
Appeal Decision

Site visits made on 1 October 2013 and 23 October 2013

by G J Rollings BA(Hons) MAUD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 November 2013

Appeal Ref: APP/X5210/A/13/2200022

Garden flat, 56 Parliament Hill, London, NW3 2TL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Benjamin Brook against the decision of the Council of the London Borough of Camden.
 - The application Ref 2013/1088/P, dated 27 February 2013, was refused by notice dated 10 May 2013.
 - The development proposed is a single storey rear extension to basement flat.
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Decision

1. The appeal is dismissed.

Procedural matter

2. Following the main site visit on 1 October 2013, a third party requested that I view the site from an additional nearby property. Given that there were exceptional circumstances in this case, I acceded to the request and an additional, unaccompanied site visit was carried out on 23 October 2013.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and South Hill Park Conservation Area.

Reasons

Character and appearance

4. The appeal site comprises the lower ground floor flat and garden of a large, semi-detached residential building. The site's front entrance is below road level, and its rear garden falls away. Similar residential development surrounds the site, which incorporates additional flats in the floors above.
 5. The proposed development would extend the site's living room onto the garden terrace, removing the existing bay window at garden level. The bay extends to the upper ground floor of the building. Similar bays are replicated on neighbouring buildings on the same side of Parliament Hill, all of which are built in the same style. The bay is an ornate feature on the building's otherwise simple rear elevation, and can be glimpsed from the public realm, but can be seen clearly from nearby dwellings and gardens. Other rear extensions are visible in the vicinity of the site, but the rear bay windows, which are a feature of this group of buildings, have generally been retained.
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6. Although minor alterations have altered the appearance of the rear elevations, I do not consider that these have established a precedent, as especially in this case, the building's overall impression of forming a symmetrical pair with 58 Parliament Hill remains. The Council's adopted *South Hill Park Conservation Area Statement* provides guidelines for rear extensions, and encourages the retention of uniform rear elevations within a group of buildings. The removal of the bay window would unbalance the symmetry of the pair of buildings, and would therefore be detrimental to its appearance. The loss of this historical feature would have a negative effect on the views from adjoining dwellings and gardens, and in the glimpsed views from the public realm, thereby detrimentally affecting the character of these views.
7. Although the harm caused to the Conservation Area's wider significance as a heritage asset would be less than substantial, as defined in paragraph 134 of the *National Planning Policy Framework*, the public benefit in improving the living conditions within the garden flat would not outweigh this harm. In this case, the development would fail to preserve or enhance the character or appearance of the Conservation Area, as well as the host dwelling.
8. I therefore conclude that the proposed development would have a detrimental effect on the character and appearance of the host dwelling and South Hill Park Conservation Area. The proposal would not comply with *Camden Core Strategy* (2010) Policy CS14, which requires development to preserve and enhance the heritage assets and their settings within the borough, among other factors. The proposal would also conflict with *Camden Development Policies* (2010) Policy DP24, which requires development to consider the character and design of existing and neighbouring buildings, and Policy DP25, under which development will only be permitted within conservation areas when it preserves and enhances the character and appearance of the area, among other factors.

Other issues

9. Interested parties have raised additional concerns, including the impact of the proposal on their living conditions, and drainage. However, these issues do not contribute to my decision to dismiss the appeal, which is based upon the main issue in this case.

Conclusion

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G J Rollings

INSPECTOR