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# Appeal Decision

Site visit made on 13 August 2013

**by David Richards BSocSci Dip TP MRTPI**

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

**Decision date: 2 September 2013**

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**Appeal Ref: APP/X5210/E/13/2191208**  
**63 Kentish Town Road, London, NW1 8NX**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
  - The appeal is made by Stefan Auer and Sheila Fish against the decision of the Council of the London Borough of Camden.
  - The application Ref 2012/4789/L, dated 12 September 2012, was refused by notice dated 20 December 2012.
  - The works proposed are demolition of existing conservatory and replacement with single storey rear extension.
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## Decision

1. The appeal is allowed and listed building consent is granted for demolition of existing conservatory and replacement with single storey rear extension at 63 Kentish Town Road, London, NW1 8NX in accordance with the terms of the application Ref 2012/4789/L, dated 12 September 2012 subject to the following conditions.
  - 1) The works hereby authorised shall begin not later than 3 years from the date of this consent.
  - 2) The works hereby authorised shall be carried out in accordance with the following approved plans: P101 rev A; P102 rev A; P103 rev A; P104 rev A; P105 rev A; P106 rev A; P107 rev A; X-01; X-02.
  - 3) Except as provided for in condition 2) above, all works involved in making good shall match the original work as closely as possible in details and execution.

## Main Issue

2. The main issue is the effect of the proposed works on the special architectural or historic interest of the listed building.

## Reasons

3. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990<sup>1</sup> requires, when considering whether to grant listed building consent for any works to a listed building, that special regard be had to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. Paragraph 132 of the Framework<sup>2</sup> sets out that when considering the impact of development on the significance of a

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<sup>1</sup> Referred to hereafter as 'the Act'

<sup>2</sup> The National Planning Policy Framework

- designated heritage asset, great weight should be given to the asset's conservation.
4. The appeal property is listed Grade II as part of a group, together with Nos 57 – 61 Kentish Town Road. The group comprises two pairs of early C19 semi-detached villas described as follows in the listing description: 'Stucco with slate hipped roofs and central slab chimney stacks. 2 storeys and semi-basements. Pilasters rise from ground floor at angles and centrally to carry an entablature with egg-and-dart ovolo cornice at eaves level. Square headed doorways with fanlights and panelled doors; ... Nos 61 and 63 with rosette decorated architraves and console bracketed cornices. Recessed sashes; ground floors architraved with rosette decorated architraves and console bracketed cornices, Nos 57, 61 and 63 with cast-iron balconies.'
  5. The appeal property is at one end of the group, on the corner with Hawley Road.
  6. The proposed works involve the demolition of an existing conservatory and its replacement with a new single storey extension. The Council has no objection to the design of the new extension as a replacement for the existing. However, as part of the work, it is proposed widen existing openings in the rear wall, amounting to the demolition of a substantial section of the rear wall at lower ground level. The Council considers that the removal of the dividing wall between the rear rooms and the proposed extension would disrupt the original plan form and result in the removal of significant parts of the original rear elevation of the listed buildings, causing harm to its special architectural and historic interest.
  7. The length of wall to be removed would be some 2.87 m in total. While there would be some loss of historic fabric, I do not consider that the limited removal of the original brickwork would be harmful to the significance of the heritage asset in this instance. The plan form of the original dwelling has already been altered by the addition of an unsympathetic conservatory in 1990. The Council refers to the 'complete' removal of the dividing wall at lower ground level. However the nibs and down stands would be retained, so that the position of the original external wall would remain legible in the plan form of the building. While the listing covers the whole building, the features of particular significance described in the listing would be unaffected, as would the view of the rear of the building from outside the site. The replacement of the existing conservatory with a well designed modern extension would result in a considerable improvement to the appearance of the rear elevation overall.
  8. I therefore conclude that the proposed works would not result in harm to the special architectural or historic interest of the listed building. There would be no conflict with Policy CS14 of the Camden Core Strategy or Policy DP25 f) of the Camden Development Policies. Accordingly, the appeal should succeed.
  9. A condition requiring the works to be carried out in accordance with the approved plans is necessary to define the permitted works. A condition requiring works of making good to match the existing is necessary to ensure a satisfactory appearance.

*David Richards*

INSPECTOR