
Appeal Decision

Site visit made on 30 October 2014

by Paul Freer BA (Hons) LLM MRTPI

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

Decision date: 5 November 2014

Appeal Ref: APP/X5210/A/14/2224018

64 Lawford Road, London NW5 2LN

- 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 & Mrs Douglas and Michelle Anderson against the decision of the Council of the London Borough of Camden.
 - The application Ref 2014/3815/P, dated 7 June 2014, was refused by notice dated 17 July 2014.
 - The development proposed is a roof extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Bartholomew Estate Conservation Area.

Reasons

3. The character of the Bartholomew Estate Conservation Area as a whole is largely defined by the variety of high quality residential buildings within it. The St Bartholomew Hospital Estate sub-area, within which the appeal site is located, is characterised by a uniform urban grain consisting largely of three or four storey villas which have been little altered over time.
4. The appeal property forms part of a converted former public house, the character and appearance of which does not itself accord with that of other buildings within the St Bartholomew Hospital Estate sub-area. Nonetheless, the appeal property is specifically identified in the Bartholomew Estate Conservation Area Statement as making a positive contribution to the character and appearance of the conservation area. I accept that the Bartholomew Estate Conservation Area Statement does not specifically attribute this positive contribution to the rear elevation of the building, but then neither does it exclude the rear elevation from that assessment.
5. One of the main differences between the appearance of the appeal property and others in the St Bartholomew Hospital Estate sub-area relates to the roof form. Unlike the hipped roofs of the surrounding villas, the appeal property features an unaltered valley roof behind a front parapet which wraps around those elevations facing onto Lawford Road and Bartholomew Road.

6. The proposed roof extension would not exceed the height of the front parapet and would be set back some 4 metres from the rear of the roof, such that it would only be visible in longer views from a limited number of locations on Bartholomew Road. I accept that in these limited views the elevation visible would be mostly glazed sliding doors and, together with the glass balustrade, would be of a relatively lightweight appearance. I recognise also that the rear section of the valley roof would be rebuilt and that a section of the original roof form would therefore remain.
7. Nonetheless, in the limited views of the proposed development that would be possible, the loss of a significant proportion of the valley roof would be apparent from ground level. This valley roof makes an important contribution to the character and appearance of the host building and, whilst not expressly stated in the Bartholomew Estate Conservation Area Statement, in my view the unaltered form of this original feature is an important component of the positive contribution made by this building to the character and appearance of the conservation area. The loss of a significant proportion of the valley roof would therefore harm the character and appearance of the Bartholomew Estate Conservation Area.
8. I conclude that the proposed development would fail to preserve or enhance the character or appearance of the Bartholomew Estate Conservation Area. I therefore conclude that the proposed development would be contrary to Policy CS14 of the Camden Local Development Core Strategy and Policy DP25 of the Camden Local Development Framework Development Policies. These policies indicate, amongst other things, that within conservation areas the Council will only permit development that preserves and enhances the character and appearance of the area. The proposed development would also fail to accord with the overall principle set out in the Camden Planning Guidance: Design (CPG1) that roof extensions are likely to be unacceptable where complete terraces or groups of buildings have a roof line that is largely unimpaired by alterations or extensions.
9. The National Planning Policy Framework (Framework) defines conservation areas as designated heritage assets. Because the proposed roof extension would only be visible from a limited part of the Bartholomew Estate Conservation Area, the harm to this designated heritage asset would be less than substantial. In accordance with Paragraph 134 of the Framework, it is therefore necessary to weigh this harm against the public benefits of the proposal.
10. The appellant explains that the proposed roof extension would result in a qualitative improvement of the living conditions provided by this property and therefore to the well-being of the occupiers of this property. I recognise that, in addition to an enlarged living area, part of the qualitative improvement would be the provision of private outdoor amenity space. I acknowledge that the qualitative improvement would be consistent with Policy 3.8 of the London Plan as well as Policy DP24 of the Camden Local Development Framework Development Policies and the Camden Planning Guidance: Housing (CPG2), all of which encourage the provision of private outdoor amenity space. The proposed development would also accord with the core planning principle set out in the Framework that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

11. However, whilst I acknowledge that the qualitative improvement the living conditions of the appeal property would be a benefit arising from the proposed development, this benefit needs to be weighed against the principle established by paragraph 132 of the Framework that great weight should be should be given to the conservation of designated heritage assets. In that context, I am mindful that the balancing exercise required by Paragraph 134 of the Framework weighs the harm to the designated heritage asset against the public benefits of the proposal rather than any benefit accruing to private occupiers of a building.
12. In weighing this balance, I am mindful that the acknowledged benefit arising from the proposed development would accrue only to the current and future occupiers of the appeal property itself. There is no suggestion that the accommodation provided by the existing building is in any way sub-standard or that the proposed development is necessary to make the accommodation habitable. The proposed development would not provide any additional bedrooms and I have been provided with no evidence to suggest that the property as proposed to be enlarged would provide a size of dwelling for which there is a particular need in the Borough. The public benefit arising from the proposed development would therefore be very limited. Consequently, I consider that the great weight afforded to the harm caused by the proposed development would outweigh the limited public benefit arising from it.
13. The appellant contends that the proposed development should also be assessed against the balancing exercise established in relation to non-designated heritage assets as set out at Paragraph 135 of the Framework. The host building is not locally listed but, to the extent that it is identified as making a positive contribution to the character and appearance of the Bartholomew Estate Conservation Area, I accept that the appeal property may be considered as constituting a non-designated heritage asset. Assessment of the appeal proposal against the test set out at Paragraph 135 of the Framework is therefore appropriate in this case.
14. Paragraph 135 of the Framework requires a balanced judgement having regard to the scale of the harm and the significance of the heritage asset. In this case, the scale of the harm would be the substantial loss of the valley roof, an important and distinctive feature of the building and one which distinguishes the appeal property from the hipped roofs of many of the surrounding properties. The significance of the heritage merit is as a distinctive building in the context of the St Bartholomew Hospital Estate sub-area, and one which is specifically identified as making a positive contribution to the character and appearance of the conservation area. In weighing the balance required by Paragraph 135 of the Framework, I conclude that the harm to this non-designated heritage asset would be unacceptable.
15. Accordingly, I conclude that this appeal should be dismissed.

Paul Freer

INSPECTOR