Delegated Report

Analysis sheet	Expiry Date:	23/04/2025
N/A / attached	Consultation Expiry Date:	23/05/2025

Officer	Application Number(s)
Obote Hope	2025/0846/P

Application Address	Drawing Numbers
1 Spencer Rise London NW5 1AR	

PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature

Proposal(s)

Erection of a mansard roof with a roof light, two dormers at the front behind the existing parapet, aligned to the windows below and one dormer at the rear, centred to the elevation.

Recommendation(s):	**Non-Determination: would have refused**
Application Type:	**Householder Application**
Conditions or Reasons for Refusal:	**Refer to Draft Decision Notice**
Informatives:	

Consultations

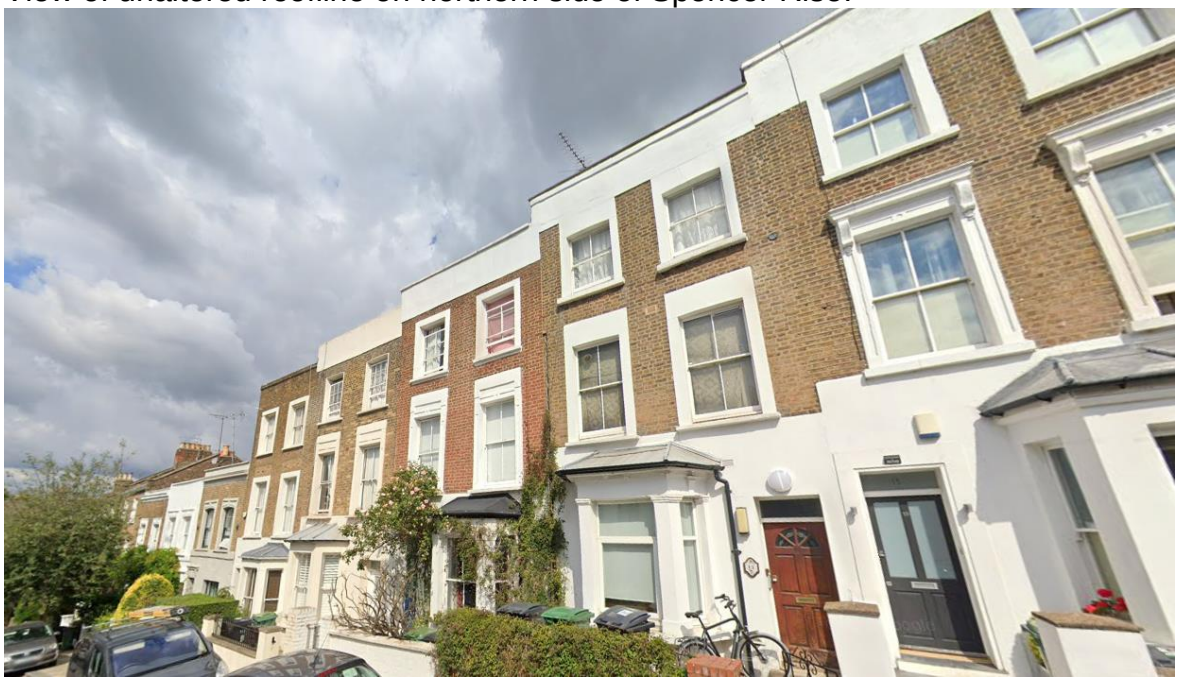
Adjoining Occupiers:	No. notified	**00**	No. of responses No. electronic	**00** **00**	No. of objections	**00**
Summary of consultation responses:	Site notices were posted on 05/03/2025 and expired on 29/03/2025. Press notices were issued on 13/03/2025 and expired on 29/03/2025.					
Dartmouth Park CAAC	The Dartmouth Park Conservation Area Advisory Committee were consulted on the proposal, but did not provide any comment.					
Dartmouth Park Neighbourhood Forum	The Dartmouth Park Neighbourhood Form were consulted on the proposal but no comment was received.					

