



## Appeal Decision

Site visit made on 8 May 2018

by **David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 June 2018

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**Appeal Ref: APP/X5210/W/3191145**

**Flat 2, 191 Fordwych Road, London NW2 3NH**

- 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 Rob McGovern against the decision of the Council of the London Borough of Camden.
  - The application Ref 2017/3852/P, dated 11 July 2017, was refused by notice dated 24 October 2017.
  - The development proposed is the erection of a single storey rear and side extension to the rear wing associated with the existing residential flat (Class C3).
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The description of the development provided on the planning application form has been replaced by an amended version on the decision notice and in subsequent appeal documents, including the appeal form. I consider that subsequent description to be usefully more representative of the proposal and I have therefore used it within this decision.

### Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the host property and the wider area.

### Reasons

4. The appeal site is part of a Victorian semi-detached dwelling which has been converted into flats. Although there was some variation in the rear elevations and gardens of properties in the vicinity of the site, I saw that the area had retained its pleasant suburban character with gardens and amenity areas extending to the rear.
5. Although there is an extant single storey extension to a two storey offshoot to the rear of the appeal site, the proposal would project a significant distance to the rear beyond the existing built footprint of the host building and would cover a substantial area of the rear garden. Whilst some amenity space would be retained, this would be of an awkward and constrained layout and would not ameliorate the visual effect of the bulk and footprint of the building extending into the rear garden. The proposal would therefore contrast uncomfortably

- with the prevailing pattern of development, to the detriment of the character of the host property and the wider area.
6. The extension is limited to the ground floor and in that respect would be seen as subordinate to the host building. However, due to its bulk and projection, the proposal would not appear as a typical outbuilding or offshoot in this suburban area and would appear as an obtrusive addition to the rear of the property. The use of materials which do not reflect those of the host property would add to this incongruous appearance.
  7. I acknowledge that the rear of the property is not readily visible from the public realm, although I saw that the development would be apparent in views from neighbouring properties. Furthermore, although some screening is provided by trees and other vegetation, the layout of the rear gardens in the area including the appeal site would also be apparent from the railway which bounds the site, particularly when trees are not in leaf.
  8. The Council expresses concern that the proposal could set a precedent for other properties to be extended in a similar manner. I consider that this is not a generalised fear of precedent, but a realistic and specific concern as I saw that there are a number of dwellings in the area with rear gardens which present similar circumstances to the current appeal. Allowing this appeal would make it more difficult to resist further planning applications for similar developments and I consider that their cumulative effect would exacerbate the harm I have described above.
  9. I note that the appellant states that the height of the proposal represents industry standards and would not overshadow neighbouring properties. I am also mindful that contemporary design and materials can, in some circumstances, be encouraged. However, these matters do not lead me to a different conclusion in respect of the harmful impacts of the proposal.
  10. I also note that the appellant contends that if the host property had not been converted into flats then the proposal would be classed as permitted development. However I must determine this appeal on the basis of the proposal before me. The permitted development rights which may exist in different circumstances do not override the harm that I have identified in relation to the appeal proposal.
  11. For the above reasons, I conclude that the proposal would be of a scale and design that would harm the character and appearance of the host property and the wider area. The proposal would therefore conflict with Policy D1 of the Camden Local Plan 2017 which seeks to ensure high quality design in development which respects local context and character. The proposal would also be contrary to Policy 2 of the Fortune Green & West Hampstead Neighbourhood Plan 2015 which requires development to be of a high quality design as well as being in character and proportion with its context and setting, including the relationship to any adjoining properties.
  12. For the reasons given above, and taking account of all material planning considerations, I conclude that the appeal should be dismissed.

*David Cross*

INSPECTOR