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# Appeal Decision

Site visit made on 28 July 2014

**by Grahame Gould BA MPhil MRTPI**

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

**Decision date: 11 August 2014**

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**Appeal Ref: APP/X5210/A/14/2216318**  
**12 Briardale Gardens, London NW3 7PP**

- 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 and Mrs N Frydman against the decision of the Council of the London Borough of Camden.
  - The application Ref 2013/7562/P, dated 25 November 2013, was refused by notice dated 21 February 2014.
  - The development proposed is single storey rear extension.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposal on the character and appearance of 12 Briardale Gardens (No 12) and the Redington and Frogna Conservation Area.

## Reasons

3. No 12 is a two storey, semi-detached property, with attic accommodation, which has been converted into three flats and the appeal proposal relates to the ground floor flat.
4. Briardale Gardens is within the Redington and Frogna Conservation Area (the CA) and its CA Appraisal and Management Strategy identifies the properties in this street as dating from the later 1890s. No 12 is amongst the properties in Briardale Gardens that the CA Appraisal acknowledges as making a positive contribution to this heritage asset.
5. The appeal proposal would involve the construction of a single storey rear extension, as an addition to the property's staggered floorplan extension that was permitted in 1987. The resulting rear addition would square off the rear elevation and a flat roof would replace the existing false pitched roof. The resulting rear addition would occupy the full width of No 12 and have a depth of 7.8 metres<sup>1</sup>.

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<sup>1</sup> Paragraph 4.2 of the appellant's statement of case

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6. The implementation of the appeal proposal would result in No 12 having an angular and comparatively deep single storey rear extension, which I find would have an unacceptably bulky appearance. The resulting addition to No 12 would fail to appear as a subordinate enlargement of this property. The substitution of the false pitched roof with a totally flat roof I find would be a retrograde step, with a flat roof of the width proposed having an inharmonious appearance for No 12.
7. My attention has been drawn to other extensions that have been built within Briardale Gardens and adjoining streets, However, I do not know the circumstances that gave rise to these other extensions and thus how comparable they are with the appeal proposal. In any event I am required to determine this appeal on its own merits, which is what I have done.
8. I therefore conclude that the proposed development would detract from the appearance of both No 12 and the CA, with the result that the appeal scheme would neither preserve nor enhance the appearance of the CA. I therefore find there would be conflict with the objectives of Policy CS14 of the Camden Core Strategy (2010) and Policies DP24 and DP25 of the Camden Development Policies (2010), which amongst other things, require new development: to be of the highest standard of design and respectful of local context; and within CAs to preserve or enhance the appearance of the heritage asset. The proposal would also be contrary to the Council's CPG1 Design Guidance insofar as the resulting addition would not appear as being subordinate to the host property.
9. While I have concluded that the appeal development would be harmful to the appearance of the CA, the designated area is extensive and the appeal development would affect a small part of it. Accordingly the harm caused to the CA's significance as a heritage asset would be 'less than substantial' as defined in the National Planning Policy Framework (the Framework) at paragraphs 132 to 134. Nevertheless there would be no public benefit that would outweigh the harm to the CA I have identified, such as to warrant allowing this appeal under the provisions of the Framework.
10. While the appeal proposals would have an unacceptable appearance within this CA, I acknowledge that the proposals would preserve the character of the CA, because there would be no change to the use of the building.

### **Conclusion**

11. For the reasons given above I conclude the appeal should be dismissed.

INSPECTOR

*Grahame Gould*