



Appeal Decision

Site visit made on 25 October 2012

by R J Maile BSc FRICS

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

Decision date: 6 November 2012

Appeal Ref: APP/X5210/D/12/2181352

3 The Gables, Vale of Health, London, NW3 1AY.

- 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 and Mrs Ray and Marie Still against the decision of the London Borough of Camden.
 - The application, ref: 2012/1754/P, was refused by notice dated 22 May 2012.
 - The development proposed is full width rear extension at Lower Ground Floor level.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed rear extension upon the character and appearance of the host building and that of the Hampstead Conservation Area.

Reasons

3. The property comprises a centre terrace Victorian house a total of four storeys in height. It is proposed to infill between the rear closet wing and the boundary with no. 4 next door and to add an almost full width extension. This would project beyond the rear wall of the closet wing by some 2.2m.
 4. A proposal to extend the lower ground floor level with roof terrace above was granted planning permission in July 2007 (ref: 2007/2776/P). That permission was not implemented. The case officer in response to the application the subject of this appeal has indicated that this element of the current scheme would be acceptable, given that no. 4 next door erected a similar closet infill extension under pre-2008 Permitted Development rights.
 5. The established rhythm of the rear building line of the six houses in the terrace remains largely unbroken, other than an extension to no. 2. This includes both an infill to the closet wing and a projection beyond in the form of a fan-shaped conservatory. I understand this structure was also erected under Permitted Development rights.
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6. The proposal before me has been amended following discussion with the case officer. The rearward extension has been set away from the common boundary on either side. It is also proposed to excavate the ground level and to insert glazed panels in the upper sections of the side walls to permit daylight into the gardens of the adjoining dwellings.
7. I acknowledge that the living conditions of adjoining residents would not be unacceptably affected by the extension as proposed and that the existing small balcony and external staircase currently allow overlooking of the rear gardens of adjoining houses.
8. Notwithstanding these comments, the projection beyond the rear wall of the closet wing would interrupt the established rhythm of the rear building line and be at odds with the form and appearance of the original Victorian dwelling.
9. Due to its siting, the extension would be largely hidden in views from the public realm. Nevertheless, Policies H26 and H27 of the Hampstead Conservation Area Statement rightly highlight the need for rear extensions to accord with the architectural integrity of the building to which they are attached.
10. I therefore find on the main issue that development as proposed would harm the character and appearance of the host building and that of the Hampstead Conservation Area, contrary to the objectives of Policy CS14 of the Core Strategy¹ and Policies DP24 and DP25 of the Council's Development Policies².

Conclusion

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

R. J. Maile

INSPECTOR

¹ The London Borough of Camden Local Development Framework Core Strategy 2010-2025.

² The London Borough of Camden Local Development Framework Development Policies 2010-2025.