
Appeal Decision

Site visit made on 12 January 2015

by Chris Couper BA (Hons) DiP TP MRTPI

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

Decision date: 22 January 2015

Appeal Ref: APP/X5210/A/14/2217867

4 Aberdare Gardens, London NW6 3PY

- 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 Ms Ela Zakaim against the decision of the Council of the London Borough of Camden.
 - The application ref: 2014/0465/P, dated 15 January 2014, was refused by notice dated 1 April 2014.
 - The development proposed is described as 'single storey 3m extension of an existing (also single storey) extension to the rear of the property, to accommodate a further bedroom. The site of the entire proposed extension is currently a concrete patio'.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The appellant states that she would be willing to reduce the depth of the proposed extension to 2m. However, I do not have any details of such a proposal, and I have therefore dealt with this appeal on the basis of the drawings before me, and which were considered by the Council.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area and the host property, and whether it would preserve or enhance the character or appearance of the conservation area.

Reasons

Character and appearance

4. Aberdare Gardens comprises predominantly of pairs of three storey properties, which are divided into flats. The buildings are set back from the tree-lined highway behind short front gardens. The pattern and style of development, the brickwork, including some intricate detailing, the hanging tiles on the sloping roofs, and the fenestration, gives the properties an attractive symmetry in the streetscene. To their rear the properties generally have large, well-screened
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gardens. No doubt those characteristics all contributed to the decision to designate Aberdare Gardens and surrounding streets as the South Hampstead Conservation Area ('CA').

5. The appeal site is a ground floor flat in a property which displays many of those characteristics described above. To the rear it has a rectilinear flat-roofed extension of approximately the same depth as the staggered single storey flat-roofed rear projection at neighbouring flat 1.
6. Whilst the proposal would respect the design of the host flat's existing extension, its large area of flat roof and simple rectilinear form with a very horizontal emphasis would contrast markedly with the main part of the building. Moreover, although the height of the proposal would be subordinate to the host building, when added to the existing extension, the overall length would be almost as long as the main 3 storey part of no. 4.
7. There is a flat-roofed single storey rear extension at no. 6 Aberdare Gardens, which, from my observations on site, appears to project approximately the same distance to the rear as this proposal. However, the Council states that that scheme replaced a shed structure which extended to a similar depth. On the basis of the evidence before me, the circumstances of that case therefore appear to be different to this scheme. I note in any event that paragraph 24.13 of the Camden Core Strategy 2010-2025 ('CS') states that previous extensions should not necessarily be regarded as setting a precedent for subsequent extensions. Although the appellant states that rear extensions of this size are common in the area, those others that I observed on this side of Aberdare Gardens were shorter than this proposal.
8. No. 4's large rear garden is screened from many surrounding properties by landscaping and boundary treatment. Given its location, the proposal would not be visible in the streetscene, and it would generally only be seen from within no. 4's rear garden and the other flats in that property, and from the rear upper floor windows of no. 6. However, in those views the extended flat-roofed form would appear at odds with the character of most other buildings in the area.
9. For those reasons, the form and scale of the proposal would appear incongruous, and its length out of proportion, and it would not respect the characteristics of the host property, or the wider CA. Consequently the scheme would conflict with policies CS14 of the CS, and DP24 of the Camden Development Policies 2010-2025 ('CDP') which, amongst other matters, require development to be of the highest standard of design, and to respect local context and character, including the proportions of the existing building. The Camden Planning Guidance: Design Supplementary Planning Document 2013 sets out generally similar requirements.
10. I have had regard to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, which is a designated heritage asset. That test is broadly reflected in policy DP25 of the CDP. The National Planning Policy Framework ('Framework') states that, when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and any harm should require clear and convincing justification.

11. For the above reasons the proposal would harm this part of the CA, and in so doing, would fail to preserve the significance of the asset as a whole. However, having regard to paragraph 134 of the Framework, the harm to that asset would be less than substantial.

Other matters

12. The appellant sets out that the internal renovations to the flat are being done to a very high standard in accordance with the Council's objectives, and I have no reason to disagree. She states that the current internal configuration results in a very inefficient use of space, with the one bedroom flat having a very large lounge and kitchen/living space, two bathrooms and an extensive garden, and that the proposal will address the high demand locally for 2 bedroom flats and make better use of the existing property.
13. However, large gardens are a feature of the area, and I am not persuaded that the appeal scheme is the only way in which the internal layout could be addressed. Indeed I noted on my visit that the flat has been altered to create a separate room in the position where bedroom 2 is shown on the drawings, and that a reasonably sized diner/kitchen area has been retained.
14. Although the scheme would be sited on an existing concrete patio, the characteristics of that feature, and its effect on the area, is very different from this proposal.

Conclusion

15. For the reasons above the proposal would harm the character and appearance of the host property and the CA. The Framework states that great weight should be attached to a heritage asset's conservation. Nevertheless, as the harm caused would be less than substantial, I am required to weigh it against the public benefits of the proposal.
16. However, any public benefits as a result of improvements to the quality of the accommodation, and its increased size, would be limited, and do not amount to the clear and convincing justification necessary to outweigh the harm that I have found. Consequently, and having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR