
Appeal Decision

Site visit made on 4 December 2014

by R C Kirby BA (Hons) DipTP MRTPI

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

Decision date: 6 January 2015

Appeal Ref: APP/X5210/A/14/2226532

18 South Villas, London NW1 9BS

- 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 Alex and Abha Housego against the decision of the Council of the London Borough of Camden.
 - The application Ref 2013/6419/P, dated 30 September 2013, was refused by notice dated 8 April 2014.
 - The development proposed is the enlargement of existing three-storey closet wing extension, erection of single storey glazed extension to first floor flat roof, associated creation of a door from existing window opening and replacement of two existing rooflights with a single larger skylight to flats (Class C3).
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Decision

1. The appeal is allowed and planning permission is granted for the enlargement of existing three-storey closet wing extension, erection of single storey glazed extension to first floor flat roof, associated creation of a door from existing window opening and replacement of two existing rooflights with a single larger skylight to flats (Class C3), at 18 South Villas, London NW1 9BS, in accordance with the terms of application Ref 2013/6419/P, dated 30 September 2013 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 589.001/; 589.200/; 589.201/; 589.202a; 589.204a; 589.201a; 589.211a; 589.212a; 589.220a and 589.221a.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Procedural Matters

2. The description of development above has been taken from the Council's decision notice as it is more precise than that included within the application and appeal forms.
3. The original proposal included an enlargement of the closet wing at second floor level. However, during the course of the planning application, the scheme

was amended to remove this aspect of the development. I have determined the appeal on the basis of the amended plans considered by the Council.

Main Issues

4. The Council make it clear in its decision notice that it has no objection to the proposed first floor single storey glazed extension; roof lights and skylight. I have no reason to reach a different view to the Council in respect of these matters. Accordingly, the main issues in this case are the effect of the first floor bricked extension on the character and appearance of the existing building and terrace of which it forms part, and whether the proposal would serve to preserve the character or appearance of the Camden Square Conservation Area, within which the appeal property is located.

Reasons

5. No 18 South Villas is a 4 storey end of terrace property, split into 4 flats. The terrace of which it forms part comprises 4 properties. The host property has a single storey flat roof, ground floor extension to the rear and a 3 storey closet wing. Nos 20 and 21 South Villas have 2 storey closet wings on the rear elevation and No 20 also has a projecting ground floor rear extension. The adjoining property, No 19 has a conservatory style extension on its rear elevation.
6. The overarching aim of Policy CS14 of the Camden Core Strategy 2010-2025 Local Development Framework (Core Strategy), and Policies DP24 and DP25 of the Camden Development Policies 2010-2025 Local Development Framework (Development Policies) is to promote high quality design and preserve and enhance heritage assets. Further guidance on extensions is provided within the Council's Planning Guidance CPG1 Design (CPG1).
7. Whilst there is some dispute over the depth of the proposed extension, I have taken it to be that indicated on the submitted plans. This shows that the new extension would be 1.64 metres deeper than the existing closet wing and 0.605 metre wider' at first floor level. The extension at second floor level would have the same dimensions as the existing closet wing. The difference in size between the existing closet wing and the new extension would not be significant.
8. Although the rearward projection of the new extension would be deeper and wider than the closet wings at Nos 20 and 21, it would be located some distance from these features. The difference in size between the proposal and these features would be modest and would not be readily apparent from either neighbouring properties or from the side of No 93 St Augustine's Road, where public views of the rear of the host terrace can be obtained. The design of the extension would be similar to existing features in the area and it would be constructed of materials to match the existing property. Its overall scale would be secondary to the host property and terrace as a whole.
9. I am satisfied that the proposal would not be harmful to the character of the host property or terrace of which it forms part. There would be no conflict with the objectives of Policy CS14 of the Core Strategy, Policy DP24 of the Development Policies and the guidance on extensions contained within CPG1.

10. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. In this respect national policy on heritage assets, which includes conservation areas, is set out in the National Planning Policy Framework (the Framework). At paragraph 131, it sets out matters which should be taken into account including sustaining and enhancing the significance of the heritage asset and the desirability of new development making a positive contribution to local character and distinctiveness.
11. The Council has provided me with a copy of the Camden Square Conservation Area Appraisal and Management Strategy. The appeal property and the terrace of which it forms part is identified as making a positive contribution to the character and appearance of the conservation area; the quality of the buildings, grid street pattern and mature gardens are identified as important characteristics to the appearance of the area.
12. The closet wing would be rebuilt, reflecting the original design of the dwelling. It would not encroach into the existing garden. The difference in size between the existing closet wing and the new closet wing would be small. It would not result in an overly bulky or prominent addition to the property. Given my conclusion above in respect of the effect of the proposal on the host property and terrace of which it forms part, I conclude that harm would not be caused to the conservation area. The proposal would preserve the character and appearance of this heritage asset. There would be no conflict with the objectives of Policy CS14 of the Core Strategy, Policy DP25 of the Development Policies or national planning policy in respect of heritage assets.

Other Matters

13. A neighbouring resident has expressed concern that the proposal would reduce daylight to their property and that a precedent would be set for similar extensions. The extension would project beyond the rear face of No 19, but would be set back from the conservatory style extension. The Council consider that the proposal would not adversely affect light entering this property to a degree that would be harmful to living conditions. In the absence of substantive evidence to demonstrate otherwise, I have no reason to take a different view to the Council in this respect.
14. Whilst noting the concern regarding precedent, each application and appeal must be determined on its individual merits. Given that I have found that the proposal would be acceptable, a generalised concern of this nature does not justify withholding permission in this case.

Conditions

15. The Council has suggested a number of conditions that it would like to see imposed in the event that the appeal was allowed. I have considered the suggested conditions below, in accordance with the advice on conditions within the Planning Practice Guidance. A condition is necessary to ensure that the development is carried out in accordance with the approved plans. In the interests of the character and appearance of the area, a condition controlling the use of materials is necessary.

Conclusion

16. For the above reasons and having regard to all other matters raised, the appeal is allowed.

R C Kirby

INSPECTOR