
Appeal Decision

Site visit made on 13 June 2025

By SJ Desai BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 July 2025

Appeal Ref: APP/X5210/D/25/3361528

41 Pilgrim's Lane, Camden, London NW3 1SS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs April Williamson against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2024/4804/P.
 - The development proposed is described as "Enlargement of existing rear dormer and removal of existing roof terrace to create larger dormer with Juliet balcony, alongside creation of roof terrace to flat roof of dormer with balustrading".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have determined the appeal on the basis of the Council's description of the development proposed detailed on the decision notice, which I have used in the bullet header above, as it more accurately describes the development.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area, including whether it would preserve or enhance the character or appearance of the Hamstead Conservation Area (CA).

Reasons

4. The appeal relates to a 4-storey mid terrace dwelling built in c1880 and which forms part of a short terrace along Pilgrim's Lane from No.35-45. The dwelling has an existing rear dormer that is built up to the parapet shared with 43 Pilgrim's Way (No.43) and set up from the roof eaves. The dormer provides access to a roof terrace enclosed by metal balustrading.
5. The appeal site is also located in the CA. The terms of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require me to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
6. The CA's significance derives from its historic street pattern, varied architecture and mix of building types and styles, ranging from the 18th century onwards, set within a distinctive topography of winding roads and intimate lanes. The area

thereby has both architectural and historic interest and the Hampstead CA Statement recognises the appeal property as making a positive contribution to the special character and appearance of the CA.

7. During my site visit I observed the presence of numerous examples of roof extensions and roof terraces within the locality. The CA Statement sets out that such roof alterations have incrementally eroded the character and appearance of the area, and states that further inappropriate development will be resisted. It further highlights that the roofscape varies significantly between streets, necessitating a contextual and sensitive approach to any alterations
8. The proposed dormer would be built up to the roof eaves and would be larger than the existing dormer. However, it would be positioned well below the roof eaves and spaced well away from the existing dormer at the adjacent 37 Pilgrim's Lane (No.37). These aspects, in conjunction with its traditional form would ensure that the proposed dormer would appear subordinate and sensitively integrated in the roofscape. Importantly, the form and visual integrity of the main roof would remain clearly discernible, preserving the architectural coherence of the rear elevation and ensuring that there would be relative consistency and coherence maintained in the appearance of the elevation when contrasted with that of No.37.
9. The proposed dormer would not be visible from Pilgrim's Lane and wider public views, with the exception of a view from Denning Road where it would be seen in the context of other adjacent roof dormers. Views would be afforded from gardens and windows of neighbouring properties, albeit to some extent these would be filtered and screened by existing trees or limited by the orientation of properties on Denning Road. Moreover, the proposed dormer where visible would be read as a recognisable feature and part of the broader context of traditional but varied roofscapes that typify the area. In this instance, the proposed dormer would thereby not cause material harm to the significance of the CA.
10. Notwithstanding, the proposed roof terrace and associated balustrade positioned above the dormer would, by virtue of their location, appearance, and function, fail to remain subordinate to or complement the existing roofscape. The addition would dominate the roofscape and disrupt the visual harmony with No. 37, appearing as an incongruous and intrusive element when viewed in the context of the host dwelling.
11. The prominence of both the balustrade and individuals using the terrace would be visually conspicuous and noticeably more prominent than the existing roof terrace. Where visible from private views and from Denning Road they would be seen against the existing chimney stacks and skyline. This would introduce an alien and visually jarring feature, causing demonstrable harm to the character and appearance of the CA. The proposal therefore fails to preserve or enhance the character or appearance of the CA.
12. While several examples of similar roof developments have been cited by the appellant, including at No.43, I do not have comprehensive details of the planning context or justification for those approvals. Notably, No. 43 presents a markedly different roofscape to the host dwelling. On the evidence presented I therefore cannot be certain that they represent a direct parallel to the development. I have therefore determined this appeal on its own merits and find that the presence of other such developments does not justify further harm at this site.

13. Whilst there were no objections from neighbouring occupiers to the proposal, this is not a reason in itself to allow development which would result in harm to the character or appearance of the CA.
14. The appellant states that the Council determined that the proposal would not adversely affect neighbouring amenity. Based on my site visit and the evidence presented, I agree. However, compliance with such policies would be a neutral matter in the balance and does not weigh in favour of the appeal scheme
15. I agree with the appellant that concerns regarding the use of materials could be dealt with by way of condition if the appeal was to succeed. However, the use of appropriate materials would not address the harm identified from the roof terrace and balustrade.
16. While the proposed dormer may preserve the character and appearance of the CA on its own, the other elements of the proposal would cause harm to the significance of the CA for the reasons set out above. Given the scale and location of the proposed development, the harm would be less than substantial in terms of the National Planning Policy Framework (2024) (the Framework). In these circumstances Paragraph 215 of the Framework requires me to weigh the harm against the public benefits of the proposal. As the proposal simply provides additional private space for the occupiers of the appeal property there would be no public benefits arising from it.
17. Overall, I find that the proposal would harm the character and appearance of the host dwelling and the surrounding area and would not preserve or enhance the character or appearance of the CA. As such, the proposal would conflict with Policies D1 and D2 of the London Borough of Camden Local Plan (2017) and Policies DH1 and DH2 of the Hamstead Neighbourhood Plan (2018) which amongst other things, seek to safeguard, conserve and enhance the historic environment, and deliver high quality design that is respectful and subservient to the original building and responds positively to local context.

Conclusion

18. For the reasons given above, the development conflicts with the development plan and there are no material considerations of sufficient weight to indicate that the proposed development should be determined otherwise than in accordance with the development plan. The appeal should therefore be dismissed

SJ Desai

INSPECTOR