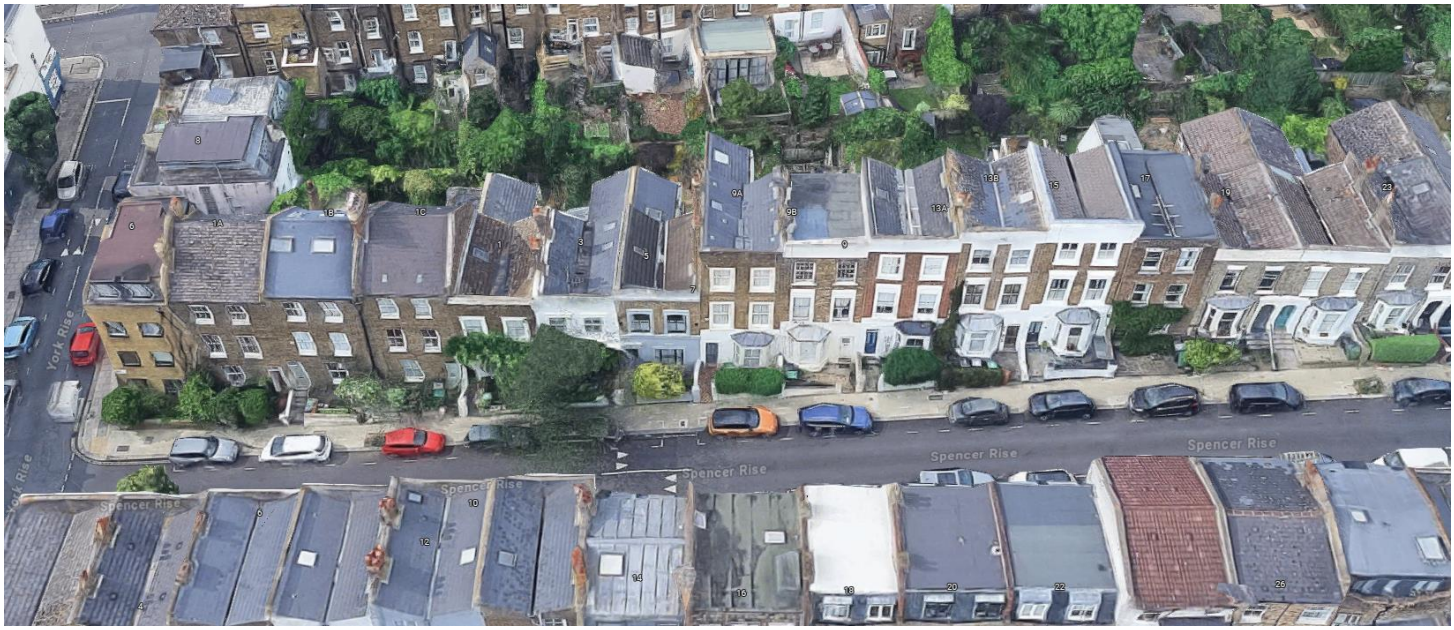
Site Description

The application site comprises a two-storey mid-terrace property located on the northern side of Spencer Rise, just east of the junction with York Rise. It sits within a small group (within the terrace) of three properties with similar architectural detailing, with all of them retaining their original valley roofs. The wider street is characterised by small groups of buildings, often with only subtle variations of style or height between them. However, they are bound together by the use of similar materials and detailing.

The application site is not listed, but it sits within the Dartmouth Park Conservation Area, designated on 1 February 1992, and is identified as making a positive contribution to the conservation area in the relevant appraisal and management plan.

View of unaltered roofline on northern side of Spencer Rise:





Relevant History

2022/1407/P – Planning permission for the erection of mansard roof extension with two front dormers and one rear dormer, one rooflight on top. **Refused** on 18/11/2022.

Reason for refusal:

The proposed mansard roof extension, by reason of its massing, form, height, introduction of front dormers, and location within a group of properties with an unaltered roofline, would be detrimental to the character and appearance of the host dwelling and group of buildings of which it forms a part, and would thus harm the character and appearance of the Dartmouth Park Conservation Area, contrary to policies D1 and D2 of the Camden Local Plan 2017 and policies DC2, DC3, DC4 of Dartmouth Park Neighbourhood Plan.

2018/0930/P – Planning permission for the erection of a mansard roof extension with 2 x front dormers. – **Refused 1 June 2018 – Appeal APP/X5210/D/18/3208293 dismissed on 14 November 2018.**

RfR1: The proposed mansard roof extension, by reason of its massing, form, height, introduction of front dormers, and location within a group of properties with an unaltered roofline, would be detrimental to the character and appearance of the host dwelling and group of buildings of which it forms a part, and would thus harm the character and appearance of the Dartmouth Park Conservation Area, contrary to policies D1 and D2 of the Camden Local Plan 2017.

