



Appeal Decision

Site visit made on 11 September 2018

by R Norman BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th October 2018

Appeal Ref: APP/X5210/W/18/3203335

Flat at First, Second and Third Floor, 158 Regents Park Road, London NW1 8XN

- 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 Daniel Morgan against the decision of the Council of the London Borough of Camden.
 - The application Ref 2017/6632/P, dated 29 November 2017, was refused by notice dated 6 April 2018.
 - The development proposed is the construction of a rear extension at second floor level.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a rear extension at second floor level at Flat at First, Second and Third Floor, 158 Regent's Park Road, London NW1 8XN in accordance with the terms of the application, Ref 2017/6632/P, dated 29 November 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers 2158(PLA)001; 2158(PLA)002; 2158(PLA)100; 2158(PLA)101; 2158(PLA)102; 2158(PLA)111; 2158(PLA)112; 2158(PLA)200; 2158(PLA)210; 2158(PLA)300; 2158(PLA)301; 2158(PLA)310 Section AA and 2158(PLA)310 Section BB.
 - 3) Detailed drawings or samples of materials as appropriate in respect of the following shall be submitted to and approved in writing prior to the relevant works being carried out:
 - a) Plan, elevation and section drawings, including jambs, head and cill, of all new external windows and doors at a scale of 1:10 with typical glazing bar details at 1:1.
 - b) Samples and manufacturer's details of new facing materials including brickwork.

The development shall be implemented only in accordance with the approved details.

Procedural Matters

2. Since the Council determined the application and the submission of the appeal the new National Planning Policy Framework (the Framework) has been published (July 2018). Both parties have been given the opportunity to comment on the new document and I have taken into consideration any comments received.
3. Following the Council's determination of the application, updated supplementary planning documents have been adopted by the Council, namely CPG1 (Design) and CPG (Amenity) (updated March 2018). I have had regard to these revised documents in my consideration of the appeal proposal.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host building and the Primrose Hill Conservation Area.

Reasons

5. The appeal site is a four storey, mid terraced property located on Regent's Park Road. The building comprises a commercial unit at ground floor, with a residential dwelling on the second, third and fourth floors. There is also a roof terrace accessed from the dwelling. The site is located within the Primrose Hill Conservation Area. The Camden Conservation Area Statement: Primrose Hill (CAS) identifies the terrace of buildings as making a positive contribution to the character and appearance of the Conservation Area.
6. The appeal property has an existing rear extension and the proposed development would introduce a further extension above this providing additional accommodation at second floor level. The extension would extend the majority of the width of the rear elevation but would be modest in its projection and would utilise materials to match the existing property.
7. The existing rear elevations of the terrace of properties are largely intact, with the exception of No 164 which has a taller extension, however there are several extensions present to the lower floors of the terrace. Whilst there is a degree of similarity consisting of subordinate one and two storey extensions on the terrace I find that the overall scale of the proposal ensures that it remains subordinate to the host dwelling and the adjoining terrace.
8. The rear elevations also predominantly display a historic window arrangement at the upper two floors. Whilst the proposed development would result in the loss of the existing windows at second floor level, the extension would incorporate a window arrangement and design that would reflect this existing arrangement. The topmost part of the extension would partially obscure a small part of the windows at the upper floor levels and require the repositioning of the third floor landing window, however this would not alter the appearance of the rear elevation to a degree which would result in the loss of its historic character or arrangement.
9. Paragraph 4.12 of the Camden Planning Guidance 1: Design (CPG1) advises that ground floor extensions are generally considered preferable to those at higher levels and paragraph 4.15 goes on to advise that the rear of some buildings may be architecturally distinguished, either forming a harmonious composition or visually contributing to the townscape. This advice is echoed in

the CAS. I acknowledge that the rear elevations of the row of terraces are reasonably harmonious however I have had regard to the existing extensions that have taken place to a number of the properties. The proposed development, although higher than generally accepted by the CPG1, would have a limited projection and despite it extending for much of the width of the property, would remain suitably subordinate to the main property to avoid any undue harm in visual terms.

10. The views of the proposed development would be limited from the public domain. The rear of the appeal site is visible from Eglon Mews, however the access to this street is gated off and therefore does not appear to allow unrestricted public access. Views of the proposal from Berkley Road would be very limited given the existing buildings located along this road. The proposal would however be visible from the rear of the existing properties which are in proximity to the site. However, due to the modest scale and the overall design and window arrangement, the visual impact from the nearby properties would not be harmful.
11. A taller extension is visible at the rear of No 164. I acknowledge that the Council advise that this was constructed a large number of years ago and they do not consider that it forms a positive contributor to the area. However, the appeal proposal would not have similar effects on the surrounding character as its design and window arrangement would reflect the historic arrangements. Therefore, it would differ from the extension at No 164, and would not be harmful to the surroundings.
12. For the above reasons, I find that the proposed extension would not detract from the host property and the terrace's significance as a whole and would respect the historic character of this row of terraced properties. Accordingly it would preserve the character and appearance of the Conservation Area.
13. The proposal therefore complies with Policies D1 and D2 of the Camden Local Plan (2017) which collectively require development to respect the local context and character and preserve or, where possible, enhance the historic environment and heritage assets. It also complies with Policy 7.8 of the London Plan (2016) and Section 16 of the Framework which require development to conserve the significance of heritage assets.

Conditions

14. In addition to the standard time limit condition I have imposed a condition requiring the development to be carried out in accordance with the approved plans as this provides certainty. A condition for details of the external doors and windows and materials is necessary in the interests of preserving the character and appearance of the Conservation Area.

Conclusion

15. For the reasons given above, and having had regard to all matters raised, I conclude that the appeal should be allowed.

R Norman

INSPECTOR