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## Appeal Decision

Site visit made on 30 May 2017

by **J J Evans BA (Hons) MA MRTPI**

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

Decision date: 12 June 2017

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**Appeal Ref: APP/X5210/D/17/3174215**  
**Heathdene, Vale of Health, London NW3 1BB**

- 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 Keith Hammond against the decision of the Council of the London Borough of Camden.
  - The application Ref 2017/0668/P, dated 2 February 2017, was refused by notice dated 7 April 2017.
  - The development proposed is the erection of first floor side extension and alterations to roof of existing first floor rear extension.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. Heathdene is within the Hampstead Conservation Area. As required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.

### Main Issue

3. The main issue is the effect of the first floor side extension and alterations to the roof of the existing rear first floor extension on the character and appearance of a pair of semi-detached dwellings, having particular regard to the effect on the Hampstead Conservation Area.

### Reasons

4. Heathdene is one half of a pair of semi-detached dwellings that form part of a cluster of residential properties within Hampstead Heath. The houses in this area are mostly set back behind shallow gardens, and in addition to the semi-detached villas, there are a number of historic terraces present. The tightly knit nature of this residential enclave has an intimate character that is enhanced by it being surrounded by the hills of heath. The sense of isolated enclosure this creates, the proximity of the heath with its mature trees, and the presence of mostly historic houses, is part of the significance of the conservation area.
  5. Heathdene and its pair, Ashdown, are semi-detached houses with a distinct symmetrical appearance. Constructed of brick and slate, with ground floor bays and decorative brick work, the properties have a tall emphasis. Along
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- with the mansard roofs and front and back dormers, these attractive historic houses make a positive contribution to the character and appearance of the conservation area.
6. The proposed side extension would be above the existing single storey side one. It would be constructed of brick and slate with timber windows to harmonise with the main building, and this and the replacement of the garage door with mews style timber doors would be positive aspects of the scheme.
  7. However, the proposed first floor would be a discordant addition to the host building. Although it would have the same footprint as the existing extension, it would not replicate the style of the houses with their tall and narrow proportions and strong vertical emphasis. The proposed first floor front window would have a stunted appearance when compared to the tall and elegant forms of those on the houses. Furthermore, the window would be directly under the eaves, and this combined with the deep section of brickwork between it and the garage doors would have an unacceptably cramped appearance at harmful odds with the walling and fenestration pattern found on the host dwellings.
  8. I noted from my visit that some buildings had been extended and that amongst the historic houses there is a variety of forms present, as referenced in the Council's Hampstead Conservation Area Statement (2001). Despite this the historic houses have a cohesion whereby no one property dominates. The extension would be set back from the front elevation of the house, and would be a storey lower than it. Nevertheless, the size and form of the extension with its different style would draw the eye. It would not have the subservient form of the existing side extension, and as such it would unacceptably disrupt the balanced symmetry of the pair of dwellings.
  9. The Council have not objected to the replacement of the lean-to roof of the rear extension with a flat roof. This alteration would allow the reinstatement of the corbelled brick detail under the eaves, and the proposed windows with their soldier arches would complement the character and appearance of the houses. However, the proposed hipped roof of the side extension would have an awkward relationship to both the host building and the proposed rear alterations. The total size of the existing and proposed extensions would be large and when combined with the differences between them, there would be an overly complicated relationship between the extensions and the host building.
  10. The appellant has referred to the absence of objection from nearby residents. The National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. There is also a clear statutory requirement to pay special regard to preserving or enhancing the character or appearance of a conservation area. This is an important duty to which I must give considerable weight, and applies in all cases including where there is no local objection to a scheme.
  11. My attention has also been drawn by the appellant to the impact of nearby blocks of flats upon the conservation area. However, I do not have the full planning history of these properties before me, and in any case each scheme has to be treated on its own individual merits in accordance with the

requirements of the current development plan and all other material considerations, as I have undertaken in this instance.

12. Thus, for the reasons given the proposed works would unacceptably harm the character and appearance of a pair of semi-detached dwellings, and would neither preserve nor enhance the character and appearance of the Hampstead Conservation Area. This would be contrary to Policy CS14 of the Camden Core Strategy (2010), Policies DP24 and DP25 of the Camden Development Policies (2010), and the Council's Design Guidance CPG 1 (2015). These seek amongst other things, high quality design that responds to the host building and local context, and the preservation and enhancement of heritage assets, reflecting the Framework.
13. The Framework also requires that where a development proposal would be less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. The extension would result in less than substantial harm due to its size compared to that of the conservation area as a whole. The extension is needed for the appellant's large family and to replace a failing roof. The former is a personal benefit rather than a public one, and repairs could occur at any time. As such there is no public benefit that would outweigh the harm I have found.

#### **Other Matters**

14. The Council have referred to policies in the emerging Camden Local Plan 2016 that is soon to be adopted. I have had regard to the policies in it that have been drawn to my attention, and note they require amongst other things high quality development and the preservation and enhancement of heritage assets. However, as the plan has not yet been adopted this limits the weight that I can attribute these policies.

#### **Conclusion**

15. Thus for the reasons given above and having considered all other matters raised, the appeal is dismissed.

*J J Evans*

INSPECTOR