



Appeal Decision

Site visit made on 1 March 2010

by **Christine Thorby MRTPI, IHBC**

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

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**Decision date:
19 March 2010**

Appeal Ref: APP/X5210/D/10/2121242 126 King Henry's Road, London NW3 3SN

- 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 Jonathan Feigenbaum against the decision of the Council of the London Borough of Camden.
- The application Ref 2009/4265/P, dated 3 September 2009, was refused by notice dated 3 November 2009.
- The development proposed is a second floor extension.

Decision

1. I dismiss the appeal.

Reasons

2. The main issue in this case is the effect of the proposal on the character and appearance of the area.
3. The appeal property forms one of a group of houses of similar form and style which line, in part, one side of King Henry's Road. Regardless of whether the houses are detached or terraced, important characteristics are their two storey height and flat roof form. The uniformity of architecture is a striking feature of the houses which contributes significantly to the distinct character of the area.
4. Although the adjoining house is slightly higher, the proposed additional storey would rise in height above the group and be very visible from the street. It would bear no relationship to the surrounding group of houses and it would undermine their uniform architecture and established roofline. It would stand out as a prominent and unsympathetic extension, eroding features of considerable value to the group and this would be detrimental to the character and appearance of the appeal house and King Henry's Road. It would therefore be contrary to the London Borough of Camden Replacement Unitary Development Plan policies B1 and B3 which seek to protect local character.
5. I acknowledge there are some very large buildings in the vicinity; however, the appeal building forms part of a local group of houses of consistent form and design, and the mix of buildings in the wider area would not justify the proposal. I do not know the full details of extensions to Nos 5 – 7 Lower Merton Rise but these houses differ from the appeal property as they are set back from the street and are part of a much smaller grouping along the road. No details of the location or special character of the nearby Elsworth Conservation Area have been submitted and I am unable to conclude that there would be any harm to its setting arising from the proposal. I understand the

appellant's desire for more space, but neither this nor any other matter raised would overcome the harm to the character and appearance of the area and this is a compelling reason to dismiss the appeal.

Christine Thorby

INSPECTOR