



Appeal Decision

Site visit made on 9 December 2024

by P Terceiro BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2025

Appeal Ref: APP/X5210/D/24/3348927

8 Village Close, Belsize Lane, London, Camden NW3 5AH

- 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 Robin Zaragoza against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2024/1789/P.
 - The development proposed is described as *part demolition of dwelling; Single storey front extension; Part 2 and Part 3 storey side extension; Two storey rear extension; Single storey rear extension. Our proposal is to create a Passive House on the site of an existing 1960s end-of-terrace house. We are proposing an extension and renovation to achieve an exemplary energy-exporting home whereby the building becomes a net producer of energy. It is a responsible, visionary family home designed for permanence and to support multi-generational family occupancy.*
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Decision

1. The appeal is allowed and planning permission is granted for the erection of two storey side and rear extensions and single storey front extension with changes to windows and cladding at 8 Village Close, Belsize Lane, London, Camden NW3 5AH in accordance with the terms of the application, Ref 2024/1789/P, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos A.G20.E01 rev J, A.G20.E03 rev J, A.G20.P00 rev J, A.G20.P01 rev J, A.G20.P02 rev J, A.G20.S01 rev J, A.G20.S02 rev J, A.G20.S03 rev J, and A.SK.07 rev A.
 - 3) No development above ground level shall take place until fenestration details and details of all of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Preliminary Matters

2. The description of development in the banner heading above is taken from the application form. However, in the interests of clarity, a revised description of development has been agreed with the appellant and I have used this in my decision.

3. The Council has recently granted planning permission¹ for extensions and alterations at the appeal site, albeit with differences in the detailed design which include a front extension, changes to materials and alterations to windows. I have had regard to this permission in reaching my decision and primarily focused my assessment of the appeal scheme on the differences between the approved and proposed developments.
4. A revised National Planning Policy Framework (the Framework) was published on 12 December 2024, which I have had regard to as a material consideration in my decision making. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by this.

Main Issue

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

Reasons

6. 8 Village Close is a two-storey end-of-terrace property constructed in the 1960s. The dwellings within the row of terraces have a generally homogenous style, with a part-width protruding porch, a solid tiled area above the porch and first floor windows with horizontal cladding below them. While elements such as window design and colour of the cladding vary across the dwellings, the front of the terrace displays a cohesive appearance. The rear elevations contain horizontal cladding between the ground floor and the first-floor windows, and many properties display external alterations and additions to their rear elevations. The properties within the terrace have deep front gardens and are set behind tall brick walls and mature trees.
7. The proposed development would introduce a single storey front extension with full height glazing under a pitched roof that would stretch across the full width of the host dwelling. However, the alterations to the front façade previously approved include full height ground floor glazing. As such, despite introducing built form in this location, the proposed extension would not substantially detract from the appearance of the dwelling, should the extant scheme be implemented. In light of this, the proposal would form a sympathetic addition that would not harm its surrounding context.
8. The first-floor tiled panel would be replaced with a window, which would result in a band of four windows occupying a central position within the elevation. While this would somewhat depart from the typical appearance of the terrace, the windows would have a horizontal emphasis, and their proportions would relate to the existing windows within neighbouring properties. This would assist in maintaining a sense of continuity along the terrace. As such, the proposed window arrangement would be acceptable.
9. The proposal includes the enlargement of a first-floor rear window. Given its style, form and positioning it would be sympathetic to other fenestration within the rear extension. Further, in my site visit I observed that the rear elevations of the neighbouring properties display different styles of fenestration. As a result, the proposed window would not be visually harmful.

¹ LPA Ref 2023/3617/P

10. Public views would be limited from Belsize Lane given the boundary treatment. While occupants of neighbouring properties would see the new development, the overall design, scale, positioning and appearance of the proposal would sit relatively comfortably against the built form of the main property and wider terrace.
11. For the above reasons, the proposal would not have a harmful effect on the character and appearance of the host building and immediate area, in accordance with Policy D1 of the Camden Local Plan 2017. Among other things, this policy supports high quality design in development that respects local context and character.

Other Matters

12. 12 Lyndhurst Gardens, to the rear of the appeal site, is a Grade II listed building. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the setting of this heritage asset.
13. The listing description² suggests that this grand detached house dates circa 1886 and refers to the asymmetrical composition of its Queen Anne style façade, consisting of three full storeys with dormers and features including central entrance incorporating recessed porch, projecting square-sided bay window, steeply hipped roof and tall chimneys on the flanks. The house was designed by Harry B Measures and built by William Willett and Son. The setting of the listed building is informed by the buildings that surround it, including the row of terraces where the appeal site is located. The proposal, as a sympathetic extension to an existing dwelling, would preserve the setting of this listed building.
14. My attention has been drawn to the Belsize Conservation Area and to the Fitzjohns/Netherhall Conservation Area. The plans before me show that the site is located outside these conservation areas. For the reasons set out above, the proposal would not detract from the character and appearance of the area and, consequently, it would not harm the conservation areas.

Conditions

15. The Council has suggested conditions which I have considered against the advice in the Framework and Planning Practice Guidance. Where necessary, I have amended them for clarity.
16. In addition to the standard implementation condition, it is necessary, for the avoidance of doubt, to define the plans with which the scheme should accord. In order to respect the character and appearance of the area I have imposed a condition requiring the submission of the precise details of the external facing materials, including window details.

Conclusion

17. For the reasons given above the appeal should be allowed.

P Terceiro INSPECTOR

² List Entry Number: 1379392