



Appeal Decision

Site visit made on 1 June 2015

by M Brookes BA MSc MRTPI

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

Decision date: 30 June 2015

Appeal Ref: APP/X5210/W/15/3003193

86 West End Lane, London, NW6 2LX

- 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 David Eckhardt against the decision of the Council of the London Borough of Camden.
 - The application Ref. 2014/2651/P was refused by notice dated 23 July 2014.
 - The development proposed is a second floor extension to bring forward the existing mansard roof in order to enlarge the existing two rear studio flats.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and the South Hampstead Conservation Area.

Reasons

3. The Council's South Hampstead Conservation Area Character Appraisal and Management Strategy (2011) (CACAMS) identifies South Hampstead as a well preserved example of a leafy Victorian suburb, almost exclusively residential in nature and largely homogeneous in scale and character. It is characterised by properties with a particularly distinctive and attractive roofscape and one of the most prominent features is vegetation both to the front and rear of properties.
4. The appeal property is located within a row of detached buildings fronting onto the east side of West End Lane between its junctions with West Hampstead Mews and Compayne Gardens. The buildings, which date from the Victorian period and were constructed as two storey villas of the same design, largely retain their original, distinctive and attractive front facades which make a positive contribution to the street scene. The buildings are also identified in the CACAMS as making a positive contribution the Conservation Area as a whole.
5. However, there have been large extensions to the rear of most of these villas including substantial additions to their roofs. At the appeal property there is a full width two storey extension over a basement floor with a flat roof although the front part is covered by an additional floor within a mansard roof. The rear of the mansard roof is some 5 metres back from the main rear wall of the building.
6. These rear extensions, which take a variety of forms, do not relate well to the design of the original buildings and the rear elevations of the villas do not make

a significant positive contribution to the character or appearance of the Conservation Area. However, they are generally of similar scale and are staggered and partially screened by trees such that no building is unduly obtrusive in views from Compayne Gardens, each being seen against the backdrop of the building beyond. There is therefore a degree of harmony and homogeneity of scale and character in those views. That staggering does not include 88 West End Lane, which does not project back as far as the appeal property. The flat roofed section at the rear of the appeal property is therefore quite prominent and an unattractive and somewhat discordant feature in views from West Hampstead Mews.

7. Land to the rear of the villas contains a number of substantial trees and shrubs in an open setting that make a significant contribution to the character and appearance of the Conservation Area.
8. The proposal would involve the extension of the existing third floor towards the rear wall of the building. Whilst the extension would merely replicate the existing design of the third floor of the building, it would significantly increase the height of the rear of the building where it is most conspicuous in public views. In particular, very high flank walls would project well beyond and above the closest sections of the adjacent buildings. The extended building would thereby disrupt the harmony of views from Compayne Gardens and would be unduly obtrusive in views from West Hampstead Mews. It would also detract from the open setting of nearby trees and the balance between built development and soft landscaping in the area.
9. Having regard to the extent and nature of extensions that have already been carried out and to the more sympathetic fenestration of the extended mansard, I consider that the development would not have a harmful effect on the character or appearance of the host building. However, the extended building would be unduly large in relation to adjacent properties and would detract from views from adjacent roads. It would be harmful to the generally homogeneous and harmonious nature of development and would disrupt the balance between built development and soft landscaping in the area. It would therefore fail to preserve or enhance the character or appearance of the South Hampstead Conservation Area.
10. The development would therefore conflict with Policy CS14 of the Camden Core Strategy 2010-2025 (2010) (CS), Policy DP25 of Camden Development Policies 2010-2025 (2010) (CDP) and with CDP Policy DP24, which requires development of the highest standard of design that considers the character, setting, context and the form and scale of neighbouring buildings. It would not reflect advice in paragraph 7.16 of the CACAMS that alterations should not result in increased visual bulk to the roof and it would not have due regard to the desirability of sustaining and enhancing the significance of heritage assets in accordance with the National Planning Policy Framework.

Other matters

11. The harm to the conservation area would be less than substantial. Consideration therefore needs to be given to whether there would be any public benefits that outweigh that harm. In this case the extension would provide additional floorspace to two of the four flats on the second floor.

12. The application drawings show that the extension would provide an additional 20 sqm of floorspace for both flats which, at some 21-22 sqm, are currently below the 32 sqm minimum standard for one person flats in the Council's Camden Planning Guidance: Housing (2013) (CPG2) Supplementary Planning Document and the 37 sqm minimum standard in Policy 3.5 and Table 3.3 of The London Plan (March 2015) (LP).
13. This additional floorspace would benefit the occupiers of two of the second floor flats and help to meet the housing objectives and standards of CPG2 and the LP. However, it would not increase the floorspace of the two flats at the front of the building, which barely equate to the minimum LP standard and are partially compromised by low sloping ceilings.
14. The limitations of the flats therefore appear to be a consequence of the second floor being divided into four units and would only be partially addressed by the proposed development. I was unable to gain access to the second floor of the building, but am not satisfied that the need for good living conditions could not be secured by providing fewer, larger units that might accommodate a similar number of residents.
15. Having regard to the possible potential for a better way of creating satisfactory living conditions for all residents of the second floor, to the lower priority accorded to the provision of studio and 1 bedroom market dwellings in CDP Policy DP5 and to the weight and importance to be attached to the desirability of preserving or enhancing the character or appearance of conservation areas, I conclude that the harm to the conservation area is not outweighed by the public benefit.
16. I have also considered all of the objections raised by third parties on other grounds but find the development to be acceptable other than in terms of its effect on the Conservation Area.

Conclusion

17. For the reasons set out above and having regard to all other matters raised the appeal is dismissed.

M Brookes

INSPECTOR