



Appeal Decision

Site visit made on 2 October 2012

by W G Fabian BA Dip Arch RIBA IHBC

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

Decision date: 9 October 2012

Appeal Ref: APP/X5210/D/12/2180222
16 Holly Walk, LONDON, NW3 6RA

- 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 B Dargan against the decision of London Borough of Camden.
 - The application Ref 2012/2183/P was refused by notice dated 25 June 2012.
 - The development proposed is erection of boundary wall on the eastern and northern boundary, provision of pedestrian and vehicle gates (part retrospective).
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Decision: The appeal is dismissed.

Main issue

1. The main issue is the effect of the proposal on the character and appearance of the building, whether it would preserve or enhance the character and appearance of the surrounding Hampstead Conservation Area and whether it would preserve the setting of the adjacent listed buildings.

Reasons

2. The appeal relates to the boundary wall on the north and east sides of No 16. This is a recently built large handsome detached house, designed in a contemporary style, built of white render with large areas of recessed glazing, glass balustrades and a high parapet to the flat roof. It is located within the conservation area.
3. It faces Holly Walk, a narrow steep intimate lane with, lower down the hill, a graveyard on one side and opposite this a row of more traditional large detached houses (some Arts and Crafts style) mostly in use as flats. The wider conservation area is typified by mainly Georgian terraced houses and cottages. Immediately up the hill next to the appeal site is the large detached Moreton House, a Grade II listed building, dating from 1896, with steep gabled roofs and roughcast walls with stone dressings. Opposite is St Mary's Roman Catholic Church, Grade II*, at the centre of a picturesque terrace of eight small town houses, also listed Grade II. These are predominantly of white stucco, with some upper floors in mixed stock brick and low enclosing walls to the footway, also white stucco, with black cast iron railings and pineapple finials.
4. Boundary enclosures in the immediate vicinity vary widely; they include low walls with traditional railings as at the church terrace opposite and at the graveyard further down the lane. Moreton House has mid-height roughcast walls topped by a high hedge and the house the other side of this has very high enclosing brick walls, albeit with a wide opening corresponding to the house

front. Further down on the same side are mid height walls festooned with ivy, utilitarian modern railings to a garage court and high solid timber panelled fences. In this context, a white rendered front boundary wall was approved with the house in 2005 and further details of this, showing it 1.5m high and with a 2.075m high wall alongside the gate (for the refuse store), were approved in 2006. Later an alternative scheme for a London stock brick wall in the same location was also approved in 2010. Both schemes included separate timber boarded pedestrian and vehicle gates.

5. The front boundary enclosure that has been erected at the appeal site is not the same as either of the approved ones. It is a high white rendered wall that follows the slope of the hill, with a raking top. The wall is a little over 1.8m high and the solid boarded pedestrian and vehicular gates are also similarly higher than those previously approved. This has produced a stark appearance and an oppressive, enclosed effect on this narrow lane that is at odds with the more open character of the rest of the street; whilst other boundary treatments nearby are also high they are softened by substantial areas of evergreen foliage and by open gateways, low gates or open style wrought iron gates.
6. Whilst the materials of the wall and trellis complement the new house, this wholly enclosed effect is particularly eye catching and at odds with the grace of the listed church and the adjoining terrace opposite, with low walls and railings, which provide an open appearance that sets the tone for this important part of the lane. The proposed removal of the upper part of one gate pier, where this projects above the wall would not sufficiently ameliorate this effect.
7. The boundary treatment installed facing Moreton House comprises a white rendered wall topped by black stained panels of 'trellis' 2.2m high overall and with a lower section of trellis panel further along. It is also substantially higher than the enclosing walls at Moreton House and adds to the oppressive effect on the street scene described above. The proposed reduction in the height of the trellis by some 0.2m would also not sufficiently offset the harmful visual effect of the front wall.
8. I conclude that the proposal has and would harm the character and appearance of the building and fail to preserve the character and appearance of the surrounding Hampstead Conservation Area and the setting of the adjacent listed buildings. It therefore fails to comply with policies CS14 of the *Camden Local Development Framework Core Strategy*, 2010, which seeks to conserve heritage assets and DP 25 of the *Camden Development Policies Local Development Framework*, 2010, which embodies similar principles. These follow national policy now restated in the National Planning Policy Framework and reflect the legislative duty imposed on decision makers to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas and preserving listed buildings.
9. For the reasons set out above and taking all other matters raised into consideration, the proposal should be dismissed.

Wenda Fabian

Inspector