



Appeal Decision

Site visit made on 8 January 2019

by **J Wilde C Eng MICE**

an Inspector appointed by the Secretary of State

Decision date: 22 January 2019

Appeal Ref: APP/X5210/D/18/3216527
56 Dartmouth Park Road, London NW5 1SN

- 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 J Wald against the decision of the Council of the London Borough of Camden.
 - The application Ref 2018/3363/P, dated 14 July 2018, was refused by notice dated 11 October 2018.
 - The development proposed is a single storey ground floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey ground floor rear extension at 56 Dartmouth Park Road, London NW5 1SN in accordance with the terms of the application, Ref 2018/3363/P, dated 14 July 2018, and the plans submitted with it, subject to the conditions contained within the attached schedule.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the Dartmouth Park Conservation Area.

Reasons

Character and appearance

3. The appeal property is a detached dwelling, with a well-proportioned double frontage featuring a two storey bay window and a Gothic style porch. The property is three storey although from the front it has the appearance of being of two storeys.
4. The property is located within the Dartmouth Park Conservation Area (CA) and my attention has been drawn to the Dartmouth Park Conservation Area Appraisal and Management Statement (CAMS), which describes the features of the conservation significance of Dartmouth Park Road. These features are dominated by the appearance and design of the front elevations of the properties.
5. The CAMS indicates that the appeal building makes a positive contribution to the CA, and would I agree with that position, and consider that, in line with CAMS, the positive contribution arises largely from the composition, proportions and detailing of the front elevation of the property.

6. The proposed rear extension would be of full width and extend about 3m rearwards along the boundary with No 54 and about 4m rearwards along the boundary of No 58, both of these measured from the existing rear wall of the property. The extension would feature a green roof and the rear elevation would consist of sliding doors. It would result in a net increase of only about 13Sqm, about 5% of the floorspace of the existing property.
7. The rear elevation of the existing dwelling has been considerably altered over time and the original two storey shallow outrigger, a feature of dwellings in the vicinity, has been to an extent subsumed by a larger two storey extension, which has also altered the original rear roof form. The property already has a single storey flat roofed rear extension that contains a preponderance of glazing and is out of keeping in terms of design and materials with the rest of the property. This existing extension would be replaced by the proposed one. Furthermore, the door and side windows that give access to the garden area from the living room are made of Upvc, as are the windows at first floor level. These would either disappear or be replaced with timber windows if the proposed extension was allowed.
8. I acknowledge that glazed ground floor rear elevations are not a common feature in the area. However, the appeal property already has such an elevation, albeit on a somewhat smaller scale. To my mind the proposed extension would be an improvement on the existing one, which tends to jar with the existing rear elevation of the property due to its shape and materials. Although of a relative contemporary design, the proposed extension would be proportionate to the existing dwelling and would feature side elevations in brickwork to match the existing. To my mind it would not be out of keeping in terms of scale or bulk. The extension would not be visible from the public realm and would cause no harm to the significance of the CA.
9. It follows that it would preserve the character and appearance of the CA, as required by Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
10. As such there would be no conflict with policies D1 and D2 of the Camden Local Plan 2017. The former of these requires that development respects local context and character while the latter makes clear that development will be resisted that does not preserve or enhance a CA.

Other matters

11. Taking into account the height of the existing boundary treatment, the spacing between properties and the fact that the proposed extension would be only single storey I do not consider that it would cause significant harm to the living conditions of the occupiers of Nos 54 and 58 in terms of loss of light, outlook or privacy.

Conditions

As well as the customary time limit condition the Council have suggested two other conditions in their questionnaire and I agree that they are necessary in planning terms. In the interest of the final appearance of the development I have imposed a condition requiring that the materials used in the external surfaces of the allowed development match those in the existing building. For certainty I have also imposed a condition detailing the submitted plans. The

Council's officer's report also makes mention of a condition to prevent the use of the permitted flat roof as an amenity area. In the interest of the privacy of the occupiers of neighbouring property I consider this is to be necessary and have therefore imposed such a condition.

Conclusion

12. For the above reasons, and having taken into account all other matters raised, I conclude that the appeal should be allowed.

John Wilde

INSPECTOR

Schedule of 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: P-01, P-02, P-03, P-04, P-05, P-07, P-08, P-09, P-10, P-11, P-13, P-14 A, P-15, P-16A P-17, P-18, P-19, P-20, P-21, P-2, P-23, P-24, P-25.
- 3) The materials to be used in the construction of the external surfaces of the development hereby approved shall match those used in the existing building.
- 4) The flat roof hereby permitted shall not be used as an amenity terrace at any time.