
Appeal Decision

Site visit made on 29 May 2019

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2019

Appeal Ref: APP/X5210/D/19/3226198
75 Lawn Road, London, NW3 2XB

- 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 Eamonn Hogan and Mrs Nicole Slayton-Hogan against the decision of the Council of the London Borough of Camden.
 - The application Ref 2018/3114/P, dated 2 July 2018, was refused by notice dated 20 February 2019.
 - The development proposed is the erection of part one/part two-storey side extension, erection of a two-storey rear extension, formation of a new second floor within the roof with side and rear dormer windows, alterations to driveway, and associated works.
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Decision

1. The appeal is dismissed

Preliminary matters

2. The appeal property is situated within the Parkhill Conservation Area (CA).
3. The appellants have also appealed against another Council decision. This is the subject of a separate decision letter (*Ref: APP/X5210/D/19/3226199*).

Main issues

4. The main issues are (a) whether the character or appearance of the CA would be preserved or enhanced, and (b) the effect of the proposal on the living conditions of the occupiers of 74 Lawn Road with particular reference to visual impact.

Reasons

Conservation area

5. The scheme is very similar to that subject of the other appeal affecting the property. I described the other scheme in my decision letter on that appeal, and no useful purpose would be served by repetition. The main difference between the schemes is that, in the scheme subject of this appeal, part of the first floor of the proposed rear extension behind the existing kitchen would be reduced in length.
 6. Since the extent of the scheme is marginally reduced I have no reason other than to conclude on the first issue in similar terms to that set out in the other decision letter.
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7. I therefore conclude that the proposed scheme would have no harmful impact on the integrity or appearance of the host property. It would have, at worst, a neutral effect on the qualities of CA, whose character and appearance would thus be preserved. Accordingly, I find no conflict with those provisions of policies D1 and D2 of the London Borough of Camden Local Plan 2017 directed to securing high quality design especially within the Borough's conservation areas.

Living conditions

8. The element of the scheme of concern to the Council and to neighbouring occupants is that part of the extensions that would infill the space, currently open, between No 75's existing kitchen and the garden. This element of the extension would be two storey, topped with a crowned roof. In this scheme, however, the length of the first floor extension is partially reduced.
9. The main rear elevations of Nos 74 & 75 are contained within a well formed by the rear protrusions on either side. Beyond the well, which is hard surfaced, the respective gardens, on higher land, are reached via sets of steps.
10. The outlook from the windows set in the rear elevation of both properties, and the side elevation of No 74, is already constrained to an extent by the presence of the side walls of the rear protrusions, and by the boundary wall separating the properties. The rising land to the rear, adds to the sense of enclosure already experienced to the rear of both properties.
11. By extending in the manner proposed, the shape of the well would be altered and lengthened. When viewed from the rear and side windows of No 74 and from its hard-surfaced rear amenity area, the additional two storey element, notwithstanding the small reduction in length and scale, would be perceived as a dominating, overbearing and oppressive structure, exacerbated by the addition of a crowned roof.
12. The appellants consider that judgments on issues such as this are '*entirely subjective*', and I do not disagree. In my opinion, the proposed extension by reason of its additional height, bulk and siting, when compared to that which currently exists, would prove harmful to the occupants of No 74 by reason of its adverse impact on outlook and oppressive visual impact.
13. I conclude for the above reasons that the harm caused to the occupants of No 74 would prove unacceptable, and that accordingly a conflict arises with those provisions of Policy A1 of the London Borough of Camden Local Plan 2017 that seek to ensure that the amenity of occupiers and neighbours is protected from the adverse effects of development.
14. All other matters raised in the representations have been taken into account, but none outweighs those that led me to my conclusions.

Planning Balance and Overall conclusions

15. I find in favour of the appellants in respect of the first of the main issues identified at the outset concerned with the impact of the development on the character or appearance of the CA.
16. However I find against the appellants on the second main issue since the scheme would adversely affect the living conditions of the occupiers of 74 Lawn Road. This is sufficient reason to dismiss the appeal.

17. Accordingly, for the reasons set out above, the appeal is dismissed.

G Powys Jones

INSPECTOR