



Appeal Decisions

Site visit made on 3 August 2023

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 12 October 2023

Appeal A Ref: APP/X5210/W/22/3312937

2 Hillfield Road, London NW6 1QE

- 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 Elevations LTD against the decision of the Council for the London Borough of Camden.
- The application Ref 2022/0760/P, dated 24 February 2022, was refused by notice dated 13 October 2022.
- The development proposed is the erection of a full-width rear dormer roof extension.

Appeal B Ref: APP/X5210/W/22/3313964

2 Hillfield Road, London NW6 1QE

- 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 Elevations LTD against the decision of the Council for the London Borough of Camden.
- The application Ref 2022/1872/P, dated 19 May 2022, was refused by notice dated 13 October 2022.
- The development proposed is the erection of part single part two storey rear extension and roof extension.

Appeal C Ref: APP/X5210/W/23/3314134

2 Hillfield Road, London NW6 1QE

- 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 Elevations LTD against the decision of the Council of London Borough of Camden.
- The application Ref 2022/2177/P, dated 19 May 2022, was refused by notice dated 13 October 2022.
- The development proposed is the erection of part single part two storey rear extension and roof extension.

Decision

1. Appeal A, Appeal B and Appeal C are dismissed.

Preliminary Matters

2. As set out above there are three appeals for the site. These differ in the detail of design and layout and I have considered each proposal on its own merits. However, to avoid duplication I have dealt with the three proposals together, except where otherwise indicated.
3. The development descriptions on the application forms are long and not fully related to development. While I note the appellant's comments regarding the descriptions used by the Council, I find these to be more accurate and succinct. I have therefore taken the description of development from the Council's decision notice.

4. The postcode detailed on the application form for Appeal B is not consistent with that used on the other appeals. As the address is the same for each appeal, I have used the postcode NW6 1QE for accuracy and consistency for the addresses.
5. For Appeal A, I was provided with Drawing PP-PA-020 revision C dated 7 February 2021 and Drawing PP-PA-020 revision C" dated 4 October 2022. However, only drawing PP-PA-020 revision C is referred to in the decision notice. I could not find any specific reference to drawing PP-PA-020 revision C" in the documentation provided by the parties. I have therefore considered drawings PP-PA-020 revision C in determining Appeal A.
6. While construction is ongoing at the appeal site, no evidence has been provided that any of the three appeal proposals have commenced. I have therefore based the appeals on the drawings provided.
7. The appellant refers to the history of the appeal property and contends that the building has a variety of historical elements which gives it a varied appearance and makes defining what constitutes the host building difficult. The appellant also notes that the existing roof is limited in its form and will be replaced as part of the proposals. As such they consider reference to maintaining the existing roof in the Council's guidance would not be applicable. However, in the context of the appeals, I have compared the proposals against the appeal building as it exists and within the setting of the surrounding area. Regarding the proposed roofs, I have considered how they would relate to the appeal building and surrounding roofscape.
8. While I appreciate the appeal site is one building and the existing two rear offshoots are part of this, I have used the term 'wings' in this report to describe them.

Main Issues

9. The main issue in all three appeals is the effect of the proposed developments on the character and appearance of the area.
10. With regard to Appeal B, there is an additional main issue which is the effect of this proposed development on the living conditions of the occupiers of the rear adjacent building with regard to privacy.

Reasons

Character and appearance

11. The appeal site fronts Hillfield Road and is a large mid-terrace two-storey property with a basement and two rear wings. It has a flat roof to the front and a pitched roof to the rear. The wings have pitched/Jerkinhed roofs. The nearby mix of terrace housing and blocks of apartments are between two and four storeys and have a mix of roof types, including flat and pitched. The terrace and apartments typically have symmetrical and traditional size and style fenestration.
12. The appeal proposals would add a new roof and loft conversion to the building. The front of all the appeals would include a new pitched roof with skylights and hipped roofs to the bay windows. To the rear, Appeal A's proposal would add an approximate full-length and height dormer. The rear proposals for Appeals B

and C would consist of a raised pitched main roof and an extra storey added to each of the first-floor wings. On each proposal, the two wings would also be re-sized so that they matched in size and shape, and both would have pitched roofs added. Additionally, the proposal for Appeal B would include a rear outside terrace to each wing.

