
Appeal Decision

Site visit made on 4 July 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th July 2023

Appeal Ref: APP/X5210/D/23/3318589

39 Inkerman Road, Camden, London NW5 3BP

- 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 Cecile Cailac against the decision of the Council of the London Borough of Camden.
 - The application Ref 2022/5018/P, dated 16 November 2022, was refused by notice dated 28 February 2023.
 - The development proposed is the erection of a rear outrigger extension at raised ground floor level.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

3. The appeal property is a mid-terrace dwelling of traditional style that lies within a compact built-up area wherein residential terraces predominate. I saw that some properties in the same terrace as No 39 have been extended and externally altered at the rear. As a result, the terrace to which No 39 belongs has varied rear profile.
4. The site falls within the Inkerman Conservation Area (CA), which is mainly residential in character. The CA derives its significance as a designated heritage asset from the Victorian terraces that line the streets and contribute to an attractive townscape. The Conservation Area Statement identifies the terrace of which No 39 forms part as a positive contributor to the CA. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
5. The proposal is to introduce a single storey extension on top of the flat roof to the existing lower ground projection at the back of No 39. The new addition would be modest in scale and depth, simple in design and include a mono pitched roof at the same angle as that of the main roof. The proposal would also include brick and timber clad walls and a feature window at one corner.

6. The contemporary approach to the type of materials and fenestration seeks to create a modern style 'lightweight' addition that is distinct from and yet complementary to the fabric and design of the host building. No change is sought to the upper part of the building including its distinctive butterfly roof. However, the overall visual effect of the proposal would be unconvincing.
7. Firstly, with fully timber clad walls on 2 prominent sides, the general appearance of the new addition would contrast starkly with the predominantly brick walls of the host building and those of other properties in the same terrace. Secondly, the modern style and size of the new full-length corner window would also markedly differ to the pattern of fenestration in the rear elevation of No 39, in which windows above lower ground floor level are smaller, narrower and include glazing bars and deep reveals. In combination, the submitted materials and fenestration would cause the proposal to appear as an awkward add-on to the existing dwelling even when seen among the irregular built form at the rear of the terrace. The main outcome is that the intrinsic character of No 39 would be spoilt.
8. The proposal would not be readily evident from the road given its position at the back of the appeal property and the screening provided by existing buildings, boundary walls and vegetation. For similar reasons, private views of the extension from nearby properties would be more limited than the Council suggests. Even so, the appeal scheme would be visible from the rear gardens of other properties in the same terrace as No 39. In these views, the proposal would draw the eye as an incongruous and obtrusive feature at the rear of No 39. By causing material harm to the host building, the proposal would diminish the positive contribution of the terrace to the CA. In doing so, it would adversely affect the character and appearance of the CA, which would both fail to be preserved.
9. The proposal would be viewed in the context of other properties in the same terrace as No 39 that include larger and taller rear projections. In my view, these existing projections, while clearly part of the existing character of the terrace and the local area, contribute little positively to either. As such, their presence does not necessarily set an appropriate benchmark against which to assess this proposal. To my mind, these projections have not altered the character or appearance of the terrace to such an extent that justifies further unacceptable development.
10. My attention has also been drawn to several other examples of properties within the CA that include extensions or are the subject of applications for this type of development with some details, plan extracts and photographs provided. While I have considered each of the cases cited, none are within the same terrace as No 39, which provides the context within which the proposal would be visually 'read'. To briefly reiterate, it is the relationship of the proposal to the host building and the wider terrace that is objectionable in this instance. From the information provided, I am not convinced that the circumstances raised by the appeal scheme are the same or very similar to those of the cases identified. Even if the Council has been inconsistent in its decision taking by deciding to grant planning permission for rear extensions elsewhere in the CA and not here, this is insufficient reason to allow the appeal.

11. I recognise that buildings must evolve with alterations made to reflect the changing needs and circumstances of users over time. The process of change is evident throughout the CA where I saw several examples of alterations and additions made to buildings that are evident from the road. However, that process does not in itself justify inappropriate development.
12. The harm caused by the proposal would be localised and so the effect on the CA would be less than substantial. Even so, the National Planning Policy Framework (the Framework) states that great weight should be given to the conservation of such assets, which I have done. In those circumstances, the Framework states that harm should be weighed against the public benefits.
13. The appellant states that the proposal would increase the viability of the property by enabling the resultant living accommodation within the dwelling to exceed relevant minimum space standards and better suit their family's needs. However, these benefits do not outweigh the harm that I have identified.
14. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host building and the local area. As such, it is contrary to Policies D1 and D2 of the Camden Local Plan and Policy D3 of the Kentish Town Neighbourhood Plan. These policies seek to ensure that development represents high quality design, integrates with its surroundings, reinforces or enhances local character and protects or enhances conservation areas. It is also contrary to the Framework, which states that development should be sympathetic to local character, safeguard heritage assets and add to the overall qualities of an area.
15. Once complete, the proposal would provide a new dining area and enable some of the living space to be remodeled that would improve the living conditions of the appellant. This consideration does not outweigh the identified harm.
16. The appellant is critical of the Council's assessment of the proposal and has referred to a lengthy exchange of emails, which I have taken into account. According to the appellant, no site visit was undertaken by the Council's Planning or Design Officers. Nevertheless, my remit is solely to determine the appeal. That no objections were received from others does not therefore mean that the proposal is therefore acceptable.

Conclusion

17. The proposed development would conflict with the development plan, when read as a whole. There are no material considerations, including the policies of the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan.
18. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR