

Appeal Decision

Site visit made on 27 April 2021

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 May 2021

Appeal Ref: APP/X5210/W/20/3263860
278 West End Lane, London, NW6 1LJ

- 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 Moisi Koumi against the decision of the Council of the London Borough of Camden.
 - The application Ref 2020/3859/P, dated 20 May 2020, was refused by notice dated 11 November 2020.
 - The development proposed is erection of mansard roof to incorporate conversion of property to provide 2x flats and associated works to front elevation.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the proposed development is taken from the application form. The Council's decision notice describes the proposed development as "erection of a mansard roof extension with front terrace and conversion of upper floors into a 1-bedroom flat and a 3-bedroom maisonette plus alterations to windows at rear ground floor and side 1st floor."
3. Part of the proposal the subject of this appeal is similar to a previously approved scheme¹ on the same site. The key difference being that the proposal the subject of this appeal includes a mansard roof extension.
4. One of the Council's reasons for refusal relates to a requirement for a Section 106 Agreement securing car free housing. The appellant has confirmed that he would be prepared to enter into such and consequently, this appeal decision focuses on the main issue set out below.

Main Issue

5. The main issue in this case is whether the proposed development would conserve or enhance the character and appearance of West End Green Conservation Area.

¹ Reference: 2019/4006/P.

Reasons

6. The appeal property is a red brick three-storey terraced Victorian building on the eastern side of West End Lane, fronting West End Green. It is situated in a busy mixed-use area and is located within West End Green Conservation Area. Buildings tend to have commercial uses at ground floor level and residential accommodation in the floors above.
7. West End Green Conservation Area is characterised by the presence of tall Victorian period properties, many of which have retained their original features, particularly above ground floor level. This provides for visual interest and a strong sense of place and history. Further, the presence of significant areas of open space, in the form of wide roads, small greens and areas of public open space, provides a spacious setting for West End Green Conservation Area's built heritage.
8. The appeal property is situated towards the corner of a long three storey terrace, close to the small public open spaces of West End Green itself. As such, it is situated in a prominent location and is widely visible in its surroundings.
9. The terrace within which the appeal property is located is especially notable for its unbroken flat roof form. This general absence of roof alterations or extensions contributes significantly to the attractive uniform scale and massing of the whole of the length of the terrace.
10. The proposed mansard roof extension would result in the breaking up of the terrace's roofscape. Whilst set back from the front parapet, the proposed extension would, due to its height and overall size, be widely visible from various surrounding locations.
11. Consequently, the proposal would appear as an incongruous addition, out of place with an otherwise notably unaltered and uncluttered roofscape. It would disrupt the uniform and harmonious qualities of the terrace and it would draw attention to itself as an obtrusive feature. The harmful impact of this would be exacerbated as a result of the prominent location of the appeal property.
12. Taking all of the above into account, I find that the proposed development would fail to conserve or enhance the appearance of West End Green Conservation Area. Having regard to paragraph 196 of the National Planning Policy Framework (the Framework) and paragraph 017 of the Planning Practice Guidance, I consider that the harm to the character and appearance of West End Green Conservation Area would be less than substantial. This needs to be balanced against any public benefits that the development may bring.
13. In support of his case, the appellant considers that the proposal would add to the Council's housing supply. However, it would not add any more dwellings than the previously approved application referred to above and there is no evidence of any public benefit so significant that it would outweigh the harm identified.
14. Taking everything into account, I find that the proposal would fail to conserve or enhance the character and appearance of West End Green Conservation Area, contrary to the National Planning Policy Framework, to Camden Local Plan (2017) Policies D1 and D2, and to Fortune Green and West Hampstead

Neighbourhood Plan (2015) Policies 2 and 3, which together amongst other things, seek to protect local character.

Other Matters

15. In support of his case, the appellant refers to other roof-top developments in the vicinity. However, whilst roof-top developments appear common-place in some locations, such as on the opposite side of West End Lane, there are no such developments on the terrace of which the appeal property forms part. For the reasons set out above, I have found that the proposed development would fail to conserve the character and appearance of West End Green Conservation Area and this is not a factor that is mitigated by the presence of other developments elsewhere.

Conclusion

16. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR