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## Appeal Decision

Site visit made on 31 August 2020

**by Alison Scott BA(Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24 September 2020**

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**Appeal Ref: APP/X5210/W/20/3251669**

**Ground Floor, 25A Canfield Place, London NW6 3BT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
  - The appeal is made by A. Kasriel & Dr. A. Coren against the Council of the London Borough of Camden.
  - The application Ref 2019/2311/P, is dated 30 April 2019.
  - The development proposed is Alter pair of timber entrance doors, to single part-glazed entrance door with window and brick sub-panel.
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### Decision

1. The appeal is allowed and planning permission is granted to Alter pair of timber entrance doors, to single part-glazed entrance door with window and brick sub-panel at 25A Canfield Place, London NW6 3BT in accordance with the terms of application 2019/2311/P dated 30 April 2019, subject to the following conditions:
  - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Ground floor plan – 25 Canfield Place, Drawing Nos. 25A/01, 25A/02.
  - 2) Notwithstanding the approved plans, the horizontal glazing bars to the upper lights shall be removed within 3 months of date of this decision and retained as such for the lifetime of the development.

### Procedural and Preliminary Matters

2. This is a failure case as the Council did not come to a decision within the statutory time period. The Council explained within their Statement of Case that they consider the proposal fails to respect the character and appearance of the host dwelling.
3. Works have commenced on site in accordance with the submitted plans and from my inspection, the works appeared to be complete.

### Main Issues

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

## Reasons

5. The appeal site is a three storey mews development located within a terrace of properties along the north side of Canfield Place with single storey garages located to the south side. Many of the mews are in residential use at upper floors and the ground floor in various uses although it is evident that a number are entirely residential. The appeal site is located close to the bottom end of the row to the west, and close to the railway line where it comes to a dead end.
6. At ground floor level some properties retain garage doors of differing styles and ages and shop fronts, with more modern development towards the eastern end. The loss of the garage door would therefore follow the change in pattern of alterations that has already occurred along Canfield Place. Towards the eastern end, a number of mews have one large window replacing the garage door with ground floor render finish.
7. I accept that many alterations may have occurred to properties without the benefit of planning permission. I am also mindful that the appeal site is not located within a Conservation Area where conserving historical features is given significant weight.
8. The replacement garage door with new entrance door would provide some symmetry to the adjacent mews of Number 25. The Council raises concerns regarding the insertion of the Staffordshire blue bull-nose window cills above the low-level wall in-fill. These may not appear like other timber cills evident elsewhere along the mews, however it does not appear as an incongruous feature within this mixed environment where external alterations range from the use of unsympathetic upvc material, to metal, timber, and brick. There is no continuity of materials. Furthermore, this property is positioned sufficiently far away from the few original examples and therefore this site does not read directly alongside these more traditional window cills.
9. The mock sliding sash window may not be entirely typical of other fenestration examples along the mews, although it is noticeable that No. 7A has installed timber sliding sash windows. The mock sliding sash window would therefore not appear alien in this area of varied fenestration.
10. The appellant confirms their willingness to remove the horizontal glazing bar to the windows above the entrance door and I concur that this would better resemble the historical fenestration patterns of lights above the garage door.
11. Whilst the ground floor level may take on a more residential characteristic as a consequence, this is similar to other mews houses and in any case, permission does not change its use away from commercial at ground floor.
12. To conclude, the proposal would not conflict with the London Borough of Camden Local Plan 2017, Policy D1 in its design aims.

### **Other Matters**

13. An external step has been created outside the front door and indeed are visible to other main entrances. Whilst it may not be illustrated on the submitted plans, it is in existence. I could see no impediment to the free flow of pedestrian or vehicular movements as a result. However, any encroachment onto the highway land is for the Council to address and not within my control. Also, issues pertaining to the service the appellant has received from the Council should be referred to them in the first instance.

### **Conditions and Conclusions**

14. The development is retrospective, and I apply the approved plans reference for consistency. A condition to remove the horizontal glazing bars above the front door is conditioned alongside the timeframe to do so.
15. Based on the information before me, I have found no harm would arise to the character and appearance of the building or the area, and permission is therefore granted.

*Alison Scott*

INSPECTOR