

Appeal decision

site visit held on Monday 4 October, 1999

by Michael Hurley BA DipTP MRTPL

an Inspector appointed by the Secretary of State for the
Environment, Transport and the Regions

The Planning Inspectorate
Tollgate House,
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

CASE
FILE

APPEAL

ALLOWED

06 OCT 1999

Appeal: T/APP/X5210/A/99/1026319/P7

- 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 brought by Mr and Mrs A Glaser against Camden London Borough Council.
- The site is located at 35 Greville Road, London, NW6 5JB.
- The application (ref: PW/9902180), dated 23 February 1999, was refused on 22 April 1999.
- The development proposed is the erection of a single storey extension to the front of the existing garage.

Decision:

The appeal is allowed and planning permission granted subject to the conditions set out in the attached schedule.

Procedural matters

1. In their decision notice, the Council pointed out that there were inaccuracies in the drawings submitted with the original planning application. As a result, the appellants submitted revised drawings with their appeal, in which the errors were corrected and minor amendments were made to the proposed scheme. The Council have raised no objection to the submission of this material. Accordingly, my consideration of the appeal has been on the basis of the appellants' revised drawings (Nos 278/01A and 278/02A).

Site Description

2. No 35 Greville Road is a detached 3-storey house, which occupies a corner plot in the St John's Wood Conservation Area. The front elevation of the building faces north-west towards Mortimer Crescent. A flat-roofed garage, with a height of about 3 m, stands immediately adjacent to the north-eastern flank of the house. Access to this garage is from Mortimer Crescent, by means of a small forecourt. To the south-west of this access there is a brick wall, about 2. m in height, which runs along the back edge of the footpath in Mortimer Crescent. The brick wall continues along the north-east side of the forecourt, where it rises in steps to link with the flank wall of the garage. The proposed extension would occupy virtually the whole of the forecourt, extending up to the back of the footway in Mortimer Terrace.

The main issues

3. From my inspection of the site and its surroundings and from the representations made, I consider the main issue in this case to be whether the proposed development would preserve or enhance the character or appearance of the St John's Wood Conservation Area.

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VGT

Development Plan Policies

4. The statutory development plan for this area includes the Camden Borough Plan, which was adopted in 1987. Policy UD3 of that plan seeks a good standard of design in all new developments. Policy UD18 requires that full consideration be given to the aesthetic and environmental factors necessary to achieve the high level of design associated with Conservation Areas.
5. An inquiry has been held into objections to the draft Unitary Development Plan for Camden (UDP), and the Council have subsequently proposed certain modifications to that plan. The weight I attach to the draft UDP reflects the substantial progress that has been made towards its adoption. As currently proposed, Policy EN33 of the draft UDP seeks to ensure that development in a Conservation Area will preserve or enhance the area's special character. Policy EN52 deals with extensions to existing buildings, which should be "subordinate to the original building in terms of scale, situation and the use of materials".

Inspector's reasoning

6. The flat roof of the proposed garage extension would be at a height of about 2.6 m, a little lower than the roof of the existing garage. It would exceed the height of the existing brick walls in front of No 35 Greville Road by less than a metre. As a result, I do not consider that the extension would be a particular conspicuous element in the view along Mortimer Crescent. The brick boundary walls in front of the appeal premises are already a prominent feature in the local scene. I do not consider that the additional height of the structure now proposed would be sufficient to have an adverse impact on the appearance of this part of the Conservation Area.
7. The enlarged single-storey garage would remain subordinate to the adjacent 3-storey house. Although it would extend up to the back edge of the footway, I do not consider that that would detract from the character or appearance of the Conservation Area. This attractive part of St John's Wood is characterised by an irregular pattern of development, containing buildings of mixed style and design. There are already some 2-storey buildings abutting the footway within the Conservation Area, for example at Nos 26 and 37B Greville Road. Both of those properties are close to the appeal premises. In view of this, I do not consider that the proposed development would be out of character with its surroundings.
8. The existing wall on the north-east side of the garage forecourt is in a poor condition. It would be replaced in the course of the proposed development. In my view this would be likely to improve the appearance of the Conservation Area.

Other Matters

9. I note that the appellants have previously been the victims of muggings on the garage forecourt. The proposed development should have the effect of increasing their security. I have taken account of all the other matters raised. However, I do not find any of these factors to be sufficient to outweigh the considerations that have led me to my decision that the appeal should succeed.
10. In view of the sensitivity of the appeal site's location, I shall impose conditions to ensure that the development accords with the revised drawings; and to regulate the materials to be used. I shall also impose a condition to ensure that the door of the proposed garage does not obstruct the footway in Mortimer Crescent. These conditions require further matters to be

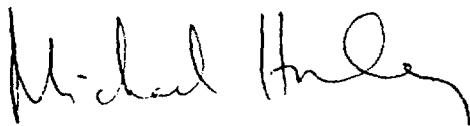
approved by the local planning authority. There is a right of appeal to the Secretary of State if the authority refuse to grant approval, or fail to give a decision within the prescribed period, or grant a conditional approval.

11. This document grants permission under section 57 of the Town and Country Planning Act 1990. It does not give any other approval or consent that may be required. Attention is drawn to Section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires consent to be obtained prior to the demolition of a building in a Conservation Area.

Schedule:

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12. The appeal is allowed and planning permission granted for the erection of a single storey extension to the front of the existing garage at No 35 Greville Road, London, NW6 5JB, in accordance with the terms of the application (ref: PW9902180) dated 23 February 1999, and the plans submitted therewith (as subsequently revised), subject to the following conditions:
 - (i) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
 - (ii) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 278/01A and 278/02A.
 - (iii) Prior to the commencement of the development hereby permitted, details of all external materials to be used shall be submitted to and approved by the local planning authority.
 - (iv) The door of the garage extension hereby permitted shall not protrude over any part of the highway at any time.



Inspector