
Appeal Decisions

Site visits made on 1 February 2016

by Christa Masters MA (Hons) MRTPI

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

Decision date: 13 February 2016

Appeal A Ref: APP/X5210/D/15/3133659
46 Alma Street, Camden, London NW5 3DH

- 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 & Mrs Lindsay Nuttall & Ryan Greenwood against the decision of the Council of the London Borough of Camden.
- The application Ref 2015/1354/P, dated 6 March 2015, was refused by notice dated 28 May 2015.
- The development proposed is first and second floor extension, in conjunction with internal alterations and a new roof light to the 'butterfly' roof.

Appeal B Ref: APP/X5210/D/15/3137483
46 Alma Street, Camden, London NW5 3DH

- 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 & Mrs Lindsay Nuttall & Ryan Greenwood against the decision of the Council of the London Borough of Camden.
 - The application Ref 2015/3838/P, dated 6 July 2015, was refused by notice dated 25 August 2015.
 - The development proposed is first and second floor extension, in conjunction with internal alterations and a new roof light to the 'butterfly' roof.
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Decisions

1. Appeal A is allowed and planning permission is granted for first and second floor extension, in conjunction with internal alterations and a new roof light to the 'butterfly' roof at 46 Alma Street, Camden, London NW5 3DH in accordance with the terms of the application, Ref 2015/1354/P, dated 6 March 2015, subject to the conditions set out below:
 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: PR_04 REV C, EX_04, EX_LA02, EX_02, EX_LA01, PR_02 REV B, PR_01, EX_03, EX_01.
 3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
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4. As indicated on drawing PR_04 Rev C, the glazing to the flank elevation at first floor level shall be obscure glazing and shall be permanently retained as such.
2. Appeal B is allowed and planning permission is granted for first and second floor extension, in conjunction with internal alterations and a new roof light to the 'butterfly' roof at 46 Alma Street, Camden, London NW5 3DH in accordance with the terms of the application, Ref 2015/3838/P, dated 6 July 2015, subject to the conditions set out below:
 5. The development hereby permitted shall begin not later than three years from the date of this decision.
 6. The development hereby permitted shall be carried out in accordance with the following approved plans: PR2_04, PR2_01, 150604_SK03 REV A, EX_04, PR2_02, EX_LA01, EX_LA02, EX_01, EX_02, EX_03.
 7. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 8. As indicated on drawing PR2_04, the glazing to the flank elevation at first floor level shall be obscure glazing and shall be permanently retained as such.

Main Issue

3. In the case of both appeal A and appeal B, whether the proposals would preserve or enhance the character or appearance of the Inkerman Conservation Area.

Reasons

Appeal A and Appeal B

Whether the proposals would preserve or enhance the character or appearance of the Inkerman Conservation Area

4. The appeal property is a mid-Victorian terraced property on the eastern side of Alma Street. The street itself is characterised by terraced properties with front elevations of uniform appearance and design. From the rear elevation of the host property, a number of extensions of varying heights and styles are evident. These all form part of the established character of the street.
5. The Inkerman Conservation Area is a relatively small area located to the west of Kentish Town Road. The Conservation Area Statement (2003) notes the key characteristics of Alma Street being, amongst other things, the two storey terrace housing, tightly lining both sides of the street. The document goes on to note that any rear extension should be as unobtrusive as possible, and should not adversely effect the character of the building. It also notes that rear extensions will not be acceptable where they would spoil a uniformed rear elevation of an unspoilt terrace or group of buildings.
6. Policy CS 14 of the Camden Core Strategy (CS) 2010 states, amongst other things, that proposals should preserve and enhance Camdens' rich and diverse heritage assets. Policy DP24 of Camdens' Development Policies (DP) 2010 emphasises the importance of achieving high quality design by requiring

proposals to consider, amongst other things, the character and proportions of the existing building as well as the character and scale of neighbouring buildings. Policy DP25 relates specifically to Conservation Areas and states that development will only be permitted which preserves and enhances the character and appearance of the area. In my estimations, the proposals would be visible from a number of neighbouring gardens and as a result of the tight configuration of the housing, would be of limited visibility from the surrounding streets. Nevertheless, given the sites location within the Inkerman Conservation Area, the proposals must address the policy requirements set out above.

7. In relation to appeal A, from what I saw on the site visit, the neighbouring property, No 45 has an extensive flat roof extension which dominates the roofscape of this part of the terrace. Conversely, one of the key characteristics of the rear elevation of the host property is the butterfly roof which makes a positive contribution to the appearance of the host property and the terrace overall. The height of the proposal would mean that this feature would be retained and would still be readily visible with the appeal proposal in place. The height of the proposal would also be in keeping with other existing extensions along the terrace. As a result of these factors, the proposal cannot, as suggested by the Council, be described as an incongruous addition to the dwelling.
8. The extension proposed by appeal A would create a flat roofed structure at the rear of the host property. However, as it would not extend the full width of the property, it would as such remain subordinate in scale and form to the host property. The existing variety of rear extensions along this particular terrace includes both pitched roofed as well as flat roofed structures. Taking this established character into account, I cannot agree that the proposal would cause material harm to the character or appearance of the conservation area.
9. To conclude, the proposal would accord with the provisions of the Camden Planning Guidance (SPG) 2013 and in particular, paragraph 4.12 which notes that proposals should respect the existing pattern of rear extensions, where they exist.
10. Turning to consider appeal B, the Council's concerns in relation to this proposal appear to focus on the height of the proposal and the pitched roof form which the Council consider would dominate the majority of the rear elevation of the property. As I have set out above, the main consideration in my view is the visibility of the butterfly roof. This feature would be retained and would be a readily visible feature on the host property. The extension proposed is modest in scale and height, and as such would not dominate the rear elevation of either the host property or the neighbouring dwellings.
11. The Council have also raised concerns that the width of the proposal is greater than other extensions in the vicinity. However, the proposal does not extend the full width of the property. It would in my view, be subordinate in scale and form to the host property. Whilst it maybe wider than some other extensions, this in itself does not mean it would be harmful. In addition, there are examples of full width extension such as No 49 and also examples of other extensions similar in width to the appeal proposal on Raglan Street which backs onto the Conservation Area. All of these other properties form part of the established character of the area.

12. In the case of both appeals, the fenestration proposed would present contemporary design solutions which to my mind would be sympathetic to the host property and the existing fenestration detailing in place. Paragraph 24.6 of the DMD recognises that design should respond creatively to its site and context and paragraph 24.6 goes on to note that high quality contemporary design will be welcomed. I also consider the design approach adopted to be consistent with the Framework, and in particular paragraph 58 which requires proposals to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.
13. The Council have also expressed concerns regarding the materials proposed at first floor level indicating a preference for a brick finish. There are examples of both render and brick extensions to the rear of Alma Street. However, I agree that materials to match the host property may in the circumstances of these appeals be more appropriate. As such, I am satisfied that a suitably worded condition could satisfactorily address this point and I have attached a condition to this effect.
14. As a result of the above, I conclude in relation to both appeal A and appeal B, the proposals would preserve both the character and appearance of the Inkerman Conservation Area. The proposals would therefore accord with policy CS14 of the CS as well as policies DP24 and DP25 of the DMP outlined above. In addition, the proposals would also accord with the SPD regarding residential extensions referred to above. The proposals would also be consistent with paragraph 132 of the Framework which anticipates that great weight should be given to the conservation of heritage assets. For these reasons, I conclude that the proposals would preserve both the character and appearance of the Conservation Area, in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Other matters

15. Although I have not been provided with a copy of the neighbour notification responses, I note the officers report refers to concerns raised by the occupiers of No 47 Alma Street regarding the potential for the proposals to result in loss of privacy and loss of light. However, taking into account the depth of the extensions proposed, I am not convinced that either of the proposals would result in any issues concerning loss of light. In addition, the glazing proposed to the flank elevation facing No 47 would be obscured glazing therefore the proposals would not result in loss of privacy in this regard. A condition to ensure this glazing is obscured glazing could be attached to this effect.

Conditions

16. I have considered the conditions as suggested by the Council in light of the advice contained within paragraph 206 of the Framework.
17. In the case of both appeals, a standard condition limiting the life of the permission is necessary. I also agree it is necessary to specify the approved plans for the avoidance of doubt and in the interests of proper planning. A condition requiring the materials to be used as part of the development to match the existing property is necessary to ensure the appearance of the development is satisfactory. Although no suggested condition has been put

forward by the Council, the application drawings refer to the use of obscure glazing on the flank elevation windows. I have included a condition to this effect to ensure the living conditions of neighbouring properties are protected.

Conclusion

18. For the reasons set out above and taking into account all other matters raised, I conclude that both appeal A and appeal B should be allowed.

Christa Masters

INSPECTOR