Inspector's points:

8. *But even if the property were sited on the southern frontage, this roof addition would not 'infill a gap and reunite the group'. On the contrary, the mansard would be perceived as a harmful, incremental addition incongruously marring the pleasantly distinctive rhythms of the town/roofscape on display in this part of the Rise.*

9. *The appellant suggests, with reference to computer-generated imagery, that the mansard addition would not prove noticeable. I do not share that opinion. It would be clearly apparent from the front, and more apparent still in oblique views from the rising ground to the east.*

Planning records in the vicinity of the site:

No. 41 and 43 **2022/1286/P** – Planning permission for the erection of a mansard roof extension. **Granted** on **16/11/2022.**

No. 34 **2023/0330/P** – Planning permission for the erection of a mansard roof extension. **Granted** on 18/04/2023.

No. 45-47 **2022/5290/P** – Planning permission for erection of a mansard roof extension and ground floor rear side return extensions. **Granted** on 13/02/2024.

No. 27 **2024/4806/P** – Planning permission for the erection of a mansard roof style extension with dormer windows to front and rear and removal of render to front of dwelling – **Granted** on 27/12/2024.

No.23 - PEX0300173 - The erection of a mansard roof extension. Refused 01/05/2003 for the following reason:

RfR1: The bulk and height of the proposed mansard extension are considered unacceptable in that they would cause harm to the appearance of the conservation area, would have a detrimental impact on the symmetry of the terrace, and would be overly bulky and dominant on the existing building form.

No.27 - 2004/3614/P - The erection of a roof extension and ground floor rear extension. Granted 29/10/2004. Mansard roof not implemented.

No.37 – 8400923 - Erection of a mansard roof extension. Granted 08/08/1984.

No.41 - 2006/3883/P - Erection of a single storey rear extension and roof extension to single family dwelling house (Class C3). Refused 19/12/2006 for the following reasons:

RfR1: The proposed roof extension, by reason of its bulk, height and design would be detrimental to the character and appearance of the subject dwelling, the terrace of which it forms a part and the surrounding conservation area.

RfR2: The proposed demolition of the valley roof form, would result in the loss of a feature that is

considered to make a valuable contribution to the appearance of the conservation area.

No.49 - 2012/5467/P – Erection of a mansard roof extension to existing dwelling (Class C3). Refused 29/11/2012 for the following reason:

RfR1: The proposed mansard roof extension, by reason of its bulk, height and position would materially harm the consistent parapet-line and thus the integrity of the terrace of buildings at nos 39-49 Spencer Rise, which have a largely unimpaired roofline, and thus fail to preserve and enhance the character and appearance of the Dartmouth Park Conservation Area.

Appeal ref: APP/X5210/D/13/2190582 dismissed 21/02/2013.

No.51 - CTP/D11/20/14/28768 - The erection of a roof extension at second floor level to provide additional living accommodation. Granted 06/09/1979.

No.53 – 8903220 - The erection of a roof extension to provide two bedrooms and a single storey rear conservatory to the existing dwelling house. Granted 06/12/1989.

No.55 - CTP/D11/20/11/23216 - Erection of an additional storey to provide two bedrooms. Granted 15/10/1976.

No.57 - 2007/4644/P - Erection of a mansard roof extension with two front dormer windows to existing single dwelling house. Granted 21/12/2007.

Planning records other side of the street:

Nos.14 – 22 are two storey townhouses of a similar architectural style as the application site. They all feature mansard roof extensions.

No.14 - PEX0000358 - The erection of a mansard roof extension to provide additional two rooms to a single family dwelling. Granted 02/10/2000.

No.16 – 8802605 - Erection of an additional storey at roof level. Granted 16/03/1989.

Nos.18 & 20 – 2004/4225/P - The erection of mansard roof extensions to Nos. 18 and 20 Spencer Rise. Granted 29/11/2004.

No.22- 2008/1419/P - The erection of mansard roof extension and rear ground floor single storey infill extension to single-family dwellinghouse. Granted 03/06/2008.

No.32 – 31115 - Erection of an additional storey. Granted 24/10/1980.

