

Appeal Decision

Site visit made on 10 December 2014

by E A Lawrence BTP MRTPI

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

Decision date: 30 December 2014

Appeal Ref: APP/X5210/D/14/3000094

Elm Bank, 17-19 Lyndhurst Terrace, LONDON, NW3 5QA.

- 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 T Uchida against the decision of the Council of the London Borough of Camden.
 - The application Ref 2014/2047/P was refused by notice dated 22 July 2014.
 - The development proposed is described as proposed erection of first floor bedroom suite and further attic room on top of existing ground floor billiard room built up to match the height of the existing main house. Proposal to erect balcony to the rear of the new 1st floor extension. Additional minor interior alterations to kitchen in existing house.
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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 the host dwelling and the Fitzjohns Netherhall Conservaion Area (FNCA).

Reasons

3. The Appeal property is located within FNCA, which is characterised by substantial scaled properties that occupy generous sized mature landscaped plots, within a steeply undulating and verdant setting. Lyndhurst terrace and the Appeal property are consistent with and make a valuable contribution to this character.
4. The Appeal property is located adjacent to a sharp bend in the road and access to the dwelling is from a gated access flanked by boundary walls and shrubs. The dwelling itself comprises a large late C18th century villa with a raised ground floor and two imposing front gables. There is an existing flat roofed extension on the north side of the dwelling, which is utilitarian in its form and appearance. Notwithstanding this, its roof aligns with that of the front porch and its fenestration attempts to respect the fenestration of the original dwelling.
5. Whilst the existing side extension has a negative impact on the quality and appearance of the host dwelling, it is modest in scale, subservient to the original dwelling. It is also relatively discretely located at the more modest northern end of the house. Similarly the existing recessed two storey northern wing of the dwelling is visually subservient to the southern part of the dwelling.

6. Policy CS14 of the London Borough of Camden Core Strategy (Core Strategy) and policies DP24 & DP25 of the London Borough of Camden Development Policies (DPD) seek to ensure that new development respects local character and context. It should preserve and enhance heritage assets including conservation areas and should be of the highest standard of design.
7. These policies are consistent with the National Planning Policy Framework (NPPF), which states that new development should respond to local character and history and reflect the identity of local surroundings, while not preventing appropriate innovation. Development should be visually attractive as a result of good architecture and permission should be refused for development of poor design. Regarding conservation areas it states that great weight should be given to the assets conservation.
8. The proposed extension would be constructed above the existing flat roofed extension and would have strong gable features to the front and side. Due to the combined height and width of the existing and proposed extensions, together with the proposed large front gable, the scheme would completely change the perceived size and appearance of the dwelling. It would appear incongruous and would dominate the host dwelling, rather than be subservient to it.
9. The situation would be exacerbated by the proposed fenestration, which due to its intensity and form would appear visually cluttered and totally out of keeping with the character and appearance of the host dwelling. Not only would the proposed fenestration be out of alignment, too intense and cluttered it would result in the proposed front gable feature having strong vertical lines. This would clash with the existing gables, where the generous spacing between and shuttered nature of the windows, together with the string course, provide strong horizontal lines which soften the gables.
10. To the rear the proposed fenestration and external stairs would similarly appear cluttered and would totally fail to respect or reflect the proportions, alignment and appearance of the host dwelling.
11. Overall the proposed extension would be poorly proportioned and would seriously harm the character and appearance of the host dwelling, contrary to policies CS14 of the Core Strategy, policy DP24 of the DPD and the NPPF. The benefits for the occupants of the dwelling that would result from the extended accommodation would fail to outweigh this harm, which could not be satisfactorily addressed through the imposition of conditions.
12. The extension would however be largely screened from the street scene and views from other public places. This is due to its siting at the northern end of the garden and the abundance of trees and shrubs within the garden environment. As a result the scheme would preserve the overall setting and appearance of the FNCA and in this respect it would comply with policy CS5 of the Core Strategy, policy DP25 of the DPD and the NPPF.
13. For these reasons I conclude that the scheme would preserve the character and appearance of the FNCA and would not detract from its significance. This would not however outweigh the serious and unacceptable harm the scheme would cause to the character and appearance of the host dwelling, which would conflict with policies CS14 of the Core Strategy, DP24 of the DPD and the NPPF.

E Lawrence

INSPECTOR