



Appeal Decision

Site visit made on 11 March 2025

by N Unwin BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st May 2025

Appeal Ref: APP/X5210/D/24/3355049

2 Daleham Gardens, Camden, London NW3 5DA

- 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 and Mrs Alexander and Kathryn Bayers against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2024/1164/P.
 - The development proposed is described as: "Roof extension and minor external works including a new timber door at ground floor level on the north elevation and soil vent pipe on the southern elevation".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal site is within the Fitzjohns/Netherhall Conservation Area wherein I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
3. The appellant has indicated that the description of the development changed from that stated on the application form. I have used the amended description within the banner heading above.

Main Issue

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the Fitzjohns/Netherhall Conservation Area (CA).

Reasons

5. The Fitzjohns/Netherhall Conservation Area Character Appraisal and Management Plan (2022) describes the character of the CA as being formed of buildings with common features, reflecting their time of construction in the late 19th and first half of the 20th century. It describes these buildings as being stylistically diverse, and draw predominantly on Queen Anne Revival and Arts and Crafts influences. This is reflective of the character of Daleham Gardens with a variety of roof forms giving each building a unique character contributing significance of the CA.
6. The appeal property forms a large, detached dwelling reflective of the surrounding traditional built environment. The simple sloping pitched roof of the southern section of the appeal dwelling emphasises the prominence of the two front gables. This provides a vertical emphasis to the front elevation, contributing to its unique

character and the variety of roof forms within the area. As such, the appeal property contributes positively to the character and appearance of the CA.

7. The appeal dwelling is located on the corner of Daleham Gardens and Belsize Lane. Whilst vegetation provides an element of screening, the appeal property appears a prominent building within the street scene. It has undergone minimal alteration, particularly the roof, allowing its original form to be read.
8. The proposal would introduce a gable at second-floor level within the front roof slope of the southern section. It would utilise a similar design and materials to the host property, in addition to being slightly set back from the front elevation of the existing gables. Nevertheless, the appeal development would intrude on the existing simple sloping pitched roof, creating a cluttered appearance to the front elevation. It would therefore compete with and detract from the existing front gables, giving the roof a bulky appearance and degrading the existing vertical emphasis of the front elevation. This would harm the appeal property's distinctive character and thus its positive contribution to the character and appearance of the CA. Whilst I acknowledge that change can occur within a CA, such change should not detract from its significance.
9. The proposal would thus harm the character and appearance of the appeal building and so would detract from the significance of the CA causing less than substantial harm.
10. Paragraph 212 of the Framework directs when considering the impact of a proposed development on the significance of a designated heritage asset. great weight should be given to the asset's conservation.
11. Paragraph 215 of the Framework states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
12. Whilst the proposal would increase the habitable accommodation of the dwelling, this is a private benefit. With regard to public benefits, there would be some economic benefits of the proposal arising from the construction process. However, given the scale of the proposal, I am satisfied that this benefit should only be given limited weight.
13. I give the harm I have identified considerable weight in accordance with paragraph 212 of the Framework, which establishes that great weight should be given to the conservation of heritage assets. In this context I find that the limited public benefits of the proposal do not outweigh the less than substantial harm identified.
14. Therefore, the proposal would fail to preserve or enhance the character and appearance of the CA. As such, the proposal would conflict with the relevant provisions of Policies D1 and D2 of the Camden Local Plan (2017). When read together these policies require new development to respect local context and character, and preserve the character or appearance of conservation areas.

Other Matters

15. The appellant states that the proposal would not affect the living conditions of surrounding residents, and that no objection from the Heritage Officer was received. Nevertheless, I cannot be certain that Heritage Officer was consulted on the application, nor that a lack of response indicates support for the proposal.

Further, these are neutral points and do not weigh for or against the appeal proposal.

Conclusion

16. For the above reasons, I conclude the appeal is dismissed.

N Unwin

INSPECTOR