



# Appeal Decision

Site visit made on 2 July 2024

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

an Inspector appointed by the Secretary of State

Decision date: 31<sup>st</sup> July 2024

---

**Appeal Ref: APP/X5210/W/23/3332763**

**34 Goldhurst Terrace, Camden, London NW6 3HU**

- 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 Mr Bello against the decision of the Council of the London Borough of Camden.
  - The application Ref is 2023/0980/P.
  - The development proposed is to create a balcony over an existing bay window on the rear elevation.
- 

## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the South Hampstead Conservation Area.

## Reasons

3. The South Hampstead Conservation Area (CA) comprises of distinctive residential development to the south of the Metropolitan Tube line. The properties in the area comprise mainly of traditional Victorian dwellings and the homogeneous built form and linear pattern of development allows for wide attractive streets. Generous gardens, with include mature planting and trees, give the area a peaceful, verdant quality.
4. The appeal relates to the first floor flat in 34 Goldhurst Terrace (No 34) which is a traditional, four storey end of terrace property. On the rear elevation the appeal property retains a two storey square bay with a sloping roof, this built form is repeated along the rear elevation of the terrace, forming a consistent rhythm of development. Based on my observations, the rear of both the appeal property and other properties on the street remain relatively unaltered.
5. The significance of the CA is derived in part by the quality of the traditional dwellings which are a well preserved example of a late Victorian suburb. This includes their historic rear elevations which are visible from neighbouring properties and rear gardens, as well as communal open spaces. The CA derives much of its character and appearance from traditional architecture and No 34 makes an important contribution to its historical and architectural significance.
6. The proposal would include the removal of the sloping roof on a projecting square bay, to create a flat area which would allow for the formation of a

balcony. The floor area of the balcony would extend to the footprint of the existing bay.

7. While not clearly visible from the public realm, as detailed above, the quality of the architecture is a defining feature of the CA and this is not limited to the frontage. The rear elevations of the properties on Goldhurst Terrace are relatively unaltered and their consistency is notable. Due to its scale and position, the balcony would be a prominent and incongruous addition when viewed from the rear gardens of neighbouring properties. Further, the proposal would result in the loss of the sloping roof form of the square bay, which as detailed above, is a design feature that is repeated on the rear elevation of several properties on the street. Therefore, the proposal would erode the consistency of the built form on the rear elevation.
8. It is acknowledged that the proposed railings and French doors incorporate a palate of traditional external materials which would be in keeping with the existing dwelling. Further, mature trees and vegetation may screen some views of the proposed balcony. However, these factors do not resolve the harm I have identified above.
9. As such, the proposal would harm the character, appearance and significance of the CA as a whole. Paragraph 208 of 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 appellant, 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. In conclusion the proposal would fail to preserve or enhance the character or appearance of the South Hampstead Conservation Area. Therefore, the proposal is contrary to Policies D1 and D2 of the Camden Local Plan 2017 (the LP). These policies require, among other things, that development preserves or enhances the historic environment and heritage assets.

### **Other Matters**

11. My attention has been drawn to other balconies that have been added to properties on the street. However, there is no evidence before me to demonstrate that these balconies received planning permission under the current policy framework. The evidence that has been put before me does not substantiate this argument. Other examples relate to balconies on a separate row of houses to the appeal site and as such do not form a direct comparison to scheme before me.
12. The Council has not found any harm in respect to the remaining technical matters including in terms of accessibility or the living conditions of the occupants of neighbouring properties. These matters are of neutral consequence to my assessment.

### **Conclusion**

13. In view of the identified conflict with Policies D1 and D2 of the LP in regard to harm to the significance of the CA the appeal proposal would conflict with the development plan as a whole.

14. The matters weighing in favour of the appeal scheme, including improved living conditions for the appellant, do not outweigh the conflict with the development plan. There are no material considerations to indicate a decision taken other than in accordance with the development plan would be justified.
15. For the reasons given above the appeal is dismissed.

*C Livingstone*

INSPECTOR