
Appeal Decision

Site visit made on 27 April 2015

by Michael Evans BA MA MPhil DipTP MRTPI

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

Decision date: 20/05/2015

Appeal Ref: APP/X5210/D/15/3004848

21 Rosecroft Avenue, London NW3 7QA

- 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 Theo Duchen against the decision of the Council of the London Borough of Camden.
 - The application Ref 2014/6453/P was refused by notice dated 19 January 2015.
 - The development proposed is described on the application form as 'rear second floor extension on permitted rear first floor extension, with fenestration and materials to match the existing, together with two small windows on the side elevation in obscure glass'.
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Decision

1. The appeal is allowed and planning permission is granted for a rear second floor extension on permitted rear first floor extension, with fenestration and materials to match the existing, together with two small windows on the side elevation in obscure glass, at 21 Rosecroft Avenue, London NW3 7QA, in accordance with the terms of the application, Ref: 2014/6453/P, 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: J168/D 54,55,56,57,58,61,63.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. The description of development given in the heading above refers to a second floor extension on a permitted first floor extension. However, the latter has not been constructed. Although I do not have the power to alter the description given on the application form, in these circumstances the development shown on the submitted drawings would be a two storey rear extension.

Main Issue

3. The main issue in the consideration of this appeal is whether the proposal would preserve or enhance the character or appearance of the Redington and Frognal Conservation Area, within which the site is located.

Reasons

4. The appeal concerns one of a pair of semi-detached dwellings with three storeys plus a lower ground floor level. The pair date from the 1960s and contrast in their flat roof form with the traditional pitched roofs of the often fairly imposing dwellings that typify the street.
5. The overall building has been designed with a symmetrical appearance at both the front and rear. The Redington/Frognaal Conservation Area Statement (CAS) identifies it as making a neutral contribution to the Area, so that while not being detrimental it does not positively contribute.
6. Due to the surrounding rear gardens and fairly extensive vegetation the rear elevation is significantly less prominent than the front. Furthermore, the Council has granted planning permissions for extensions to the rear of no. 21 that would appreciably alter the appearance of the overall building.
7. As well as the first floor extension referred to above, a lower ground floor extension and a ground floor infill addition have been permitted. Either the first floor extension, or the lower additions together, would result in no. 21 significantly contrasting with the attached property and the pair not being symmetrical. In my view, these fairly recent permissions, which could still be implemented, are inconsistent with the Council's concern that the addition now proposed would unbalance the pair of dwellings and detract from their symmetry and uniformity.
8. The two storey extension would be set back noticeably from the end of the existing rearward projection at the two lower floors, while also being set in from the sides and below the top of the host dwelling. In consequence, it would be a subordinate feature, with its flat roof form matching that of the host dwelling. At the back the pair of dwellings would not be symmetrical but a distinctly asymmetrical appearance has been accepted when granting previous planning permissions. Moreover, I consider that the additional articulation, such as in relation to the rear walls of the upper floors of the pair, would add visual interest.
9. In consequence of these factors, the extension would not appear overly dominant or visually intrusive, with the architectural quality of the overall building not being adversely affected. It is therefore concluded that the character and appearance of the Conservation Area would be preserved. There would be compliance with the main thrust of Camden Core Strategy 2010-2025, Policy CS14 and Camden Development Policies 2010-2025, Policies DP24 and DP25, which, taken together, includes conserving Camden's heritage and securing high quality design.
10. The Council's Supplementary Planning Document (SPD) Camden Planning Guidance, September 2013, indicates that in most cases extensions should not be higher than one full storey below roof level. The guidelines in the CAS include that in most cases rear extensions should be no more than one storey in height. However, given the absence of any detrimental impact this is a case where the advice in these documents should not be applied.
11. There would be no conflict with Government policy in the National Planning Policy Framework, where it is indicated that great weight should be given to the conservation of designated heritage assets.

12. The adjacent second floor window in the attached property serves a staircase. It would be set back from the addition, which would not be of such a depth as to result in an unacceptable loss of daylight or undue sense of enclosure. This is especially so given the particularly open outlook to the rear and other side, the secondary nature of the opening and the lack of any objection in this regard from the Council.
13. Taking account of all other matters raised, there are no considerations sufficient to justify rejecting the proposal given the absence of harm that would result and the appeal succeeds.
14. A condition requiring the development to be carried out in accordance with the approved plans is necessary for the avoidance of doubt. The facing materials used in the development should match those of the host dwelling in order to protect its appearance.

M Evans

INSPECTOR