



Appeal Decision

Site visit made on 21 August 2018

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2018

Appeal Ref: APP/X5210/W/18/3197860

9 Medley Road, London, NW6 2HJ

- 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 L Trevellyan, Spincrest Ltd against the decision of the Council of the London Borough of Camden.
 - The application Ref 2017/5490/P, dated 3 October 2017, was refused by notice dated 4 January 2018.
 - The development proposed is a two storey rear infill extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. During the course of the appeal, the revised National Planning Policy Framework (the Framework) has been published. Both main parties were given an opportunity to comment on any relevant implications for the appeal, and any comments received have been taken into account in my reasoning.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

4. The appeal site forms the end property in a cohesive terrace of 4 buildings. When viewed from the rear, the 4 terraced units have a similar built form and visual appearance. Each building has a 3 storey closet wing and they are arranged in 2 pairs that share a party wall.
5. The closet wings have been extended and altered in various ways, however, I observed on my site visit that the extensions are located at ground floor level. The wings have therefore retained their visual distinction from the mass of the principal building.
6. The adjoining building to the south east of the site has a different visual appearance. It is a taller 3 storeys in height and is set closer to the highway. Despite the presence of this adjoining building, the closet wings provide a rhythm and regularity to the rear elevation of the 4 terraced buildings. They are subordinate to the host buildings and their distinct form makes a positive contribution to the rear elevation of the terrace.

7. The Council's design advice states that rear extensions should be secondary to the building being extended and that they should respect and preserve the original design and proportions of the building.
8. The proposal would introduce an infill extension over 2 storeys with a roof terrace above and would be finished flush with the rear wall of the existing closet wing. It would therefore alter the form of the wing and would create a full width rear projection over 2 storeys. In doing this, the architectural form of the pair of closet wings would be compromised.
9. The bulk and mass created by the extension would give rise to a more dominant projection to the rear and consequently, the rear wing would no longer be distinguishable as a subordinate feature to the building. Despite the use of materials and window detailing to reflect those found in the building, the proposal would fail to respect and preserve the original design and proportions of the building.
10. The Framework encourages decisions to support upward extensions but it is also clear that such development should be consistent with the prevailing height and form of neighbouring properties. Although the appeal site is not located within a conservation area, and is not visually conspicuous, this does not mean that good design is not important. The Council has adopted design guidance to promote high quality design across the borough and the Framework is also clear that good design is indivisible from good planning.
11. Whilst I note the comments from a previous Inspector in relation to a proposal close to the appeal site (ref: APP/X5210/W/16/3161284), this was for a proposed roof alteration and was therefore materially different to this proposal. I am therefore satisfied that I am not bound by the decision of a previous Inspector in relation to design considerations.
12. For the reasons identified above, the design and form of the closet wings make a positive contribution to the rear elevation of the 4 terraced properties. Whilst the development would seek to improve the habitable space of 3 apartments, the proposal would compromise this form and consequently, it would have a harmful effect on the character and appearance of the area.
13. It would therefore fail to accord with policy D1 of the Camden Local Plan 2017 and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan, Adopted September 2015 which taken together require development to be a high quality of design that respects local context and character. These policies are consistent with policies in the Framework in that regard.

Other Matters

14. In their supporting evidence, the appellant suggests that the Council's principal concern relates to the inclusion of the roof terrace. However, the officer report identifies concern in relation to a number matters and I consider that the refusal reason provides a precise summary of the harm that would be caused by the proposal.
15. I have considered the proposal as a whole and have found harm in relation to the main issue as set out above.
16. The appellant also considers that the proposal would constitute sustainable development and refers to the presumption in favour of sustainable

development at the heart of the Framework. However, the policies referred to by the Council are not out-of-date and they are consistent with policies within the Framework. Therefore, the presumption, as identified in paragraph 11, is not engaged and there are no material considerations that would indicate a decision other than in accordance with the development plan.

Conclusion

17. For the reasons identified above, the appeal is dismissed.

Martin Chandler

INSPECTOR