



Appeal Decision

Site visit made on 18 December 2024

by **Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 January 2025

Appeal Ref: APP/X5210/D/24/3353826

18A Frognal Gardens, Camden, London NW3 6XA

- 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 Chris Holdsworth against the decision of the London Borough of Camden Council.
 - The application Ref is 2024/1850/P.
 - The development proposed is the change of use of garage to habitable space; replacement windows and spandrel panels; cladding (projecting) to garage front and upper ground floor front window surround; additional storey; porch extension and cladding material change; new window opening and window; tree works; photovoltaic solar panels and landscaping works to rear.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of garage to habitable space; replacement windows and spandrel panels; cladding (projecting) to garage front and upper ground floor front window surround; additional storey; porch extension and cladding material change; new window opening and window; tree works; photovoltaic solar panels and landscaping works to rear at 18A Frognal Gardens, Camden, London NW3 6XA in accordance with the terms of the application, Ref 2024/1850/P, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1297.01.03; 1297.01.02; 1297.01.01; 1297.02.01; 1297.01.04; 1297.01.12; 1297.03.02; 1297.03.01; 1297.03.11(C); 1297.01.11(C); 1297.01.13(C); 1297.01.14(D); 1297.01.15(D); 1297.01.16(C); 1297.02.11(C); 1297.03.12(D); 1297.03.13(E) and 1297.03.14(A).
 - 3) Prior to installation details of elevational alterations, replacement windows and cladding materials of the development hereby permitted shall be submitted to and approved in writing by the local planning authority.

Procedural Matters

2. Subsequent to the decision made by the Council on the application to which this appeal relates, the Government published a revised National Planning Policy Framework (December 2024) (the Framework). I consider that there have been no major changes relevant to the main issues in this appeal. It will therefore not prejudice any party by making my decision with regard to the revised Framework.

Main Issue

3. The main issue is the effect on the character and appearance of the appeal dwelling and that of the local area, with reference to the Hampstead Conservation Area (the CA).

Reasons

4. The appeal dwelling is a 1960's brick built semi-detached house on a plot that rises steeply from the street. This results in the appeal dwelling having a three storey appearance to the front at garage level, but only two storeys to the rear. The house to which it is attached is of a similar period, but with a horizontal brick emphasis that contrasts with the vertical emphasis of the appeal dwelling and results in it having a markedly different architectural expression.
5. The appeal dwelling is located in a street and local area made up of larger semi-detached and detached houses, varying in age and architectural expression and is within the boundary of the CA. The Hampstead Conservation Area Statement (2002) states that the significance of the CA rests principally in its topography; the Heath, excellence and mix of buildings; the street pattern and Hampstead's association with clean water and fresh air. It is acknowledged by both main parties that the appeal dwelling makes a neutral contribution to this significance.
6. In line with the duty imposed on me by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the CA.
7. The Council's decision notice relates only to that part of the appeal proposal that involves the creation of a single storey zinc clad flat roofed extension at roof level. This would be to almost the full width of the house but would be set back from the existing front elevation by approximately 1.8 metres and 0.5 metres from the existing rear elevation.
8. Given the architectural variety in the area and the difference in architectural expression between the appeal dwelling and its attached neighbour, the addition of the proposed roof extension would not result in it appearing incongruous in this context. The flat roof form of the proposed roof extension and its set back to the front and rear would complement the bulk and massing of the existing house. The proposed zinc cladding is a roofing material that can be seen in the wider CA, on other Mid-20th Century buildings, and is complimentary to the existing brick, glass and proposed zinc cladding for other elements of the proposal, including the replacement of the existing red spandrel panels.
9. The land rises behind the appeal dwelling, with other houses located further up the hill. There are also 3 storey plus semi-basement houses located next to and slightly up the hill from the appeal dwelling on Frognaal Gardens, where it turns a right angled corner. As such, in wider views of the appeal dwelling, the proposed roof extension would sit in front of other more prominently positioned and taller houses. This would not result in the appeal dwelling appearing to be significantly more prominent than existing in street or wider views of the appeal dwelling and wider area.

10. Consequently, I find that the proposal would accord with the guidance given for such extensions in the Camden Planning Guidance: Design (2021), which seeks to achieve extensions that complement the appearance, materials, scale and massing of their host property and would not appear as unduly prominent in street and wider views. As such, the proposal would result in it appearing as a secondary and subordinate addition to the appeal dwelling.
11. For the reasons given above, the proposal would not result in any significant harm to the character and appearance of the appeal dwelling and would preserve the character and appearance of the CA. As such, it would accord with Policies D1 and D2 of the London Borough of Camden Local Plan (2017), Policy DH1 and DH2 of the Hamstead Neighbourhood Plan (2018) and Policies D3 and HC1 of the London Plan (2021) and Sections 12 and 16 of the Framework. Collectively these seek to ensure that development is of high architectural and urban design quality, respects local context and preserves or enhances heritage assets.

Conditions

12. Along with the standard condition relating to the timing of implementation, I have attached conditions to ensure design quality that require compliance with the approved drawings and submission and approval of details of elevational alterations, windows and cladding.

Conclusion

13. For the reasons given, the appeal is allowed

Victor Callister

INSPECTOR