



Appeal Decision

Site visit made on 19 March 2019

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th April 2019

Appeal Ref: APP/X5210/W/18/3219150

The Anna Freud Centre, 21 Maresfield Gardens, London NW3 5SD

- 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 Eli Pine against the decision of the Council of the London Borough of Camden.
 - The application Ref 2018/3110/P, dated 2 July 2018, was refused by notice dated 9 October 2018.
 - The development proposed is described on the application form as external alterations to 21 Maresfield Gardens including re-profiling of the roof and insertion of dormer windows, raising of the pitched roof behind the decorative parapet and reinstatement of and alterations to chimney stacks.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council have described the proposed development as a 'roof extension to include creation of crown roof with two rooflights on top, replacement of rear dormer with two dormers, one new front rooflight, reinstatement of chimneybreast on southern side, increase in height of the chimneybreast on the northern side, all to non-residential institution (Class D1)'. It is noted that the Appellant has utilised this description of the development on their appeal form. Given that this description accurately reflects the appeal proposal I have determined the appeal on the basis of the revised description.

Main Issue

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

Reasons

4. The appeal site is located on the west side of Maresfield Gardens and is within the Fitzjohns/Netherhall Conservation Area (FNCA) which is largely characterised by residential buildings of Victorian architecture. The existing property has been identified as a building which makes a positive contribution to the area, as have many of the buildings within the FNCA. This section of Maresfield Gardens contains mainly detached properties which are sited close together and have raised front doors with steps. The appeal building is currently a four-storey building with a large expanse of roof above the existing dormer window.

5. The adjacent building (19 Maresfield Gardens) has been altered to include a steeply pitched roof frontage to the road with a flat roof section and appears to include a roof terrace. In addition to No 19, both 23 and 25 Maresfield Road also include elements of steeply pitched roofs to the front of the properties. There is also a variety of different roof styles in the immediate area and the wider FNCA.
6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the character or appearance of the Conservation Area.
7. The appeal development would involve alterations to the roof including a steeply pitched element at the lower parts of the roof before continuing upwards to the ridge at the same pitch as the existing roof. It would also include a crown roof, new and altered dormer windows, and a rooflight.
8. The introduction of these features would change the shape and form of the roof which is an important aspect of the host building. To my mind, the combination of the mansard and crown elements of the altered roof would have an unacceptable adverse impact on the appearance of the host building, The roof form is also an important element of the character of the building and the wider FNCA.
9. In coming to that view I acknowledge that there are also a number of buildings which already have a crown type roof in the area, including No 19 for which the appellant has outlined that the appeal proposal has taken cue from. However, the roof form at No 19 does little to enhance the appearance of the FNCA and does not provide a justification of harm to the appeal building.
10. I also acknowledge that one of the characteristics of this section of Maresfield Road is that buildings are sited close together which limits the views of the side elevations to properties. This, combined with the existing and proposed chimneys, would restrict views of the crown roof from public vantage points.
11. In terms of the overall impact to the FNCA, this would clearly be less than substantial as there are a number of other buildings which have crown and mansard type roofs in the area which contribute to its overall character and appearance. That said, the presence of other buildings with similar roof forms and the partial screening other side elevations of the appeal building from public vantage points do not justify a harmful alteration to the host building.
12. Turning to the addition of a roof light on the front elevation I observed other examples of rooflights high up on their respective roofslopes, and also dormer windows, including those at No 19 and No 23 either side of the appeal property. My attention was also drawn to other rooflights at Nos 10, 15, 24, 33 and 37 Maresfield Gardens which I also viewed at my site visit. That said, I acknowledge that the style of these buildings differ from the appeal building. In addition to the above, the Council have stated that there are no planning records for some of these properties. However, they have not indicated that any of these are unlawful.
13. To my mind the addition of a conservation rooflight on the front roofslope would not give rise to any material harm to the appearance of the host building or the wider streetscene particularly as the size and position of the rooflight would align with the windows within the dormer beneath it. In my judgement,

it would have a neutral impact on the overall character and appearance of the FNCA.

14. Paragraph 196 of the National Planning Policy Framework (the Framework) states that where a development would lead to less than substantial harm to the significance of a designated heritage asset (such as the FNCA), this harm should be weighed against the public benefits of the proposal. The Appellant has outlined that the reinstatement of a chimney as part of the development would enhance the appearance of the host building and this could be considered to be a public benefit. However, I consider that the benefit of this chimney is more than outweighed by the harm the development would cause as a result of the change in shape of the roof.
15. For the above reasons the proposal would harm the character and appearance of the area, including the FNCA, and would be contrary to Policies D1 and D2 of the Camden Local Plan 2017 which amongst other matters seek to ensure that development is of a high quality design which respects the local context and character and preserves Camdens rich and diverse heritage assets such as Conservation Areas.

Other matters

16. I have also had regard to the representations received on the proposal and in particular the concerns raised over the effect of the development on the living conditions of the occupiers of adjoining properties. In this case, I consider that none of the concerns raised present an unacceptable impact which would warrant a further reason to withhold planning permission.

Conclusion

17. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR