



Appeal Decision

Site visit made on 24 February 2020

by C Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2020

Appeal Ref: APP/X5210/W/19/3238395

Flat D, 41 Belsize Square, London NW3 4HN

- 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 Miss Michelle Hammond against the decision of the Council of the London Borough of Camden.
 - The application Ref 2018/4915/P, dated 9 October 2018, was refused by notice dated 11 July 2019.
 - The development proposed is replacement of bedroom sash window to French doors and installation of wrought iron balustrades around balconies.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. For conciseness, I have abbreviated the description of development in the heading above from that shown on the Application Form.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Belsize Conservation Area.

Reasons

4. The appeal property is situated within the Belsize Conservation Area, the significance of which is mainly derived from the architectural quality of the historic streets and buildings. The Framework¹ states that when considering the impact of a proposed development on the significance of a designated heritage asset 'great weight' should be given to the asset's conservation.
5. This part of Belsize Square is characterised by pairs of historic, semi-detached properties with relatively ornate frontages. Because these properties have broadly consistent architectural styles, the street scene on this side of the road displays an especially high degree of uniformity. The appeal property, being one of these historic buildings, thereby makes a direct contribution to the significance of the Conservation Area in this location.
6. The appeal property (No 41) and the adjoining semi-detached property in the pair (No 42) maintain a highly uniform appearance. Although there are some differences (such as the roof extensions) the frontages of both properties share

¹ National Planning Policy Framework, 2019.

- very similar architectural detailing and patterns of fenestration, including rows of sash windows on the first and second floors. This gives the pair a distinct sense of balance and symmetry, consistent with many of the other semi-detached pairs of properties on this side of Belsize Square.
7. While the proposed French doors would be the same size as the existing sash window, they would introduce a different style of panelling. As such, the doors would appear somewhat inconsistent with the existing pattern of sash windows seen along the frontage of this pair of dwellings.
 8. The visual impact of the development would be exacerbated by the proposed railings which would be positioned in front of the French doors and the adjacent sash window. As the railings would protrude forward and run along much of the first-floor frontage, they would be noticeable features when approaching the property along Belsize Square. Considering that the intention is to create a roof terrace, there is also the potential for domestic paraphernalia to be introduced at the first-floor level.
 9. The overall effect of the development would be to disrupt the sense of balance that currently exists between the appeal property and the adjoining neighbour, thereby eroding the visual qualities of this semi-detached pair. It follows that the significance of the Conservation Area would be harmed. Although the appellant states that the sash window is rotten and in need of maintenance, this could be achieved through a like-by-like replacement.
 10. I am aware that No 40 Belsize Square, the other neighbouring property, has a very similar terrace to that proposed in the current appeal. However, because this neighbouring property is part of a separate pair of semi-detached units (Nos 39 and 40) it is visually distinct from the appeal property and the adjoining neighbour (Nos 41 and 42). Front terraces are not typical features within this part of Belsize Square, even though there are other examples in the area. I understand that most of these other terraces are either unauthorised or pre-date the designation of the Conservation Area. Overall, there is little to suggest that a precedent exists for balconies in this area.
 11. Page 38 of the Belsize Conservation Area Statement² lists the types of new development which generally do not preserve or enhance the character and appearance of the Conservation Area. While this list is not exhaustive, it does include 'alterations and extensions to existing buildings'. Even though the proposal does not involve changes to the brickwork of the property, it would nonetheless constitute an alteration which would have a visual impact on the building and hence the Conservation Area.
 12. I recognise that the proposed development would be a relatively small feature in the context of the wider area. However, the Conservation Area Statement points out that minor alterations can have a cumulative impact on elements that contribute to the character and appearance of buildings, streets and the area as a whole. With this in mind, I am aware that allowing this appeal could make it easier for similar terraces to be approved in the Conservation Area in the future and the cumulative effects of this may exacerbate the harm that I have identified above. Although this is not a matter on which my decision has turned, it nonetheless adds weight to my conclusion that the development would result in harm.

² Belsize Conservation Area Statement, Camden Council, 2003.

13. While I have found that the proposal would harm the Conservation Area, the harm would be less than substantial and in such circumstances the Framework advises that this harm should be weighed against any public benefits. In this case, I do appreciate the appellants' wish to improve the living space of the property by creating a small terrace for the flat. However, as these benefits are private in nature they do not outweigh the 'great weight' which the Framework says should be given to the preservation of heritage assets.
14. I therefore conclude that the proposed development would not preserve or enhance the character or appearance of the Belsize Conservation Area. There would be conflict with Policies D1 and D2 of the Local Plan³ which both seek to protect the historic environment.

Other matters

15. The appellant says that the Council were slow to process the original planning application and were not easy to communicate with. I have been provided with email correspondence to illustrate this point. However, an application for costs has not been submitted and I have dealt with this appeal purely on the planning merits of the development proposed.
16. Interested parties raise additional issues which the appellant has responded to. However, as I am dismissing the appeal for other reasons, I have not considered these matters any further.

Conclusion

17. For the above reasons, I conclude that the appeal should be dismissed.

C Cresswell

INSPECTOR

³ Camden Local Plan 2017