



# Appeal Decision

Site visit made on 10 August 2010

**by Terry G Phillimore MA MCD MRTPI**

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

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**Decision date:  
10 September 2010**

## **Appeal Ref: APP/X5210/A/10/2120956 137A King Henry's Road, London NW3 3RD**

- 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 Ms Sasha Donn against the decision of the Council of the London Borough of Camden.
- The application Ref 2009/4717/P, dated 18 November 2009, was refused by notice dated 14 January 2010.
- The development proposed is side infill and rear extension to basement flat.

### **Decision**

1. I dismiss the appeal.

### **Main issue**

2. The main issue is the effect the proposal would have on the character and appearance of the Elsworthy Conservation Area, including taking into account planning permissions that have previously been granted.

### **Reasons**

3. The site is a large villa-type house. As described in the Council's 2009 character appraisal, the Conservation Area comprises 19<sup>th</sup> century residential development with a relatively spacious layout. King Henry's Road forms a distinct sub-area reflecting its period of development, with the appeal property a typical example of houses along the road. The repeated pattern of development gives an overall effect of unity through detailed design and materials, although there is a degree of variation in architectural treatment. The appraisal notes that properties are mostly of three or four storeys, with flights of steps up to raised ground floors. The backs of properties generally have upper and lower ground floor bay windows in brick or stucco. The built form and layout of the properties in the original development provide the main special interest of the Area.
4. The appeal property has an existing part-width lower ground floor rear bay projection. To the side adjacent to no. 139 there is a ground floor wing set behind the main rear wall above a lower ground level passageway.
5. At the rear the proposal would create a lower ground floor extension across virtually the whole width of the plot. This would comprise three elements: a bay replacing that in the existing position, a rearward projecting side extension, and a glazed infill between the two. I see no objection in principle to the type of large window openings proposed in the rear elevation of the

extension. However, the overall combined width and depth of extension together with the scale of glazed areas would in my opinion have an over-dominant effect. This would obscure the original form and layout of the building at this level. While not featuring in public views, and less important than the front elevation, I consider that the rear elevation is nevertheless a significant part of the building, and in turn contributes to the character and appearance of the Conservation Area.

6. I recognize that rear extensions to the property have already been approved by way of permissions previously granted by the Council (refs 2009/2298/P and 2010/0533/P). These incorporate some elements of the current scheme, but differ in that they would not project to the same depth across the whole width of the plot. The limitations of the recessed area in the earlier approved scheme and the potential for an improved internal layout also do not in my opinion warrant the impact of the current proposal. I consider that this breaches the expectation of policy B3 of the Camden Unitary Development Plan 2006 for extensions to respect the form, proportions and character of the building and be subordinate to it. I saw no other developments of a similar nature to provide any justification for the proposal.
7. At the front at lower ground floor level is proposed a new side entrance door with a glazed surround. At this level it would not in my opinion visually compete with the main raised entrance to the building, or introduce an unduly alien feature. However, my positive finding in this respect does not outweigh the harm to the Conservation Area from the extension, which conflicts with policy B7 of the UDP.
8. For the reasons given above and having regard to all other matters raised I conclude that the appeal should be dismissed.

*T G Phillimore*

INSPECTOR