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# Appeal Decision

Site visit made on 19 January 2016

**by John Dowsett MA DipURP DipUD MRTPI**

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

**Decision date: 16 February 2016**

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**Appeal Ref: APP/X5210/W/15/3132772**

**Flat 2, 75 Chetwynd Road, Camden, London NW5 1DA**

- 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 Pietro Fratta against the decision of the Council of the London Borough of Camden.
  - The application Ref 2015/2434/P, dated 28 April 2015, was refused by notice dated 24 June 2015.
  - The development proposed is a back extension above the existing terrace, consisting of bathroom and accessory space with pitched roof and brickwork external walls.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the existing building and the Dartmouth Park Conservation Area.

## Reasons

3. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in making decisions on planning applications and appeals within a Conservation Area, special attention is paid to the desirability of preserving or enhancing the character and appearance of the area. The Dartmouth Park Conservation Area is predominantly residential but has other uses including churches, institutional buildings and small groups of shops scattered through it. Architecturally it is very varied reflecting its development over a period of time by a number of speculative developers.
  4. The section of Chetwynd Road where the appeal building is located is particularly diverse in terms of the size and scale of the buildings with a mixture of two and three storey houses in short terraces, semi-detached and detached form. The appeal building is a two storey building with rooms in the roof space that is part of a short terrace of two and three storey buildings leading up the junction with York Rise and it has been much altered and extended since it was originally built, including alterations to the roof and the addition of a two storey rear extension, the latter being mirrored on the adjoining property at number 77. The appeal building is, however, noted in the Dartmouth Park Conservation Area Character Appraisal as one which makes a positive contribution to the character and appearance of the Conservation Area.
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5. The proposed extension would sit above the existing two storey rear extension and be level with the original roof of the property. The adopted Camden Planning Guidance: Design 2015 (CPG1), which provides design guidance against which Policy CS14 of the London Borough of Camden Local Development Framework Core Strategy 2010 and Policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies 2010 should be read, requires that rear extensions should be secondary or subordinate to the building being extended and respect and preserve the original design and proportions of the building.
6. Whilst the proposed extension would project less than half the length of the existing rear extension, due to its elevated position, it would add significantly to the bulk of the already large rear extension to the building and would be higher than the original eaves level of the building. I do not consider that this represents secondary or subordinate development, and taken cumulatively, the proposed extension together with the previous additions to the building would overwhelm the original proportions of the building and not preserve or respect the original design of what was initially a relatively modestly sized terraced house.
7. Although the proposed development is on the rear of the building and consequently would not be readily visible from outside the perimeter block within which the appeal building is located, the interior of the block is nonetheless still within the Conservation Area and the extension would be visible from the rear windows and gardens of a number of properties on York Rise and Dartmouth Park Road. It is proposed that the extension would be constructed in brickwork and this would make it stand out against the existing white render on the rear of the property, thus making it very conspicuous, particularly due to its elevated position on the building.
8. The appellant suggests that the rear elevations of the houses in the road are diverse in design with a range of shapes and materials and that the incorporation of a pitched roof on the extension combined with the use of brickwork will be more in keeping with the character of the Conservation Area. Whilst there are a variety of rear extensions and additions to the properties in Chetwynd Road, York Rise and Dartmouth Park Road, which I was able to see on my site visit, these are clearly subordinate to the main part of the house, which is not the case with the proposed extension. Although pitched roofs are common throughout the area, the extension would result in a significant projection from the main roofline of the terrace and sit awkwardly within the context of the group of buildings. Although brickwork is the predominant building material in the street, its use on the rendered rear elevation of the appeal building would, in my view, add to the incongruity of the extension, rather than make it blend in.
9. The combination of significantly altering the shape and massing of the building, which is recognised as making a positive contribution to the Conservation Area, together with the proposed materials, would cause harm to the character and appearance of the Conservation Area through the further erosion of the original design, shape and massing of the appeal building although, given the overall size of the Conservation Area, this harm would be less than substantial. The National Planning Policy Framework requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. I have noted the appellant's point that the proposal would provide an additional

bathroom for the property which they consider is necessary given the current level of occupation taking account of the Nationally Described Space Standard published in 2015. However, the bathroom takes up less than half of the floor area of the proposed extension and in any event, whilst it may improve facilities for the occupiers of the property, this is not a public benefit and does not outweigh the harm to the character and appearance of the Conservation Area that I have previously found. No other public benefits have been identified by the appellant and the harm to the character and appearance of the Conservation Area weighs heavily against the proposal.

10. The appellant has drawn my attention to an extension at 67A Chetwynd Road which it is suggested has a greater impact on the area and which I was also able to see on my site visit. I do not have full details of the circumstances which lead to this, but from the submitted drawings and photograph, and from being able to see the extension when I visited the site, the characteristics of the building where this is located are different from the appeal building, with the extension being below the level of the roof and set between two higher buildings on either side. Consequently, I do not consider that it is directly comparable to this case.
11. I therefore find that the proposed development would cause harm the character and appearance of the existing building and the Dartmouth Park Conservation Area and is contrary to Policy CS14 of the London Borough of Camden Local Development Framework Core Strategy 2010, and Policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies 2010, which seek high quality design and to preserve and enhance the character and appearance of Conservation Areas.

### **Other matters**

12. I have considered the other matters raised, including the impact on living conditions of adjoining occupiers, the fact that the proposal would retain external amenity space for the occupiers of the first floor flat and that there have been no objections from adjoining occupiers. I am satisfied that the proposal would not effect the living conditions of adjoining occupiers and that the proposal would retain adequate, usable external space, and I note that the Council do not have any objections in respect of these matters. However, these do not outweigh the harm to the character and appearance of the building and the Conservation Area that I have found.
13. I have also considered whether a condition requiring the extension to be constructed in materials to more closely match the rear elevation would sufficiently mitigate the harm caused by the proposal to allow permission to be granted. Whilst this would improve the appearance of the proposed extension in the context of the rendered rear elevation, it would do little to overcome the fundamental harm that is caused by its size, design, location, and projection beyond the main roof line.

### **Conclusion**

14. For the above reasons I conclude that the appeal should be dismissed.

*John Dowsett*

INSPECTOR