



Appeal Decision

Site visit made on 6 December 2011

by John D Allan BA(Hons) BTP MRTPI

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

Decision date: 13 December 2011

Appeal Ref: APP/X5210/D/11/2163642

32 Flask Walk, London NW3 1HE

- 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 Alexander Klimt against the decision of the Council of the London Borough of Camden.
 - The application Ref 2011/3085/P, dated 17 June 2011, was refused by notice dated 12 August 2011.
 - The development proposed is the erection of a roof extension to dwelling house.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a roof extension to dwelling house at 32 Flask Walk, London NW3 1HE in accordance with the terms of the application, Ref 2011/3085/P, dated 17 June 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: LP-01, EX-01 and PA-01.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. I have used the description as it appears on the decision notice and appeal form as it more accurately and concisely describes the development proposed.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of 32 Flask Walk and the Hampstead Conservation Area.

Reasons

4. The Hampstead Conservation Area covers a reasonably wide area, with its special character recognised within the Council's published *Conservation Area Statement* as being derived from a range of factors, including a variety and mix
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of buildings. Flask Walk contains a number of older listed buildings and terraces, as well as some more contemporary infill development dating from the 1960s and 1970s, including the appeal property and its neighbours. Whilst there is some uniformity and regimentation to some of the terraces, the street generally has an eclectic mix of buildings, with some significant variation to building heights, the majority of which combine with the area's topography and mature street planting to give Flask Walk its unique charm.

5. The appeal property is a 3-storey terraced town house with a flat roof and sits close to the back edge of the footpath. Its attached neighbour at No 34 is 4-storey with a mansard-style upper floor set behind a parapet. This building projects forward and over-sails the footpath at first and second floor levels with a reasonably imposing presence within the street scene. To the other side, the second floor to No 30 is also contained within a mansard-style roof.
6. The appeal proposal is for a mansard-style extension to the roof, similar in appearance to that at Nos 30 and 34. However, it would be recessed behind the dwelling's front building line by over 4m. Due to the presence of No 34, the roof extension would be undetected when approached up the hill, from the north-east, along Flask Walk. When approached from the opposite direction, due to its significant set back, only a small part of the extension would be glimpsed above the roof to No 30. In my assessment this would not have any significant presence within, or impact upon, the street scene.
7. I accept that the roof extension would be clearly seen from the upper floors of properties opposite and to the rear. The outlook from these private living spaces is important. Nevertheless, the extension would appear well designed in relation to the existing dwelling and would reflect the appearance of the top floors to both neighbouring properties. Whilst it would add height to the existing dwelling, it would not unacceptably disrupt the roofline to this side of Flask Walk, which is irregular at this point and not especially important in defining the area's overall character or quality.
8. For these reasons I conclude that the proposal would not appear harmful to the character or appearance of No 32 and that it would preserve the character and appearance of the Hampstead Conservation Area. There would therefore be no conflict with Policy CS14 of the Council's Local Development Framework (LDF) Core Strategy 2010-2025, or Policies DP24 and DP25 of the LDF Development Policies 2010-2025, which between them seek to secure high quality design and conservation of Camden's heritage.
9. I have carefully considered other issues raised by nearby occupiers and the Hampstead Conservation Area Committee. The windows to the living space that would be created would be adequately separated from facing windows to properties to the front and rear. As such there would be no increased opportunity for overlooking or loss of privacy to these nearby dwellings. For the same reason there would be no material impact upon light entering any nearby properties from the increased height of No 32. Any light that may emanate from the extension would simply reflect that which emanates from any living space. It would not create any level of light pollution that could be deemed harmful in any way. The Council has previously agreed the green roof that would be set adjacent to the front and rear of the extension, and access to it, under planning permission ref 2010/3791/P. There is no evidence to

suggest that there would be any noise generated within the extension that would be harmful to the living conditions of any adjoining or nearby occupiers.

10. For the avoidance of doubt and in the interests of proper planning it is necessary to impose a condition requiring that the development is carried out in accordance with the approved plans. In order to safeguard the character and appearance of the area it is also necessary to impose a condition requiring the materials of construction to match the existing dwelling.
11. Accordingly, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR