
Appeal Decision

Site visit made on 5 April 2016

by John Dowsett MA DipURP DipUD MRTPI

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

Decision date: 17 May 2016

Appeal Ref: APP/X5210/W/15/3139298

14, Westfield, 15 Kidderpore Avenue, London, NW3 7SG

- 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 Kurt Potschke against the decision of the Council of the London Borough of Camden.
 - The application Ref 2015/5085/P, dated 4 September 2015, was refused by notice dated 11 November 2015.
 - The development proposed is an extension on an existing roof terrace.
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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 of the Redington/Frognaal Conservation Area.

Reasons

3. The Redington/Frognaal Conservation Area, within which the appeal site is located, is largely residential in nature with predominantly large detached and semi-detached houses in a variety of architectural styles dating mainly from the latter part of the nineteenth and early part of the twentieth centuries. That part of the Conservation Area where the appeal building is located has a slightly different character derived from the presence of a former college campus, parts of which have been redeveloped following the closure of the college, centred on the former Kidderpore Hall which is an imposing two storey classical building.
 4. Kidderpore Avenue is a quiet street consisting of large houses set in large mature gardens at the south east end, and larger buildings, formerly part of the college, and a large complex of flats which contains the appeal building in the central section. At the north west end is a large church adjacent to Arts and Crafts style houses and opposite these a substantial site, currently being redeveloped for flats, with the buildings completed thus far being four and six storeys high.
 5. The Westfield flats are a large block of buildings, three and four storeys high with accommodation also contained within the roof space. The large roof of this block is very diverse in form containing numerous dormer windows of
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varying sizes, skylights, and roof terraces in a range of shapes and forms. Nonetheless, this varied roofscape has clearly been designed as an integral part of the overall design of the building and as a result has a consistent and coherent appearance.

6. Although the proposed extension would be small in comparison to the overall size of the flat block, it would extend the perceived ridge of the roof beyond the hipped end, which would appear as an incongruous and visually jarring feature in the otherwise coherent design of the roof structure. Additionally, the extension would have an unbalancing effect on the dormer and terrace arrangement on the end of the roof, which has also clearly been intentionally designed as an architectural feature of the block with the upstanding screen wall mirroring the chimneys on the adjacent houses. This imbalance would be clearly visible when approaching the site from west.
7. This would be inconsistent with the advice in the adopted Camden Planning Guidance 1: Design (2015), which provides detailed guidance against which the design related policies in the London Borough of Camden Local Development Framework Core Strategy (2010) and the London Borough of Camden Local Development Framework Development Policies (2010) have to be read. This seeks to ensure that roof alterations are sympathetic and do not harm the character and appearance of buildings. It states that roof alterations and extensions are likely to be unacceptable where the building is designed as a complete composition and where its architectural style would be undermined by any addition at roof level. Due to its ad-hoc extension of the ridge of the roof beyond the existing hip and the unbalancing effect it would have on a designed architectural feature of the building, I find that the proposed development would cause harm to the integrity of the roof design and consequently the character and appearance of the appeal building.
8. 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. Although the Westfield Flats are a more recent addition to the built fabric of the Conservation Area, the design has taken its cues from the surrounding architecture, in particular the massing of the group of larger college buildings opposite and architectural details which have been influenced by those found on the late nineteenth and early twentieth century houses nearby, and as such it sits comfortably within its context.
9. An alteration which is harmful to the character and appearance of this building would cause harm to the character and appearance of this part of the Conservation Area but, given the size and nature of 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. No 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. Whilst I note the appellant's point about the existing roof having many modulations and much variety at present, the roof was clearly designed in this manner to complement the elevational treatment of the building and as part of the comprehensive design of the building.

10. I also note the appellant's point regarding significant schemes being built nearby, however, I do not have full details of these or the circumstances which brought them about. I have, in any event, decided this appeal on its own merits.
11. I therefore find that the proposed development would cause harm to the character and appearance of the existing building and of the Redington/Frognaal 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. Concern has been expressed that the proposed development would have an adverse effect on the living conditions of neighbouring residential properties through overlooking and loss of privacy. I have noted the appellant's comments that these have been raised by occupiers of a house at the opposite end of the flat block from the appeal property and also that the Council do not have concerns in respect of this. I am satisfied that the design of the extension is such that it would not affect the privacy of neighbouring occupiers, however, this does not alter my findings on the main issue.

Conclusion

13. For the above reasons, and taking account of all other matters raised, I therefore conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR