
Appeal Decision

Site visit made on 6 July 2015

by **Jim Metcalf BSc DipTP MRTPI**

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

Decision date: 17 July 2015

Appeal Ref: APP/X5210/D/15/3020536

93 Hillway, Camden, London, NA6 6AB

- 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 L Lang against the decision of Camden Council.
 - The application Ref 2015/0246/P, dated 5 January 2015, was refused by notice dated 10 April 2015.
 - The development proposed is an amendment to application reference 2013/7128/P: rear pool extension incorporating a 2 metre increase in overall rear projection.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the extension would preserve or enhance the character or appearance of the Holly Lodge Conservation Area.

Reasons

3. Planning permission (2013/7128/P) was granted, in November 2014, for the erection of a single storey rear extension and associated excavation works to replace a swimming pool internally at the appeal property. This approved scheme is a 'fallback' position that could be implemented in the event that the appeal is dismissed. In assessing the appeal proposal I have sought to compare the scheme with the one that was approved in 2014.
 4. 93 Hillway is a large house sat in a row of similar properties on rising ground in the Holly Lodge Conservation Area. At the rear the ground falls away with steps down into the garden. There is a conservatory on the boundary with No 95 Hillway. A patio behind the conservatory features an open swimming pool. The conservatory, pool and decking would be replaced by a flat roofed extension, to be used as a gym, with steps down to an enclosed swimming pool beyond. In the approved scheme the swimming pool area would be 10m long, measured from the end of the gym. The appeal proposal would be 2m longer. In other respects the appeal proposal is similar to the approved scheme.
 5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid of the desirability of preserving or enhancing the character or appearance of conservation areas. Reflecting this
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approach Policy CS14 of the Camden Core Strategy 2010-2025 (CS) explains that the Council will preserve and enhance local heritage assets, including conservation areas. In more detail Policies DP24 and DP25 of the Camden Development Policies (DP) document explains that all developments should be of the highest standard of design and consider the character and proportions of the existing building where extensions are proposed. Policy DP25 explains the Council will take account of conservation area appraisals and management plans when assessing planning applications.

6. The Council adopted, in 2012, an Appraisal and Management Strategy for the Holly Lodge Conservation Area (CAAMS). The Holly Lodge Conservation Area Advisory Committee had a significant input to the document. The CAAMS notes that rear gardens on the Holly Lodge Estate, with their mature vegetation, form an essential part of the 'garden' character of the estate. In this context CAAMS states that development that causes harm to the garden character or the ratio of built to unbuilt space is unlikely to be acceptable due to the harmful impact on the character and appearance of the conservation area. CAAMS also explains that rear extensions should be as unobtrusive as possible and in harmony with the form and character of the original building.
7. The pool extension as approved would extend a significant distance into the rear garden of the house. The longer version of the gym and swimming pool combined would project about 18m from the main rear wall of the house. The swimming pool part would be 3m high above garden level. Although the houses on this side of Hillway have a variety of extensions at the rear, and there is no well defined line formed by such work, the extension would project farther into the garden than is commonly the case with other extensions.
8. The extension would be disproportionate in size to the existing building and, although relatively narrow and sat at a lower level, would intrude into the open, but well vegetated area of the garden. It would be obtrusive because of its length and position and unrelated to the original form and character of the house, conflicting with the approach set down in CAAMS regarding these matters.
9. Although the extension would not be seen from the public realm along Hillway it would be readily seen from surrounding properties. CAAMS points out that the soft landscape of the estate, both public and private, provides a major contribution to the conservation area and that views across rear gardens are important and can be marred by over large extensions.
10. In this context the introduction of built development so deep into the well vegetated garden with a structure of the length and height proposed would form an intrusive and incongruous feature that would significantly detract from the character and appearance of the Holly Lodge Conservation Area, contrary to CS Policy CS14, DP Policies DP24 and DP25 and CAAMS.

Jim Metcalf

INSPECTOR