



Appeal Decision

Site visit made on 2 September 2010

by **Peter Eggleton MRTPI**

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
15 September 2010

Appeal Ref: APP/X5210/A/10/2124855

165 York Way, London N7 9LN.

- 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 S C Paul against the decision of Camden Council.
- The application Ref 2009/3129/P, dated 15 June 2009, was refused by notice dated 21 September 2009.
- The development proposed is the conversion of second floor and roof space at third floor to form a new maisonette.

Decision

1. I dismiss the appeal.

Main issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

3. The property lies within the Camden Square Conservation Area. I agree with the Council that this period terrace makes a positive contribution to the area. The overall roof form of the terrace does appear generally unbroken and this ensures that its original form and character remains intact. There is one exception to this which is number 169. I found the roof structure at this property to detract from the overall character and appearance of the terrace.
 4. This proposal would result in a mansard roof addition. I agree with the appellants that it would not be prominent in views from the street as it would to a large extent be screened by the parapet wall. It would however be visible over this wall from certain vantage points. Given that it would stand in isolation, I consider that despite the limited nature of the views, it would be at odds with the historic form of the terrace and appear as an incongruous addition.
 5. I accept that this proposal would not be as visible as the addition at number 169, but it would nevertheless detract from the overall appearance of the terrace. Its situation, distinct from but also in close proximity to number 169, would emphasise the piecemeal nature of the development. The existing addition at number 169 emphasises that the remainder of the terrace is largely unbroken in terms of its roof form and that the period character of the terrace is largely unaltered. I find that this further addition to the terrace would fail to preserve or enhance the character or appearance of the conservation area.
-

6. The proposal would be contrary to Policies B1, B3 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006 (UDP) as these include requirements that development respects its site and setting; improves attractiveness; would not harm the appearance of the area; and would preserve or enhance the character or appearance of the conservation area. I also consider that the proposal would be contrary to the Camden Planning Guidance document which suggests that development such as this is unlikely to be acceptable if it is located within an unbroken run of valley roofs and the terrace is largely unimpaired by alterations. I have afforded weight to this document as it accords generally with the policies of the UDP and it was adopted following public consultation.
7. There is dispute as to the weight that should be afforded to the Conservation Area Appraisal. I have not been provided with a copy of this document and therefore I have not been able to consider it in any event. I am satisfied, given the discussion of its content, that it would not alter my findings.
8. The appellants have suggested that a well-designed mansard addition could enhance the appearance of a property and also that a co-ordinated approach to roof extensions would result in a uniform addition that would be in keeping with the character of the terrace. Whilst this may be the case in certain circumstances, as this development would represent only a single addition and given my findings with regard to its impact, I do not find that such an argument adds significant weight in favour of this proposal.
9. I have noted the examples of roof extensions elsewhere but these do not persuade me that this additional would be satisfactory and as I do not have details of when they were approved, I cannot conclude that the Council has been inconsistent in its approach. The existence of other mansard roof extensions nearby and the development of new terraces with mansard roofs do not add weight in favour of this proposal as it is not the roof form itself which is of concern but how, in this particular case, it would impact on the character and appearance of this terrace.
10. The development would result in additional residential units. I also find that the flat and the maisonette would provide good quality living spaces, the larger providing access to a terrace. These matters weigh in favour of the proposal as does the lack of concern by third parties. I have considered the revised plans submitted but these result in the same concerns with regard to the principle of the development. I conclude that whilst there are matters that weigh in favour of this proposal, they are not sufficient to outweigh my concerns with regard to the main issue. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR