



Appeal Decision

Site visit made on 7 November 2011

by Bern Hellier BA (Hons) MRTPI

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

Decision date: 22 November 2011

Appeal Ref: APP/X5210/A/11/2156491
98 Frognal, London, NW3 6BX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Lars Bane against the Council of the London Borough of Camden.
 - The application, Ref 2011/1656/P, is dated 1 April 2011.
 - The development proposed is existing north facing porch replaced with new.
-

Decision

1. The appeal is allowed and planning permission is granted for replacement of entrance porch on north elevation (Frognal Gardens elevation) of existing dwellinghouse at 98 Frognal, London, NW3 6BX in accordance with the terms of the application, Ref 2011/1656/P, dated 1 April 2011, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 274/30 Rev.3, 274/31 Rev.3, 274/34 Rev.1 and 274/35 Rev.1.

Procedural matters

2. An application for costs was made by the appellant against the Council. This application is the subject of a separate Decision.
3. The description of the proposal was amended in the appeal form to provide more detail and clarity. I have adopted the amended wording in my decision.

Main Issue

4. I consider the main issue is whether the proposed porch would preserve or enhance the character or appearance of the Hampstead Conservation Area.

Reasons

5. Hampstead Conservation Area in the vicinity of Frognal is a mix of substantial properties, many of considerable individual quality, in well landscaped gardens and often well screened by planting and brick boundary walls. The appeal property is one half of one of two pairs of large semi-detached houses built in

the 1920s on a double corner plot (96/98 Frognal and 7/9 Frognal Gardens). Its long front elevation faces onto Frognal Gardens.

6. Whilst the houses are described by the Council as neo-Georgian, they are not good examples and include design elements which are not typical of this style. Indeed, the Hampstead Conservation Area Statement identifies them as buildings which make only a neutral contribution to the townscape. The front elevation of the appeal property lacks balance, having an external chimney to one side and a top heavy arrangement of window openings. It has been little altered and, as part of the original design, there is a porch in a basic classical style with a pediment supported by pilasters and two front columns. The house is set a little below street level and is surrounded by a high brick wall. Even so the top part of the porch is visible from the street.
7. It is proposed to replace the existing porch with one of a similar scale although 0.4 metres lower and less ornate. It is described as being of a stripped classical design. Between its outer square columns and the house would be lead lined timber panelling. A glazed roof would be hidden behind an undecorated pediment. At this reduced height the porch would no longer be visible to most people from the street.
8. Whilst the scale of the existing porch is satisfactory I do not consider its style or detailing relates strongly to the parent dwelling or that it is an integral part of the design. The same conclusion would apply to the proposed porch. The underlying point being that the mixed and unexceptional style of the existing house would allow it to accommodate satisfactorily a variety of porch designs. The existing porch matches that of 9 Frognal Gardens. However, having regard to the separation distance, the intervening garage, and the limited public views of the two porches there would be no material detriment to the visual unity of the street scene.
9. I therefore conclude that the proposal would preserve the character and appearance of the Hampstead Conservation Area and would accord with the provisions of the local development framework, particularly Policy DP25¹ which requires development to respect local context and character and which reinforces the statutory duty to protect conservation areas from development that has an adverse impact.
10. The proposal would be contrary to the draft Hampstead Conservation Area Design Guide which states that for dwellings subject to an Article 4 Direction adding a new porch or altering existing porches will be resisted. Whilst the appeal property is subject to such a direction it would be unreasonable to apply this policy in a case such as this where the porch has no positive impact on the Conservation Area.
11. Subject to standard conditions relating to the commencement of development and compliance with the approved plans I conclude that the appeal should be allowed.

Bern Hellier

INSPECTOR

¹ Policy DP25 *Conserving Camden's Heritage*. Camden Development Policies 2010-2025