



# Appeal Decision

Site visit made on 15 August 2006

by **Susan Hesketh** BSc (Hons) MRTPI

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

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Date: 29 September 2006

**Appeal Ref: APP/X5210/A/06/2015071**

**23 Johns Mews, London, WC1N 2PA**

- 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 James Beazer against the decision of the Council of the London Borough of Camden.
- The application Ref 2006/0884/P, dated 13 February 2006, was refused by notice dated 13 April 2006.
- The development proposed is the erection of a mansard roof extension to form a second floor extension to a dwellinghouse (Class C3), including the installation of a lantern roof light and balustrade to enclose a roof terrace.

**Decision: The appeal is dismissed.**

## Procedural Matters

1. The decision notice identifies the drawings on which the application was determined. These indicate a balcony area and balustrade wrapping round the corner of Johns Mews and Northington Street. The appellant's Grounds of Appeal refer to a 'compromise proposal' which show a terrace and balustrade on the Johns Mews frontage only. The appellant's statements, supporting drawings and photo montages clearly relate to the reduced terrace area on the Johns Mews frontage only and the appellant has indicated that he wishes me to consider these 'compromise proposals'. The Council, however, objects to my determining the appeal on the basis of the 'compromise scheme' as it has not been submitted to the Council for determination nor has it been subject to neighbour notification. This being the case, I determine the appeal on the basis of the original planning application and drawings referred to in the decision notice.

## Inspector's Reasons for Decision

2. Planning permission was granted in February 2006 for a scheme which did not have a terrace area at second floor level. In May 2006 an appeal was dismissed for a proposal somewhat similar to this appeal proposal in that it had a terrace area and balustrade along the whole length of the Johns Mews frontage. The current appeal proposal proposes a slightly larger terrace which wraps around the corner of the building with a balustrade along the Johns Mews frontage and along about a quarter of the Northington Street frontage.
3. I consider that the corner of the appeal building is an important feature of this varied conservation area and in the long views down Northington Street. Whilst I agree with the appellant that terraces with balustrades in a variety of designs are a feature of the Johns Mews frontage, they are contained within the Mews. In my opinion, the proposed perimeter balustrade extending around the corner of the building together with a corner sitting out

area would appear as an obtrusive, exposed and incongruous corner feature in the street scene and this would not preserve or enhance the character or appearance of the conservation area, as required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which is carried forward into the Council's conservation area policies for the area.

4. In terms of the proposed roof lantern, I saw that the roofscape in the area is varied and busy with many extensions and features projecting above the original roofs of many buildings. I do not consider that the proposed roof lantern would be a prominent feature of the proposed development and I consider that it would have a neutral effect on the conservation area.
5. In terms of potential overlooking from the proposed terrace, 13 Northington Street is an office and I do not consider that the potential for overlooking from the small area of the terrace which would be available on the corner of the building would result in unacceptable overlooking. 4 Johns Mews has staircase and kitchen windows which would be overlooked from the proposed terrace, but like the Inspector dealing with the last appeal, I do not consider that unacceptable overlooking of private living areas would result from the appeal proposals.
6. The appeal is therefore dismissed on the basis of the unacceptable impact of a proposed terrace and balustrade being carried to, and around, the corner of the building and thus harming the appearance of the corner to the detriment of the overall character and appearance of the conservation area.

*Susan Hesketh*

INSPECTOR