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## Appeal Decision

Site visit made on 24 April 2025

by **D Cleary MTCP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 08 May 2025**

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**Appeal Ref: APP/X5210/D/25/3361021**

**22 Elaine Grove, Camden, London NW5 4QG**

- 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 Marlon Ranasinghe against the decision of the London Borough of Camden Council.
  - The application Ref is 2022/5111/P.
  - The development proposed is a roof extension.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. On my site visit I observed that the development subject to the appeal had taken place and was complete. Planning permission is therefore sought retrospectively.
3. The description of development on the decision notice of the Council, and the appeal form differs from that which is contained within the application form. The appellant has indicated that they had not agreed the description used by the Council. Nonetheless, in the banner above, I have amended the description from that which is contained on all of these documents. This removes words which are not an act of development and as such, the description is more concise and accurately reflects the development.
4. The application was made in the name of Mr Frank Ranasinghe, however the appeal was made in the name of Mr Marlon Ranasinghe. The appellant has confirmed that these are the same individual and I am satisfied that the appeal has been made correctly. In the banner above I have used the name on the appeal form as this is the name under which the appeal was lodged.

### Main Issues

5. The main issues are the effect of the development on the character and appearance of the building and surrounding area; and, the living conditions of neighbouring properties with particular regard to loss of privacy.

### Reasons

#### *Character and appearance*

6. The appeal site is a two-storey terraced dwelling which is located within a street of similarly designed properties. The properties along this terrace street are generally

coupled into “pairs” of dwellings. Each pair has a forward projection, with a recessed doorway and first floor window to the side which adjoins the next pair. The roof of the dwellings generally comprise shallow pitched hipped roofs which are set behind a parapet wall. The parapet helps to obscure the visibility of the hipped roofs when viewed from street level. Tall chimney stacks are positioned centrally between each pair of dwellings. The street retains a strong sense of uniformity created by the architectural rhythm of openings and horizontal emphasis created by the roof parapet. A pair of three storey dwellings are located within the street although these retain the general architectural characteristics and roof form found in the remainder of the street.

7. The appeal property, along with its neighbours, are identified on Camden’s Local List (2017) (the CLL). The CLL identifies locally significant buildings, landscapes and features which are considered to be of heritage value<sup>1</sup>. With regard to Elaine Grove, the CLL states that “the degree of intactness, uniformity and high level of preservation creates a striking and attractive townscape”. I agree with this statement and that Elaine Grove is of high quality heritage value. The appeal dwelling, and its neighbours, can therefore be considered to be non-designated heritage assets (NDHAs).
8. The scheme relates to a roof extension which is complete. When approaching the appeal site along Elaine Grove, the roof extension is largely obscured by the parapets and large chimneys of the adjacent properties and, as such, is not overly apparent. However, from the front of the property, and in views along Julia Street opposite, the roof extension is clearly visible. From here, the roof extension projects significantly above the parapet with its ridgeline terminating some distance up the height of the chimney stack. The extension results in a prominent roof which breaks the horizontal emphasis created by the parapet. The extension thereby visually competes with the important architectural characteristics of the dwelling. Furthermore, the height of the roof, along with its steeper pitch, results in a roof which is of much greater bulk and appears as a pronounced roof form that is not seen in the street. This results in a significant visual imbalance with the roof of the immediate paired neighbour, No.23 Elaine Grove, and erodes the strong sense of uniformity along the street.
9. Additionally, the roof extension can be seen over the rear gardens of Elaine Grove (from the public highway/space adjacent to No.9 Elaine Grove). The extension would also be apparent from neighbouring gardens, and visible from the properties to the rear on Mansfield Road. From these spaces the scale and bulky form of the extension appears as a prominent and alien intrusion which markedly contrasts with the surrounding roof scape.
10. For the above reasons, I consider that the development is harmful to the character and appearance of the host building and surrounding area. The proposal is therefore contrary to Policies D1 and D2 of the Camden Local Plan 2017 (the LP). Together, amongst other things, these seek to secure high quality design in development which preserves or enhances the historic environment or heritage assets, including seeking to protect NDHAs.

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11. The harm to the NDHAs identified above, in heritage terms, would be less than substantial. The Framework makes clear at paragraph 216 that in weighing applications that directly or indirectly affect NDHAs, a balanced judgement will be required having regard to the scale of any harm or loss, and the significance of the heritage asset. This is echoed in Policy D2 of the LP. I return to this in the overall planning balance below.

#### *Living Conditions*

12. While not detailed on the submitted plans, the roof extension appears to have an external door which provides access to a flat roofed area. Given the close pattern of development, access onto the flat roof would afford close and direct views into the gardens of neighbouring properties. Consequently, the use of the flat roof as an external living area would give rise to an unacceptable level of overlooking to neighbouring properties resulting in a loss of privacy. However, the area has no safety railings or balustrade and its use for such purposes is therefore highly unlikely. In any event, if I were minded to allow the appeal, a condition could be attached to prohibit the use of the external area as an external living space, with access restricted to use for maintenance purposes only.
13. Therefore, concerns raised in the second main issue could be adequately addressed by condition and, as such, the development would not have an unacceptable effect on the living conditions of neighbouring properties with particular regard to loss of privacy. The proposal, therefore, complies with Policy A1 of the LP, which seeks to protect the quality of life of occupiers and neighbours.

#### **Planning Balance**

14. I have identified that the proposed development would cause less than substantial harm to the significance of NDHAs. In this instance, this is a matter to which I give significant weight.
15. It is advanced that the works would facilitate the installation of solar panels. This would deliver some modest environmental and social public benefits in providing renewable energy and reducing carbon emissions. However, the installation of solar panels do not form part of the development before me and, as such, this is a potential benefit to which I can only attribute very limited weight. Any other benefits of the scheme are likely to be private only.
16. Therefore, the public benefits are insufficient to outweigh the significant weight which I attached to the harm to NDHAs that I have identified.

#### **Conclusion**

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

*D Cleary*

INSPECTOR