13. The front element of all proposals is not disputed by the parties. On the basis that this element would be consistent with other parts of the existing terrace and surrounding area, I see no reason to disagree. I have therefore not considered the front element of the proposals any further in the appeal.
14. With respect to the proposed changes to the appeal building's rear, street views of this area are limited by the building's position in the terrace and the proximity of the adjacent high buildings. However, views of the proposals would still be possible through side gaps in the building lines along Gondar Gardens and Hillfield Road. Furthermore, due to boundary walls and fencing that run along the gaps, I recognise that it is not possible to see the basement or the lower part of the ground floor storey of the appeal building from the street views. I have taken the above into account in determining the appeals.
15. While the proposed dormer of Appeal A would only represent a very small area and volume increase when compared to the whole appeal building, it would still extend over the majority of the rear roof area and be a significantly large element of the roof. Even with its limited visibility in the street views and variation in the existing roofscapes, it would dominate the rear and be an uncharacteristic and incongruous feature. It would not look subordinate or be an architecturally sympathetic addition. The use of traditional materials would do little to change its dominating appearance. While there are some examples of other properties in the terrace having dormer-type roofs, these are typically smaller and considerably set back from the rear. They are not as visible or dominant. I appreciate that the proposal would add a degree of consistency to the roof ridge line of the terrace. However, this would be more in keeping with the proposed central ridge rather than the ridge created by the flatter dormer roof. When taken as a whole, Appeal A's proposal would harm the character and appearance of the area.
16. In relation to the proposals for Appeals B and C, these make both wings wider, add an extra storey and increase the wings roof ridge heights. These would be substantial changes. While I appreciated that the existing main rear gable roof is at a similar height to those proposed, the existing wings are not. The increase in the wings would make the appeal building much more imposing and dominating in the street scene and within the setting of the adjacent buildings. The proposals would appear incongruous, remove many of the existing architectural features and the existing variation in wing size and separation. While I appreciate the proposals would retain to a degree the projection from the building and pitched roofs, they would not be architecturally sympathetic or subordinate additions.
17. While I acknowledge the appellant's aim to use the proposed roof type as a means of transitioning into the adjacent terrace roofs, this does not reduce the dominance of the additions and would not reduce the harm that I have found.
18. While the fenestration of Appeal C's proposal would be traditional and in keeping with the surrounding area, it would not mitigate the unacceptable increase in mass and scale caused by the wing changes. With respect to

Appeal B, while I appreciate the contemporary design aim, its proposed large and full-height windows would starkly contrast and jar with the more traditional fenestrations of the surrounding buildings.

19. Overall, irrespective of the proposed use of good quality and matching materials and the limited views that exist, the proposals for Appeals B and C would harm the character and appearance of the area.
20. Guidance on the design of rear extensions, roofs and dormer roofs in terms of character and appearance is provided in the Camden Planning Guidance Design 2021 (CPG Design) and the Camden Planning Guidance Home Improvement 2021 (CPG Home Improvement). Other than providing roof conformity to the front, none of the appeals would be architecturally sympathetic to the age and character of the building and would fail to meet the acceptability criteria set out in the CPG Design. The proposals' dominance and incongruous appearance would also not meet the CPG Design's recommendation that roof alterations or additions should not overwhelm the building. Similarly, the proposals would not meet the CPG Home Improvement recommendations for rear extensions which seek the additions to be subordinate and respect and preserve existing architectural features.
21. These guidance documents have been recently updated and, in all likelihood, include all the Council's current design recommendations for roofs and extensions. No evidence to show that further design relaxations should apply to the proposals has been provided.
22. The appeal site has a number of current planning permissions. Of particular relevance to the appeals is planning permission LPA Ref 2008/1472/P which was granted for, amongst other matters, a roof conversion with a pitched roof and two separate rear dormers. The parties do not dispute that this permission is extant and could be fully implemented. As such I consider that this constitutes a fallback position and I attribute considerable weight to it.
23. However, although the consented scheme would have a similar main roof to the appeal proposals with high ridge line, it would also have separate and smaller dormers and retain the majority of the existing wings shape and size. In contrast to the proposals, the appeal consented scheme would be significantly less dominating and imposing and would appear subordinate to the pitched roof and the appeal building. Accordingly, the fallback position does not justify the harm I have identified.
24. I also appreciate that previously granted planning permission, Ref 2007/6306/P, included alterations to the ground and first floors. However, from the evidence provided these appear to be more modest and not as imposing or dominating as the appeal proposals. They are also screened from street views by the boundary walls. They are therefore not comparable to the appeal proposals and do not change my view on the harm I have found.
25. Although the appeal site is not listed or in a conservation area and its existing roof may not be original, this does not justify the harm to the character and appearance of the area that I have found.
26. Notwithstanding that a full loft dormer may have been granted to the adjoining property, details of this and how this may establish a pattern of the terrace when built out have not been provided. Furthermore, little substantive evidence

that the full loft dormer will be implemented has been provided. I have based the appeals on the site-specific circumstances as they are, and not on speculation about what may or may not be completed in the future.