No.38 – 9501088 - Retention of mansard roof extension as a variation of planning permission granted 10/01/1991 (Ref: 9003467) Refused 21/09/1995. Appeal allowed 15/07/1996**.**

Relevant policies

National Planning Policy Framework 2024

London Plan 2021

Camden Local Plan 2017
Policy A1 – Managing the impact of development
Policy D1 – Design
Policy D2 – Heritage

Dartmouth Park Neighbourhood Plan 2020
DC2 – Heritage Assets
DC3 – Requirement for good design
DC4 – Small residential extensions

Camden Supplementary Planning Guidance 2021
CPG - Design
CPG – Home Improvements CPG - Amenity

Dartmouth Park Conservation Area Appraisal 2009

Assessment

1. Proposal

1.1 The applicant seeks planning permission to erect a mansard roof extension, similar to a traditional flat top mansard, except for a rear projection to accommodate the staircase, and raising of the existing side party walls at roof level.

1.2 The front and rear walls of the mansard would be slightly set back from the front and rear parapets, and slope at an angle of approximately 70 degrees. It would have a flat internal height of 2.43m, with two front dormer windows aligned with the windows below, and one rear dormer in the middle of the extension. The details of the mansard are close to those of a traditional mansard. The extension would increase the size of the existing maisonette, turning it from a 2- bed dwelling to a 4-bed dwelling.

2. Design and heritage

2.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should consider the character, setting, context and the form and scale of host building and neighbouring ones, and the quality of materials to be used.

2.2 Policy D2 states that the Council will seek to manage development in a way that retains the distinctive character of conservation areas and their significance and will therefore only grant planning permission for development that preserves or enhances the special character or appearance of the area. To preserve or enhance the borough's listed buildings, the Council will resist development for a change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building. It also states that the Council will resist development that would cause harm to the significance of a listed building through an effect on its setting.

2.3 The application building is situated within a small group of three mid-terrace buildings (nos. 1, 3, and 5) on the northern side of Spencer Rise. The group are similar in design, scale and appearance, comprising brick-built 2-storey dwellings with butterfly roofs concealed behind parapets to the front elevation. The adjoining building to the west (no. 1c) features a different architectural style and is three storeys in height, with a taller, pitched roof, and forms part of a terrace of three properties of the same style (nos. 1a, 1b, and 1c). Although this property is a storey taller than the application site, it features similar parapet heights due to the sloping topography of the street. It is noted that this group of buildings do not benefit from front dormers. Further to the east of the site, nos. 7 to 15 are similar in style to the application building but are a full storey higher. They also contain a butterfly roof (excluding no.11, which has converted it to a flat roof) set behind a front parapet.

2.4 No.1a adjoins 6 York Rise, a corner property which terminates the western end of the terrace on the junction between York Rise and Spencer Rise. The scale and form of this property is matched by nos. 1a – 1c. From no.1 (the application building) to no.27 (odd) the groups of terrace houses, all of which have front parapets, differ in height but generally rise up the hill eastward until no.15. The roof form changes from no. 29, with nos. 29-31 featuring pitched roofs with projecting eaves. Nos. 33 and 35 have pitched roofs behind a parapet (both of which have been converted) and no. 37 has a mansard roof extension. Aside from no. 37, nos. 51-57 they are the only other properties on the northern side of the terrace that feature mansard roof extensions.

2.5 As outlined in the planning history section above, whilst numbers 41 & 43, 34 and 27 were granted planning permission, since the adoption of the Dartmouth Park Neighbourhood Plan these mansards have been deemed to meet the criteria of policy DC4 which ensures sensitivity to the host property and streetscene. Material consideration should be paid to the Dartmouth Park Local Plan (DPNP) adopted in March 2020 and whilst the Plan also altered the policy context and introduced a more flexible approach to mansards in this area in recognition of growing families who need the extra space and would otherwise have to move out of the area.

2.6 No's, 45 and 47 Spencer Rise granted under planning permission (2022/5290/P) in determining the planning application the officer noted "*the proposal would infill two properties without mansards in-between no's 43 and 49 Spencer Rise and so would not represent isolated examples (as referenced in the DPCAAMS as a negative feature). The application site comprises two properties that form a pair with their entrance doors centred in the middle with a generally strong symmetry between them. Continuing this symmetry at roof level, therefore, is not considered to bring about harm to the proportions, character and appearance of the buildings, or the pair".* This would not be the case here.

