



Appeal Decision

Site visit made on 11 September 2007

by **P A Davies** BSc(Econ) MCD MRTPI

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

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Decision date:
27 September 2007

Appeal Ref: APP/X5210/A/07/2044655

15 South Hill Park Gardens, London NW3 2TD

- 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 Watson against the decision of the Council of the London Borough of Camden.
- The application (Ref 2006/3990/P), dated 22 August 2006, was refused by notice dated 6 December 2006.
- The development proposed is described as vertical enlargement of 2 no. existing rear windows to the first floor flat (Flat 2).

Procedural Matter

1. The description of the proposed development given in the summary above is taken from the application form. The Council has described the development as "installation of two doors with metal railings in enlarged openings at rear first floor level". This description has been adopted by the appellant in his appeal and I have therefore used it in my decision.

Decision

2. I allow the appeal and grant planning permission for the installation of two doors with metal railings in enlarged openings at rear first floor level at 15 South Hill Park Gardens, London NW3 2TD in accordance with the terms of the application Ref. 2006/3990/P, dated 22 August 2006, and the plans submitted therewith, subject to the following condition:
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this decision.

Main issue

3. I consider the main issue in this case to be the effect of the proposed development on the character and appearance of the building and of the South Hill Park Conservation Area.

Reasons

4. The appeal property is one of a pair of three storey, Victorian semi-detached houses situated in the South Hill Park Conservation Area. The Conservation Area consists of quiet residential streets of large Victorian houses. Although there are a few late 20th century infill developments, the area has a coherent architectural character. Nevertheless, some buildings have been altered or extended at the rear.

5. The Council has no objection in principle to the insertion of appropriately designed modern windows in the rear elevation of the building, but objects to the size, design and projection of the proposed doors.
6. The proposed inward opening glass doors would replace two first floor sash windows. The existing cill heights would be lowered in order to accommodate the doors. However, the width of the window openings would be retained, so that the proposed doors would align with the openings above and below them. Although the doors would project some 225 millimetres from the main external wall, they would be situated either side of the rear wing of the building. Consequently, I consider that they would not appear unduly prominent when viewed from neighbouring properties. In addition, the original pattern of window openings on the rear elevation has already been altered by the insertion of a modern door at upper ground floor level, immediately below the position of one of the proposed glazed doors. There have also been several alterations and extensions to the rear elevation of the adjoining house (no. 17).
7. I acknowledge that the proposed materials and colour of the door frames and balustrade (dark grey coloured metal) would differ from those of the existing windows. Nevertheless, they would, in my opinion, be in keeping with the modern upper ground floor door. On balance, I regard them as acceptable.
8. Weighing all the above considerations, I conclude that the proposed alterations would not compromise the overall form and proportions of the building, or otherwise harm its architectural quality. I find the proposal to be consistent with the general design principles of Policy B1 of the Camden Replacement Unitary Development Plan 2006 (UDP) and the objectives of Policy B3, which deals with alterations and extensions. Quite apart from the merits of the proposal, it is also the case that the development would not be readily visible from public vantage points within the Conservation Area.
9. For the above reasons, I conclude that the proposed development would preserve the character and appearance of the building and of the South Hill Park Conservation Area. As such, the proposal accords with part A of UDP Policy B7, which concerns development in conservation areas.
10. Whilst I note the Council's view that the proposal would not comply with the Building Regulations, this is not a matter that has a bearing on my assessment of the planning merits of the scheme. I have considered all other matters raised but none outweigh my conclusions on the main issue in the appeal.
11. The Council has not suggested any planning conditions. The proposed materials and colour of the frames and balustrades of the doors are stated on the application drawings. I therefore see no need to impose any conditions other than the standard time limit condition for the commencement of development.

PA Davies

INSPECTOR