27. For Appeal A, it is suggested that permitted development rights exist for loft extensions and the proposal could be less intrusive than this. However, little evidence showing how such a development could be implemented at the appeal site and how this would be more harmful to the character and appearance of the area compared to the proposal has been provided. For Appeal A this, therefore does not change my view on the harm I have found.
28. Reference is made to appeal decision APP/X5210/A/08/2073222 which relates to the refused planning application, LPA Ref 2007/4125/P, for amongst other things a proposed mansard roof extension. While the information available regarding this appeal is limited, based on the evidence provided, the Inspector in that case considered the visual effect on both the front and rear elements of the building and found the roof to be incongruous and dominant. While I accept the appellant has addressed, through the pitched roof design, the incongruity identified to the front, this has not been achieved to the rear. Significant additions, not shown in the previous appeal scheme, have been added in the proposals for Appeal A, B and C which result in a bulky and dominant rear appearance. The appeal decision therefore further supports my concern about the harm the current proposals cause.
29. In relation to Appeals B and C, it is argued that the permitted new development to the rear of 1 Hillfield Road, LPA Ref 2021/2596/P, demonstrates that an expanse of walling can add interest and make the building look 'less busy'. However, this example is a new building with no existing form, is located in a more open setting and typically uses angled walling to break up its expanse. It is therefore not comparable to the proposals which add large and bulky additions to an existing building. The example does not persuade me that the proposals would not harm the character and appearance of the area.
30. I note that reference is made that the Neighbourhood Plan Forum has not objected to the Appeals B and C proposals. However, the absence of objection does not in itself render the scheme acceptable, and I must determine the appeals with regard to the planning merits of the case.
31. In conclusion of this matter, the appeals would harm the character and appearance of the area and would be contrary to Policy D1 of the Camden Local Plan 2017 (Local Plan) and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015 (Neighbourhood Plan). These policies seek for new development to be designed to a high quality which complements and enhances the distinct local character and identity.

Living conditions of the occupiers of the adjacent neighbouring properties

32. Appeal B's proposal would include external terraces which would allow occupiers freedom to move outside of the building and into an elevated and open position. This would increase the occupiers' field of vision and the opportunity to overlook the adjacent building, and to a degree the building's rear external area. Even with some of the adjacent building's windows being slightly offset to the proposal, and some being within its recessed section, the

increased overlooking would adversely affect privacy of the occupants of the adjacent building.

33. Little evidence that the terraces would not be used or that overlooking would not be increased is provided. It is also indicated that the terraces would provide a similar separation to that provided by a balcony on the permitted scheme to the rear of 1 Hillfield Road, LPA Ref 2021/2596/P. However, from my visit, this balcony would overlook the road and adjacent drives/single-storey garages rather than windows of adjacent buildings. As such the example is not comparable to the appeal proposal and has not influenced my reasoning.
34. I note that the proposal shows standard windows at first-floor level which do not appear to provide access to the original balcony area. However, this does not reduce the harm I have found from the second-floor outdoor terraces.
35. Subsequently, Appeal B's proposed external terraces, would harm the living conditions of the occupiers of the rear adjacent building with regard to privacy. It would be contrary to Policy A1 of the Local Plan which seeks to protect the quality of life of neighbours.

Other Matters

36. Concern has been expressed about the Council's handling of the applications in terms of timescales and approach. During the application stage, amendments to the proposals were discussed and the appellant understood that the Council would accept the proposals for Appeal B subject to amendments. I note that neither the proposals for Appeals B or C show the requested amendments. Notwithstanding this, I have considered the proposals on their own merits and I have concluded that they would cause harm for the reasons set out above.
37. A request is made for an opinion to be given on the proposed ridge height of the roof. However, it is not the role of the appeal to provide design advice or guidance. I have considered the proposals in terms of the information provided and in the context of their effects on the appeal building and surrounding setting.

Conclusion

38. For the reasons given above I conclude that the appeals should be dismissed.

J Symmons

INSPECTOR