
Appeal Decision

Site visit made on 10 March 2015

by Claire Victory BA (Hons) BPI MRTPI

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

Decision date: 22 April 2015

Appeal Ref: APP/X5210/A/14/2229343
14 Daleham Mews, London NW3 5DB

- 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 Stephen Chrulew against the decision of the Council of the London Borough of Camden.
 - The application Ref 2014/1909/P, dated 10 March 2014, was refused by notice dated 10 September 2014.
 - The development proposed is the change of use of part of ground floor vehicle repair garage (Class B2) to utility/storage room ancillary to first floor flat (Class C3) and erection of first floor rear extension to flat.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of part of ground floor vehicle repair garage (Class B2) to utility/storage room ancillary to first floor flat (Class C3) and erection of first floor rear extension to flat at 14 Daleham Mews, London NW3 5DB in accordance with the terms of the application, Ref 2014/1909/P, dated 10 March 2014, 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: site location plan; RT/14DM/E01 RevA; RT/14DM E02 RevA; RT/14DM E06; RT/14DM E04 RevA; RT/14DM E05; RT/14DM E03; RT/14DM E07; RT/14DM P01 RevA; RT/14DM P02 RevA; RT/14DM P05; RT/14DM P03 RevA; RT/14DM P06; RT/14DM P07; RT/14DM P04 RevA.
 - 3) All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Procedural Matter

2. The proposal was described in the application form as "first floor rear extension and alterations to ground floor to provide a utility/storage room to rear of domestic garage for use in conjunction with the first floor residential unit" but the Council consider the development would involve a change of use as the ground floor is currently in use as a car repair workshop, and part of this would become ancillary storage space for the first floor flat. I agree the Council's

description is more accurate and thus have used it in the banner heading and formal decision.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Belsize Park Conservation Area.

Reasons

4. No 14 Daleham Mews is a two storey mid-terrace property in use at ground floor level as a car repair workshop and with a residential use at first floor level. Although there are some other properties with ground floor commercial uses on Daleham Mews, the immediate area is predominantly residential in character.
5. The appeal property is located within the Belsize Park Conservation Area. From my observations on site and from the Council's Conservation Area appraisal, the greater part of the conservation area contains large scale, imposing semi-detached Victorian villas. However, there are also a number of smaller sub-areas of differing character, such as the mews areas along the north western edge of the conservation area, of which the appeal site forms part. Daleham Mews is identified in the appraisal as a particularly charming street of single aspect, two storey mews houses. It retains many original features, and has a generally uniform elevational treatment, roofscape and materials.
6. The proposal would involve the change of use of part of the rear ground floor as ancillary storage for the first floor flat, and a first floor rear extension above an existing single storey rear projection that would cover approximately one third of the width of the roof terrace. The extension would have a flat roof no higher than the flank parapet wall.
7. The Conservation Area appraisal notes that although some rear extensions are not widely visible they can so adversely affect the architectural integrity of the building to which they are attached that the character of the conservation area is prejudiced, for example in respect of insensitive scale, design or inappropriate materials.
8. In these particular site circumstances, the scale of the proposal is modest, and the materials would match the host building. In addition, the rear of No 16 is not readily visible from public views, and would be largely screened from properties on Daleham Gardens by the rear privacy screen and a row of large conifer trees within the garden of the adjacent property to the rear, close to the shared boundary. Taking all of the above into account, I am satisfied that the impact on the conservation area would be neutral.
9. The Council are concerned that the privacy screen is not a permanent feature and that the extension would be visible from the rear gardens of properties on Daleham Gardens. However, the wooden screen is a substantial structure of robust design and construction, approximately one third of a metre thick, which also forms the rear boundary of No 16 Daleham Mews. Due to the significant difference in height between the roof terrace and the rear gardens of neighbouring properties, some form of enclosure would be necessary for the continued use of the roof terrace for both safety and privacy. As such I have no reason to believe the screen would not be permanently retained.

10. The Council have referred to an extension at No 12, but I am not aware of the full site circumstances of that scheme, and in any case I have determined the appeal before me on its own merits.
11. For the above reasons I conclude that the proposed development would preserve the character and appearance of the Belsize Park Conservation Area. It would accord with Policy CS14 of the LDF Core Strategy (2010), and Policies DP24 and DP25 of the LDF Development Policies DPD (2010), which require the highest standards of design and the preservation and enhancement of the borough's heritage assets.
12. In addition to the standard time limit condition I have imposed a condition requiring the approved plans for the avoidance of doubt and in the interests of proper planning. I shall also require the materials to be used in the extension to match those of the existing building, to safeguard the character and appearance of the area.
13. I have found that the proposal would preserve the character and appearance of the Belsize Park Conservation Area. Having had regard to all other matters raised I conclude that the appeal should, subject to the conditions identified above, be allowed.

Claire Victory

INSPECTOR