



Appeal Decision

Site visit made on 3 August 2010

by **Gary Deane BSc(Hons) DipTP 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:
8 September 2010

Appeal Ref: APP/X5210/A/10/212228

65 Quickswood, London NW3 3SA

- 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 Adam Simmonds against the decision of the Council of the London Borough of Camden.
- The application Ref 2009/4928/P, dated 10 October 2009, was refused by notice dated 15 January 2010.
- The development proposed is the erection of a 3-storey end of terrace dwelling house with internal garage and roof terrace within the side garden of existing house.

Decision

1. I dismiss the appeal.

Procedural matter

2. The Council's decision notice states that the works detailed on Plan 020, *Treatment to Proposed Pathway*, are located outside the site boundary and do not form part of the proposed development. Some proposed works shown on Plan 002, *Site Plan Proposed*, similarly fall outside the site boundary. I have assessed the proposal on that basis.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the local street scene.

Reasons

4. The proposed development would erect a 3-storey, end of terrace dwelling within the side garden of the appeal property, 65 Quickswood. The dwellings within the existing terrace to which the proposed dwelling would belong are similar in design and appearance. This similarity gives the terrace a strong identity and a unified appearance. The site is located at a prominent corner of the junction between Adelaide Road and Primrose Hill Road. There is a noticeable gap, of which the site forms part, between the end of the existing terrace and Primrose Hill Road. Notwithstanding the mature trees and close boarded fence which run along the side and rear boundaries of the site, this gap creates some sense of openness and visual relief from built development close to the road junction. It adds to the character of the local street scene.
 5. The proposed dwelling would broadly match the other dwellings within the same terrace in terms of building design, height, depth, external materials, roof terrace and integral garage. It would, however, result in a significantly
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wider dwelling, with extended front and rear elevations incorporating an additional column of windows and louvred panels, compared with other dwellings within the same terrace. In so doing, the proposed dwelling would disrupt the strong identity created by the repeated form of dwellings within the terrace and their broad consistency in design. In particular, the front and rear elevations of the proposed dwelling would appear elongated and their pattern of fenestration out of keeping with the rhythm and symmetry across the terrace. In contrast, the development that was approved in 2006 (Ref 2006/1426/P) would keep intact the broadly consistent pattern to the design and appearance evident across the wider terrace. Consequently, unlike the proposal, its scale and general appearance would harmonise with the existing terrace and its design would incorporate its key unifying features and its symmetry.

6. The proposed development would extend the terrace to which the proposed dwelling would be attached closer to Primrose Hill Road and project beyond the front building line of properties, which face that highway. Although the proposed dwelling would be partially shielded by the trees and close boarded fence which run along the side and rear boundaries of the site, it would be visible from various vantage points along the adjacent highways. By introducing built development of a substantial scale and height at this prominent location, the proposal would unduly erode the gap between the end of the terrace and the adjacent highway. In doing so, the proposal would significantly diminish the sense of openness at this location and unacceptably harm the intrinsic character of the site in the local street scene. In the approved 2006 scheme the proposed dwelling was positioned further away from the side boundary of the site thereby maintaining a noticeable gap between it and the nearby highways.
7. In reaching this view, I acknowledge that the design of the proposed dwelling includes some features that make the terrace locally distinctive and that the boundary trees of the site would be largely unaffected. However, I agree with the Council that the presence of soft landscaping cannot be relied on to mitigate the harmful effect of the proposed building, particularly as trees can be lopped, topped and sometimes removed.
8. The appellant has referred to other end of terrace properties in the local area that appear to be wider than other properties within the same terrace. These examples appear to relate to properties that have been designed as an integral part of the original terrace and not, as proposed in this case, a later addition to it. None appear to be comparable in scale and height, and in the same relationship between existing development and the local street scene as exists in this case. Consequently, these examples do not significantly weigh in support of the appellant's case. In any event, each proposal should be considered on its individual merits, which I have done in this case.
9. I therefore conclude that the proposed development would cause significant harm to the character and appearance of the local street scene, in conflict with Policy B1 of the London Borough of Camden Replacement Unitary Development Plan 2006 (UDP). This policy seeks to ensure that development respects its site and setting, improves the attractiveness of an area and does not harm its appearance or amenity.

Other Matters

10. Interested parties raise several additional objections to the proposed development. These objections include vehicle parking, highway and pedestrian safety, access for emergency vehicles, communal areas, noise and disruption from construction, drainage, precedent, biodiversity, privacy, access for those with wheelchairs and prams, green space, trees, and sustainable construction. These are all important matters and I have taken into account all the evidence before me. However, given my findings on the main issue, these are not matters upon which my decision has turned.
11. Interested parties have also questioned the status of the planning permission granted in 2006 (Ref 2006/1426/P). This is not a matter for this appeal.

Conclusion

12. I have had regard to all other matters raised, particularly the personal circumstances of the appellant regarding the need for additional family accommodation, the representation in support of the proposal, and the compliance of the proposed scheme with several lifetime homes standards and UDP Policy H1. I have also noted that the size of the garden associated with the proposed dwelling would compare favourably with other nearby properties and the appellant's willingness to reconsider specific design details of the proposed scheme. However, these matters are not sufficient to outweigh the harm that I have identified. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR