



Appeal Decision

Site visit made on 24 January 2023

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 March 2023

Appeal Ref: APP/X5210/W/22/3300405

29 Buckland Crescent, 2nd floor flat, London NW3 5DJ

- 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 Rojer Taylor White against the decision of London Borough of Camden.
 - The application Ref 2021/4667/P, dated 13 September 2021, was refused by notice dated 8 February 2022.
 - The development proposed is erection of lean-to conservatory extension to enclose part of existing side/rear roof terrace at 2nd floor level, including relocation of external door opening to access the remaining part of the terrace.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs has been made by Mr Rojer Taylor White against London Borough of Camden. This application is the subject of a separate Decision.

Background and Main Issue

3. The Council's second reason for refusal relates to the effect of the proposal on the living conditions of the occupiers of 27 Buckland Crescent. This was in relation to the effect on an assumed window at this property. However, the Council has confirmed that this was an oversight. Indeed, the former window opening is bricked up and on this basis the Council is not pursuing its second reason for refusal.
4. Accordingly, the main issue is whether or not the proposal would preserve or enhance the character and appearance of the Belsize Conservation Area.

Reasons

5. The host building is located on the south-east side of Buckland Crescent within the Belsize Conservation Area and comprises a 3-storey stucco rendered, Italianate villa, typical of those in the immediate vicinity. The host building has been converted into flats and the appeal proposal relates to a second floor flat.
6. The Belsize Conservation Area is an important example of mid-19th century speculative development on a grand scale. This includes large Italianate villas 'in the fashionable Kensington style' which are planned in pairs of three or four storeys plus basement with ornate Classical details including grand porticos and ornate balustraded boundary walls and railings.

7. Most notably, 29 Buckland Crescent and the wider group of buildings which this is a part of because of their architectural forms and detailing make a positive contribution to the special character and appearance of the Belsize Conservation Area, as identified in the Belsize Conservation Area Statement.
8. The host building is also covered by an Article 4 Direction. This demonstrates that the Council seeks to exercise greater control over development at this and other properties covered by the Article 4 Direction.
9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a requirement that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced. Paragraph 195 of the National Planning Policy Framework ('the Framework') also requires me to assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).
10. The proposal seeks to enclose part of a roof terrace at second floor roof level by the erection of a 'lean-to' glazed extension, and the associated relocation of an external door opening to provide access to the remaining part of the terrace space. The walls and roof of the extension would comprise clear glass double glazed units, set within grey coloured, polyester powder coated, aluminium frames.
11. The extension would occupy a modest floor area of about 10sqm and its roof would slope downwards and away from the host property, towards the adjacent property 27 Buckland Crescent.
12. The front façade of the proposed extension would comprise a single leaf glazed door. This would reflect the prevailing form of the fenestration along the front of the host building. This part of the extension would also be, in part, screened by the existing railings and recessed from the principal façade of 29 Buckland Crescent and therefore, in glimpsed views from along Buckland Crescent would not be particularly prominent. Also, because of the limited extent of this elevation, any illumination associated with this would not have any unacceptable effect on the street scene.
13. On the evidence before me, the rear elevation of the host building like others nearby has been subject to alterations and extensions mainly at ground floor level. Even so, and whilst there are some variations in sizes, these extensions are largely of a rectilinear form. The original and any non-original fenestration is mainly of a rectangular form. Therefore, there is a degree of coherence between the existing fenestration and extensions along the rear elevation of the appeal property and neighbouring properties.
14. In contrast, the rear elevation of the proposed extension would be more extensive than its front elevation, and relative to the width of the rear façade of the host building. The extension would also extend close to the rear and flank elevations of the host building.
15. Furthermore, its lean-to form, which includes a row of triangular glazing, would not reflect the prevailing forms of extensions and fenestration along the rear elevation of the host building. Together, the glazed panels of the rear façade of the proposed extension would be disproportionately larger than the individual elements of fenestration at second floor level. During the day, the dark colour

framing of the extension would highlight this scale and at night any illumination associated with this would make it particularly conspicuous. Consequently, the extension would appear unduly prominent.

16. Also, in views from the rear, the lean-to roof of the extension would be more apparent. Although this is designed to reflect the hipped roof of the host building, in my view, because these would be in proximity of each other, the proposed arrangement would appear visually inharmonious. Overall, the rear elevation of the extension would uncharacteristic be and appear strident against the existing arrangement of this Italianate villa.
17. Overall, because of its form and design, in relation to the rear façade of the host building, the proposed extension would appear incongruous. This incongruity would be amplified by its prominent siting along an upper floor of the host building. As such, the proposal would harm the character and appearance of the host building and therefore would harm the significance of the Belsize Conservation Area.
18. The harm the proposal would cause to the significance of the Belsize Conservation Area would be less than substantial. Paragraph 202 of the Framework states that where a proposal would lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.
19. In this case there would appear to be no public benefits that would outweigh the less than substantial harm that I have identified.
20. Drawing on the above reasons, the proposal would be contrary to Policies D1 and D2 of the Camden Local Plan 2017. Together, these policies seek to secure high quality developments which sustain and enhance the significance of designated heritage assets.

Other Matters

21. There is a glazed extension at a similar floor level and position at 37 Buckland Crescent. However, this is an isolated example and also predates current policies and guidance. In any event, on the information before me, this extension is recessed from the rear and side elevations of 37 Buckland Crescent and therefore in my opinion is of a more subordinate design compared to the appeal scheme.
22. There are also other examples of extensions which incorporate glazing along Buckland Crescent. Most of these are at lower floor levels which have different impacts and require different consideration to those on upper floors which tend to be more visible and can have a greater impact on the form and character of a building. Other examples of development on upper floors referred to by the appellant appear to involve alterations to more contemporary properties or buildings set within a different site context.
23. Consequently, these other examples are not directly comparable to the current proposal and do not alter my findings on the main issue.
24. I have noted the matters raised by the appellant concerning the description of the proposal and the processing of his planning application. Such matters are for the Council and do not alter my findings on the main issue.

Conclusion

25. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR