



Appeal Decision

Site visit made on 27 April 2010

by **David Morgan BA MA MRTPI IHBC**

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

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Decision date:
29 April 2010

Appeal Ref: APP/X5210/D/10/2124348

3b Heath Hurst Road, London NW3 2RU

- 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 Peter Delmaestro against the decision of the Council of the London Borough of Camden.
- The application Ref 2009/4639/P, dated 28 September 2009, was refused by notice dated 23 December 2009.
- The proposed development is loft conversion.

Procedural matter

1. On 23 March 2010 the Department of Communities and Local Government published Planning Policy Statement 5: *Planning for the Historic Environment* (PPS5) which sets out the Government's planning policies on the conservation of the historic environment. This replaces PPG15 (Planning and the Historic Environment, published in September 1994) and PPG16 (Archaeology and Planning, published in November 1990). I have therefore taken the replacement document into account when making my decision.

Decision

2. I allow the appeal and grant planning permission for loft conversion at 3b Heath Hurst Road, London NW3 2RU in accordance with the terms of application ref 2009/4639/P, dated 28 September 2009, 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 not be carried out except in complete accordance with the details shown on the submitted plans, plan numbers: HHR/3B/1, HHR/3B/2, HHR/3B/3, HHR/3B/4, HHR/3B/5, HHR/3B/6 and HHR/3B/7
 - 3) The materials to be used in the construction of the external surfaces of the roof extension hereby permitted shall match those used in the existing building.

Main issue

3. I consider this to be whether the proposed development would either preserve or enhance the character or appearance of the Hampstead Conservation Area.

Reasons

4. As far as I am able to judge from their evidence and my site visit, the sum of the Council's concerns relate to the scale, design and prominence of the proposed development when viewed from the east on South End Road. The key view here, where the appeal property would be visible in the public realm, would be from the pavement on the eastern side of the railway bridge looking over the parade of single storey shops on its western side. From here the eastern flank party wall of the extension would be visible behind no 3a and against the back drop of other development on Heath Hurst Road and fronting South End Road to the west and north.
5. Although I accept that Heath Hurst Road is situated on ground rising to the west, in my view the eastern flank party wall section would only be seen fleetingly in the limited aperture of space above the shops on the railway bridge. Moreover, the broader face of the dormer would be seen only very obliquely, and if seen, would be observed as being of a conventional battered angle sloping back from the eaves. In my opinion it would not be prominent or readily visible, resulting in no material harm to the character of the area.
6. Although 'unimpaired' by roof alterations, the appeal property is one of a group of modern infill terraced houses of modest though competent form and detail; they are therefore of limited intrinsic architectural or historic interest. Their contribution to the character of the conservation area, and their adjudged significance, has to be calibrated against this fact. I accept that the proposed dormer cannot be said to be a convincing rendering of a traditional mansard roof detail. It is, however, broadly consistent with a range of similar roof extensions I observed in the vicinity of the site, and would not be of a scale or detail disproportionate or dissonant with them, or indeed these attributes of the existing house. The proposal is therefore broadly acceptable in design terms.
7. On the basis of the above therefore I conclude the proposed development would preserve the character and appearance of the conservation area in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. I also consider it to be in accord with the principles of the management of the historic environment set out in PPS5, specifically those set out in policies HE7 and HE9 therein. On the same basis I consider them compliant with policy B1 of the London Borough of Camden Replacement Unitary Development Plan, specifically criterion a) thereof, policy B3, criteria a), c), and d) thereof, and with policy B7 of the same.
8. For the reasons given above I conclude that the appeal should be allowed.
9. Allowing the appeal I attach conditions requiring compliance with the approved plans in the interests of sound planning and for the avoidance of doubt and a condition requiring matching materials to ensure a satisfactory appearance to the development.

David Morgan

Inspector