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## Appeal Decision

Site visit made on 18 April 2016

**by H Baugh-Jones BA(Hons) DipLA MA CMLI**

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

**Decision date: 25 May 2016**

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**Appeal Ref: APP/X5210/W/16/3141776**

**76 Croftdown Road, London NW5 1HA**

- 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 and Mrs Anke and Yianni Hermanns and Tsitouras against the decision of the Council of the London Borough of Camden.
  - The application Ref 2015/2902/P, dated 21 May 2015, was refused by notice dated 20 October 2015.
  - The development proposed is erection of a single storey rear extension in the rear garden.
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This decision is issued in accordance with Section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 6 May 2016.

### Decision

1. The appeal is dismissed.

### Procedural matter

2. Revised plans were submitted with the appeal showing a number of changes to the proposed extension's fenestration and an alteration to its south western flank wall. I consider these to represent substantial changes to the original scheme upon which the Council based its reasons for refusal. Therefore, in determining the appeal, I have not taken account of the amended proposals shown on the revised plans and have made my decision solely on the basis of the plans forming part of the planning application.

### Main Issues

3. The main issues in this appeal are (i) the effect of the proposal on the character and appearance of the host building; and (ii) whether the proposal preserves or enhances the character or appearance of the Dartmouth Park Conservation Area (CA).

### Reasons

4. The appeal property is a ground floor maisonette in a block of four dwellings dating from the late 1920s. Interestingly, the block's design gives it the appearance of a pair of semi-detached cottages. The building is set within the Brookfield Estate within which groups of dwellings are set behind hedged front gardens along tree-lined streets. This indicates that the estate was laid out along garden suburb principles and its character has been substantially
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maintained. In combination with the winding streets, the separation between groups of dwellings and the carefully detailed properties, this creates an area with a distinctive and cohesive rural village character.

5. I accept that, as the proposal would affect only the rear of the property, it would be largely unnoticed in the majority of public views and the effect on the townscape would not be as apparent as a change to the front of the property. However, the character of the CA derives from the buildings, layout and surrounding spaces as a whole, regardless of whether particular elements are open to public view. Its significance does not therefore rely only on the elements that can readily be seen.
6. The proposal would result in a substantial built element projecting from the rear of the appeal property, thus disrupting the current simplicity of the building's rear elevation and the uniformity in fenestration that is an intrinsic characteristic of the wider estate. Further the proposed roof would have a shallow pitch thereby appearing at odds with the much steeper roof pitch of the original building. Consequently, the proposal would result in a diminishing effect on the character of the host building and, as a result, the CA.
7. The CA is a designated heritage asset to which I have found that the proposal would cause harm counter to the development plan and the Framework. I recognise that in the terms of the Framework, the proposal's effects would not reach the high hurdle of substantial harm to the significance of the designated heritage asset. However, though less than substantial, the Framework states that any harm to the significance of a designated heritage asset requires clear and convincing justification. Paragraph 134 of the Framework indicates that such harm is to be weighed against the public benefits of a proposal. The appellants have not identified any public benefits that would be sufficient to outweigh the harm to the CA.
8. For the above reasons, the proposal would result in harm to the host building counter to Policy CS14 of the Camden Core Strategy (2010) (CCS) that seeks to promote high quality places and requires development to be of the highest design standard that respects local context and character. This objective is also reflected in Policy DP24 of the Camden Local Development Policies (2010) (CLDP), which includes alterations and extensions to existing buildings. Moreover, the proposal conflicts with the objective to conserve Camden's heritage set out in CLDP Policy DP25 and with the Framework.

## **Conclusion**

9. For the above reasons and having had regard to all other matters raised, the appeal does not succeed.

*Hayden Baugh-Jones*

Inspector