

---

# Appeal Decision

Site visit made on 4<sup>th</sup> January 2017

**by Alison Roland BSc DipTP MRTPI**

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

**Decision date: 16 January 2017**

---

**Appeal Ref: APP/X5210/D/16/3163610**  
**77 Clarence Way, London, NW1 8DG.**

- 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 Tom Spellman against the decision of the Council of the London Borough of Camden.
  - The application Ref: 2016/3171/P dated 7 June 2016, was refused by notice dated 1 September 2016.
  - The development proposed is new two-storey side infill extension to replace the existing lean-to.
- 

## Procedural Matter

1. The planning application form gives the applicant's name as Pellman, whereas all other correspondence refers to it as Spellman. I have used the latter in the header above as it appears to be the correct spelling.

## Decision

2. The appeal is allowed and planning permission is granted for new two-storey side infill extension to replace the existing lean-to, at 77 Clarence Way, London, NW1 8DG, in accordance with the terms of the application Ref: 2016/3171/P dated 7 June 2016, subject to the following conditions:
    - 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: B.EX.0.1: Site Plan; B.EX.0.2: Site Plan; B.EX.1.1: 3D View 1 (Front); B.EX.1.2: 3D View 2 (Front); B.EX.1.3: 3D View 3 (Rear); B.EX.1.4: 3D View 4 (Rear); B.EX.2.1: Ground Floor Plan; B.EX.2.2: First Floor Plan; B.EX.2.3: Roof Plan; B.EX.3.1: Front & Rear Elevation; B.EX.3.2: Side (Left) Elevation; B.EX.3.4: Side (Right) Elevation; B.EX.4.1 Section-1; D.PR.1.1: 3D View 1 (Front); D.PR.1.2: 3D View 2 (Front); D.PR.1.3: 3D View 3 (Rear); D.PR.1.4: 3D View 4 (Rear); D.PR.2.1: Ground Floor Plan; D.PR.2.2: First Floor Plan; D.PR.2.3: Roof Floor Plan; D.PR.3.1: Front & Rear Elevation; D.PR.3.2: Side (Left) Elevation; D.PR.3.4: Side (Right) Elevation; D.PR.3.5: Section-1.
-

## **Main Issue**

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Harmood Street Conservation Area.

## **Reasons**

4. The appeal site sits within a short terrace of similar properties close to the Southern edge of the Harmood Street Conservation Area. The Conservation Area Character Appraisal (the CACA) describes the Conservation Area generally as being a quiet residential backwater with groups of two or sometimes three storey buildings with a cottage-like character, which have remained largely unaltered.
5. The rear of this particular terrace is not visible from street level, although it will be glimpsed from the overhead railway line to the East. From that vantage point, the butterfly roofs of the rear of the terrace impart a sense of rhythm. Some of the properties are characterised by additional two storey half width closet wings attached at the rear, but these are by no means consistent along the rear of this particular terrace.
6. The proposed extension would infill a recess between two such closet wings, which is currently occupied by a single storey lean to conservatory. It would be of contemporary design and finish with large expanses of glazing at both floors. Whilst it would depart in form and materials from the host building, it would nonetheless be identifiable as an honest modern addition to the property. Such an approach can work well in certain historic contexts where an attempt to strive for a more traditional design can appear contrived and blur the distinction between the original and new building work. It would work particularly well here, where the extension would comprise a clear modular addition, yet occupying a relatively discrete position between the existing closet wings. Given this siting and its lower height relative to that of the host dwelling, I consider it would appear as a subordinate addition thereto.
7. I accept that it would obscure part of the rear elevation, but there is nothing particularly notable about this recessed part of the dwelling, which is in any event concealed from public view. The extension would also only conceal the very lowermost part of the chimney which scarcely stands proud of the adjacent brickwork. From the elevated railway line to the East, it would sit well down from the main house roof and occupy a discrete position between the closet wings. Whilst its detailed design, fenestration and finish would differ from the host property, I consider it would have some merit in its own right and given that there is some variety in rear additions in this particular terrace, it would not look out of place. Indeed, there is an example of contemporary design in the immediate vicinity in the form of a strikingly modern building "Marlinspike" to the South West, albeit that this apparently occupies a position just outside the Conservation Area.
8. Overall on the main issue, I conclude that the proposed extension would have a neutral impact on the Harmood Street Conservation Area, thus preserving its character and appearance. In coming to this view, I have paid special attention to the desirability of preserving or enhancing its character or appearance, as I am required to do, by virtue of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). I therefore find no conflict with

Policy CS14 of the Camden Local Development Framework Core Strategy 2010-2025 (2010) and Policies DP24 and DP25 of the Camden Local Development Framework Development Policies 2010-2025 Document (2010), which promote the highest standard of design, which respects local character and preserves or enhances the character or appearance of Camden's Conservation Areas.

Supplementary Planning Document CPG1: *Design* (2015) requires rear extensions to respect and preserve the original design of the host building, including its architectural style, but this does not equate to a requirement to mirror existing form or materials. Paragraph 4.13 strongly discourages *in most cases* (my emphasis) extensions that are higher than one full storey below roof eaves/parapet level. However, the extension would be no higher than the existing closet wing to the rear (which itself sits below the main roof parapet) and would retain a subordinate relationship to the host dwelling, which complies with the objective of this guidance.

9. The appellant has drawn my attention to an appeal decision APP/X5210/D/16/3157301 at No 70 Clarence Way. This appears to bear some similarities with the appeal before me in terms of a contemporary addition between closet wings at the rear. Either way, the absence of full details makes direct comparisons difficult and I have thus assessed the appeal proposal on its merits.
10. The Council suggest a matching materials condition which is clearly inappropriate as the extension seeks a contemporary finish, which for the reasons given, I have found to be acceptable. In addition to the standard time limit for commencement, a condition specifying compliance with the approved plans is necessary to provide certainty.

*ALISON ROLAND*

INSPECTOR