2.7 The current application being assessed here is not considered to deliver on all of the criteria as discussed above, and the proposed mansard roof, given the existing context with no. 1, 3 and 5 all read together as a small group within the terrace. The same arguments apply, which were reaffirmed in the planning inspector's dismissal of planning application 2018/0930/P " please see planning application history", and numbers 1, 3, and 5 sit together comfortably, in terms of the "groups" within the street. Arguably, the street as a whole does not form a "true terrace", given that the north side of the street is not just one architectural composition but rather a set of smaller groups forming a street. Moreover, the group that the application site forms part of is distinctive in terms of its character and appearance with its lower height to their neighbours which forms a positive group. Thus, officers conclude that the principle of a mansard roof extension in this location would be harmful and allowing a mansard in this instance would provide minimum public benefit that would outweigh the harm to the wider conservation and the harm would be contrary to the National Planning policy.

2.8 Nos. 51-55 were approved between 1976 and 1989 (so are therefore considered historic and were not accepted within the current plan period and were approved prior to the conservation area being adopted). No.57 was approved more recently in 2007, where the officer's report noted that the development would not appear out of place given the 3 neighbouring mansard roof extensions. It is noted that this permission pre-dates the current plan period and the Dartmouth Park Conservation Area Appraisal and Management Statement.

2.9 The site is located within Dartmouth Park Conservation Area sub area 3 (Dartmouth east). Under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013, the Council is required to pay special attention to preserving or enhancing the character or appearance of the conservation area.

2.10 The Dartmouth Park Conservation Area statement (2009) provides additional guidance for roof extensions within the area which largely aligns with the guidance provided in CPG1, albeit more area-specific. In relation to the application site, paragraph 7.61 notes that, "Spencer Rise is one

of the few Streets in the conservation area which is marred by isolated mansard roof additions which have made their host building too prominent in the street".

2.11 The sub area guidance also specifically refers to mansard roof additions on Spencer Rise as 'Negative Features' and the 'Management' section of the Conservation Area Statement refers to the pressure for extensions within the conservation area and echoes the guidance set out in CPG.

- It states that "proposals for additional storeys will generally be resisted. Exceptions to this may be made on the south side of Spencer Rise where the majority of buildings in a distinct group already have roof extensions and a mansard roof would infill a gap and reunite the group".

2.12 The guidance set out in the Conservation Area Statement is clear and relatively unequivocal about the likely unacceptability of roof extensions along the northern side of Spencer Rise, explicitly highlighting the negative impact and undue prominence of the current mansard roofs on Spender Rise. On basis of the above, the proposed mansard addition is considered unacceptable in principle for the following reasons-

- Would interrupt an unbroken row of valley roofs;
- Would break a terrace that has a roof line that is largely unimpaired by alterations or extensions – both the larger terrace of properties on the northern side of Spencer Rise and the small group of 3 buildings with which the application building forms a group; and
- The proposed extension would be contrary to specific guidance in the Conservation Area Statement highlighting that roof extensions would likely only be acceptable on the south side of Spencer Rise.

2.13 Since previous planning permission has been refused and the appeal dismissed for similar development; a new Dartmouth Park Neighbourhood Plan has been adopted. Policy DC2 strengthens the Camden Local Plan design policies which require development to preserve or enhance the character or appearance of the conservation area, be designed to a high standard, and make a positive contribution to local distinctiveness. Furthermore, policy DC3 requires all developments to demonstrate good quality design, responding to and integrating with local surroundings and landscape context.

2.14 CPG Home Improvements supersedes the previous CPG Design, and in relation to roofs states that Erecting a roof extension on a building within a complete terrace or group that currently has no extensions, and it is not identified in Conservation Area Appraisals as being significant for its *roofline, it is likely to be acceptable, generally, in a traditional form. If the complete terrace or group is identified as significant for its roofline, a new roof level is likely to not be acceptable regardless of its form.*

2.15 This proposed mansard extension would adversely impact the uniformity of the terrace and the composition of the elevation, contrary to policy D1 and the aforementioned Neighbourhood Plan policies and guidance. Although the detailed design of the mansard is acceptable <u>in itself</u>, it is the principle of any roof extension here that is unacceptable due to its harmful visual impact on an unaltered roofscape, and group of buildings.

2.16 Notwithstanding the above, the proposed mansard would introduce front dormers in this part of the street and this would be contrary to the specific guidance provided in the Dartmouth Park Conservation Area Appraisal and Dartmouth Park Neighbourhood Plan which highlights the negative impact and harm that mansard roof extensions can cause to the conservation area. It would also be contrary to CPG Home Improvements which emphasises that groups of buildings with unimpaired rooflines, identified as significant should be preserved. For these reasons, the proposals are considered to cause harm to the character and appearance of Spencer Rise and the wider Dartmouth Park Conservation Area, contrary to Policies D1 and D2 of the Camden Local Plan, and policies DC2, DC3, DC4 of Dartmouth Park Neighbourhood Plan.

3. Amenity

3.1 Policy A1 seeks to protect the quality of life of occupiers and neighbouring ones by only granting permission for development that would not harm their amenities. The main factors which are considered the impact the amenity of neighbouring residents are overlooking, sense of enclosure, implications on daylight, sunlight, light pollution and noise.

3.2 The proposed roof extension, due to its nature, design and position, would not result in harm to the neighbouring amenity in terms of loss of light, outlook, privacy or pollution by light or noise.

4. Conclusion

4.1 The erection of a mansard roof extension is not considered acceptable in principle, and the front dormer windows would be out of keeping with the adjacent run of original pitched roofs. It would be contrary to design guidance provided in CPG Home Improvements, Dartmouth Park Conservation Area, policies DC2, DC3, DC4 of Dartmouth Park Neighbourhood Plan and policies D1 and D2 of Camden Local Plan.

5. Recommendations

5.1 Refuse planning permission

5.2 Reason for refusal:

5.3 The proposed mansard roof extension, by reason of its massing, form, height, introduction of front dormers, and location within a group of properties with an unaltered roofline, would be detrimental to the character and appearance of the host dwelling and group of buildings of which it forms a part, and would thus harm the character and appearance of the Dartmouth Park Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017 and policies DC2 (Heritage assets), DC3 (Requirement for good design), DC4 (Small residential extension) of Dartmouth Park Neighbourhood Plan 2020.

1. Appeal Submitted on Grounds of Non-Determination

1.1. The appellant's grounds of appeal can be summarised as follows and are addressed below. It is not considered that the appellant's grounds of appeal would overcome the reasons council's objection to the proposal.

Grounds of appeal regrading Design and Heritage

1.2. The appellant's grounds of appeal are similar to the planning application's Design and Access Statement with the main focus which the appellant felt that several properties on Spencer Rise been granted planning permission for mansard roof extensions. Therefore, the appellants felt that mansard roof extension are now the prevailing character in the conservation area. However, as discussed in Design and Heritage section in 2.5 above, officers disagree with the conclusion summarised by the appellants that the proposal and the proposal would fail to preserve or enhance the character or appearance of the Hampstead Conservation Area.

1.3. The significance of the Dartmouth Park Conservation Area is derived from its association with the street pattern of the original Dartmouth park area which is retained and is reflected in the fragmentation of the street blocks and the close and irregular grouping of buildings. Its significance also derives from the local topography which gives rise to the complex of narrow streets and steps characteristic of this section of Dartmouth Park that is a unique section of the wider area. The host building is located within an area with a range, mix and quality of buildings, which offer many interesting examples of the architectural development of London.

1.4. Thus, the loss of the roof profile with the introduction of a mansard roof extension would disrupt the consistency in appearance and increase in height of the roof form would introduce a roof form which increasing the bulk that diminishes the roof profile which if allowed would erode buildings in this short terrace, would be unduly harmful.

1.5. Whilst the conservation area is relatively large, and the harm identified in this assessment is mainly restricted to the short terrace of which the appeal building forms a part. However, the appeal site is located in a prominent position where the proposal would be visible from public vantage points at the junction with York Rise. As such, the proposal would cause undue harm to the appearance of the building and the terrace as a whole, the aesthetic value of the terrace, the appeal property, and hence the significance of the wider Conservation Area.

2.0. Suggested Conditions (should appeal be allowed)

1) The development hereby permitted must be begun not later than the end of three years from the date of this permission.

   Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 168_0000; 168_0001; 168_0002; 168_0100; 168_0101; 168_0200; 168_1000; 168_1001; 168_1002; 168_1100; 168_1101, 168_1200 and Heritage, Design & Access Statement from Trevor Brown Architects (TBA) dated April 2022.

   Reason: For the avoidance of doubt and in the interest of proper planning.

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 buildings, unless otherwise specified in the approved application.

   Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017 and policies H1, DC1, DC2, DC3 and DC4 of the Dartmouth Park Neighbourhood Plan 2020.