other things, seek to improve the character of the area through high quality design appropriate to its setting and having regard to the special character of heritage assets.

Other Matters

17. I have been provided with details of an appeal at No. 12 St Augustine's Road where an Inspector allowed the development of a side dormer. Having reviewed the details, I do not consider that the schemes are remotely comparable. No. 12 is located in a different perimeter block than No. 69 and the style and scale of the dwellings are markedly different. Furthermore, the appeal related to a dormer of which had very different proportions as the one being proposed as part of this appeal and which was located on the side roof plane. I have attached limited weight to this argument.

Conclusion and Recommendation

18. I have found that the proposed development would harm the character and appearance of the appeal property, the surrounding area and fails to preserve or enhance the character or appearance of the CA. The proposal conflicts with the most relevant policies in an up-to-date development plan. It is not suggested by the appellant that the development plan is not up to date.

19. Whilst they have referred to the Camden Planning Guidance – Altering and Extending your home (2019) (CPG) and consider this to be a material consideration in the determination of this appeal, I have not been provided with a copy of the guidance. Nevertheless, I have had consideration to the comments made by the appellant in their statement of case in regard to this guidance and do not consider that this guidance would warrant granting planning permission for the proposal which does not comply with an up to date development plan.
20. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

21. 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 dismiss the appeal.

Chris Preston

INSPECTOR