



Appeal Decision

Site visit made on 15 January 2019

by Eileen Griffin LLB Hons

an Inspector appointed by the Secretary of State

Decision date: 08 February 2019

Appeal Ref: APP/X5210/D/18/3214082

61 Westcroft Close, London NW2 2RR

- 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 Gareth Milner against the decision of the Council of the London Borough of Camden.
 - The application Ref 2018/0718/P dated 8 February 2018 was refused by notice dated 25 July 2018.
 - The development proposed is construction of a part two-storey, part single storey rear extension and insertion of two windows into the first floor rear elevation.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The National Planning Policy Framework was revised on 24 July 2018 (the Framework). I have taken the Framework into account in considering the appeal, where relevant.

Main Issue

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

Reasons

4. The appeal site is located on the west side of Westcroft Close which is characterised by low blocks of symmetrical modern terraced dwellings. The other side of the road is largely made up of older more traditional semi-detached houses. There is a railway line to the back of the modern dwellings including the appeal dwelling.
5. The back of the appeal dwelling is simple with a door and one modest window at ground floor level and no windows at first floor level.
6. To one side of the appeal dwelling, No 62 does have two small but different sized windows below the eaves and an extension that sits below the small windows. No 60 to the other side has a slightly higher extension than that at No 62 and no first floor windows but it does not extend to the roof eaves. Both next door extensions fill the width of the dwellings.

7. The proposed extension would also extend across the whole of the building. However, as well as a ground floor element, it would have a second storey for half of the width of the dwelling. There would be a pitched roof that slopes from the original eaves of the dwelling to the rear where it joins the ground floor element of the extension. There would be two windows on the sloping roof.
8. The combination of the ground and first floor elements is of a scale and bulk that is an incongruous feature in this location where first floor extensions are uncommon. The extensions that do exist are largely smaller and more subservient in relation to the existing house. The height of the extension is out of keeping with the prevailing pattern of development where the rear is largely very simple at first floor level.
9. The location of the extension at the rear is relatively secluded but the current simple treatment of the rear of the houses is still part of a prevailing pattern that would be seen by residents of surrounding properties.
10. The appellant considers that the local context cannot only be judged in the context of a local pattern and that a new proposal not done before is not necessarily wrong. However, in terms of character and appearance, the appeal building does reflect its context. The symmetrical pattern of both the individual houses within the blocks and of the blocks is particularly striking in the locality.
11. The appellant indicates that the two storey element is intended to be a contemporary take on a Victorian outrigger common in the local area and London in general. However, the appeal dwelling is part of a modern symmetrical block of houses that has further symmetry with other blocks of largely the same style of house. I agree with the Council that it is the two storey element rather than the overall design that is out of character with the immediate area and contrary to development plan policy.
12. The appellant has referred to the Council's reliance on Camden Planning Guidance Section CPG1, which is intended to support the Camden Local Plan and refers to extensions terminating a full storey below existing eaves level. The appellant indicates that the guidance is only guidance and not policy and each application must be judged upon its own merits. The Council has not sought to rely upon the guidance in its reason for refusal and I agree with the appellant that each case has to be judged on its own merits. The height of the extension has been assessed in terms of its relationship to the appeal building and nearby properties.
13. I therefore conclude that the proposed extension would have a significant harmful effect on the character of the appeal dwelling and the area and therefore be contrary to Policy D1 (Design) of the Camden Local Plan 2017 which, amongst other things, requires developments to respect local context and character. It would also be contrary to Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan criterion (vii) which refers to extensions being in character and proportion with its context and setting including the relationship to any adjoining properties.
14. I note that the Council states that the insertion of two rear windows at first floor level on the existing first floor rear wall is considered acceptable in its design scale and quantity. On the basis of the evidence before me, I see no

reason to conclude differently on this element of the proposal. However, that does not alter my view in other respects.

Other Matters

15. It may be the case that a single storey building could be permitted under permitted development rights. However, an application for a single storey extension would not be comparable to the appeal proposal.
16. The relatively low height of the existing dwelling to the eaves does not alter the overall harm that I have identified as the surrounding dwellings are the same height.
17. The appellant refers to the extension being built with energy efficiency in mind and U-values that surpass the Building Regulations requirements. In addition, the internal layout would be more accessible with a ground floor bathroom better room sizes and better ventilation, there would still be garden space, the position of sanitary pipework and heating equipment has been well considered and the proposal representing an improvement of existing housing stock.
18. However, I consider these factors have modest benefits that would not outweigh the significant harm that I have identified in relation to the character and appearance.

Conclusion

19. I have concluded that the proposal would cause significant harm to the character and appearance of the area.
20. For the reasons given, the appeal is dismissed.

Eileen Griffin

INSPECTOR