



# Appeal Decision

Site visit made on 31 October 2023

**by C Livingstone MA(SocSci) (hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 23 November 2023**

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**Appeal Ref: APP/X5210/D/23/3328928**

**14 Well Road, Camden, London, NW3 1LH**

- 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 Bryant Park against the decision of the Council of the London Borough of Camden.
  - The application Ref 2023/0208/P, dated 16 January 2023, was refused by notice dated 6 July 2023.
  - The development proposed is described as 'external alterations to existing house including installation of stone cladding to front and part of side elevations, roof-coping and rooflight above garage, painting of remaining elevations, alterations to fenestration at ground floor level, new boundary treatment to frontage including timber and metal fence and landscaping works.'
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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 area bearing in mind it would be within the Hampstead Conservation Area.

## Reasons

3. The application site is located on Well Road a quiet leafy residential street within the Hampstead Conservation Area (CA). The majority of properties on the street are late Victorian, and constructed from red brick with elements of decorative stonework, painted timber and render although there are other traditional properties in the CA of a variety of styles and periods.
4. Many properties are set back from the footway, allowing for modest front gardens, with traditional boundary treatments including low brick walls, hedgerows and metal railings. Such boundary treatments are a defining characteristic of the CA having a positive impact on the area. Thus, insofar as is relevant to this appeal, I find the significance of the CA is derived from the layout of development and the traditional architectural detailing of the buildings within it.
5. The appeal property was constructed relatively recently and is of a modern design, including a garage that fronts on to the footway and a large feature planter that defines the front boundary. The external elevations as existing are finished in off-white render, which reflects the upper bays of some of the neighbouring traditional properties which are finished in painted render.

6. The Council define the appeal property as existing as a neutral element within the CA. Based on my own observations I would agree with this assessment. The simple modern design and restrained palette of materials, act to minimise its prominence within the street scene.
7. However, the proposed development includes the addition of stone cladding, of a variety of types and finishes, to the front and part of the side elevations; shou sugi ban wooden cladding around the windows and high blackened steel fencing at the front entrance. The variety of materials would result in an elaborate frontage that would increase the visual prominence of the appeal property.
8. It is acknowledged that the height of the proposed fencing would improve privacy and security for the occupants of the host property. However, front boundary treatments are ordinarily lower, allowing for a positive relationship between the frontage of a property and the public realm. The height of the proposed metal fence is taller than other boundary treatments nearby. As such the proposal would result in the appeal property appearing as an overly dominant and incongruous element within the established street scene, detracting from the traditional architectural detailing of other buildings in the CA nearby. Consequently, the proposal would harm the character, appearance and significance of the CA as a whole.
9. Paragraph 202 of the National Planning Policy Framework ('the Framework') explains that where, as I find in this case, the harm to the significance of the CA would be less than substantial, that harm should be weighed against the public benefits. The proposed development would provide improved living conditions for the appellants, there may also be economic benefits associated with construction. However, any specific public benefits there may be in this case, would be insufficient to outweigh the great weight I must attach to the harm I have identified to the designated heritage asset.
10. Thus, overall, I conclude that the proposed development would harm the character and appearance of the area and would fail to preserve or enhance the character, appearance and significance of the Hampstead Conservation Area. Therefore, the proposed development would be contrary to Policies D1 and D2 of the Camden Local Plan (2012) and Policies DH1 and DH2 of the Hampstead Neighbourhood Development Plan (2018). These policies are consistent with the Framework in seeking high quality design which is sympathetic to local character and history and conserves and enhances the historic environment. As a result, the proposal would be contrary to the development plan taken as a whole and the heritage protection aims of the Framework.

### **Other Matters**

11. The appeal statement notes the use of more modern external materials on other properties within the CA. I do not have full details of the circumstances that led to these proposals being accepted and so cannot be sure that they represent a direct parallel to the appeal proposal. Both 21 Well Road and the ancillary building within the curtilage of 11 East Heath Road are set back from the footway behind high boundary walls. As such these properties do not form a defining characteristic of the area and are not directly comparable.

12. Furthermore, the examples provided have a different relationship with both the street scene and existing neighbouring properties in comparison to the appeal property.
13. It is acknowledged that there are existing examples of high boundary walls and fences along Well Road. However, these examples are limited to the boundaries of larger properties that are set back from the highway. In any event I have found the proposal before me, on its merits, would harm the significance of the CA as a whole.

### **Conclusion**

14. For the reasons given above I conclude that the appeal is dismissed.

*C Livingstone*

INSPECTOR

