



Appeal Decision

Site visit made on 3 May 2022

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th May 2022

Appeal Ref: APP/X5210/D/22/3292994

31 Crediton Hill, London NW6 1HS

- 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 & Mrs Davidson against the decision of London Borough of Camden.
 - The application Ref 2021/3191/P, dated 30 June 2021, was refused by notice dated 9 February 2022.
 - The development proposed is described on the application form as: 'Amended proposal for front-drive green areas to permission 2019/0810/P. Extended dropped kerb.'
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. It was apparent upon inspection that, with the exception of an extended dropped kerb, the scheme that is before me has been implemented. Indeed, front boundary walling has been omitted, re-arranged front steps have been constructed, and a stone-paved driveway (necessitating the removal of a soft-landscaped area) has been installed. The proposal is thus part-retrospective, and I shall consider the appeal on this basis.

Main Issues

3. The main issues are:
 - Whether or not the character or appearance of the West End Green Conservation Area (the CA) is preserved or enhanced; and
 - Whether or not the scheme unacceptably contributes to the risk of surface water flooding.

Reasons

The CA

4. The significance of the CA as a designated heritage asset is drawn, in part, from its village origins, the uniformity of its layout and the grand scale of many of its traditional buildings. Indeed, Crediton Hill is typified by similarly designed bay-fronted houses of large size positioned upon broadly consistent front building lines setback from the highway.
5. Even so, as was apparent upon inspection, a wide variety of driveway arrangements and surface finishes are in place to the frontages of individual

plots. Furthermore, instances of front boundary wall removals are commonplace and external stairs of differing specifications exist close by.

6. The surfacing material that has been installed did not, despite its light colouring, appear as incongruous upon inspection. It blends acceptably with the varied array of surface treatments observable nearby. It is also relevant that a planting bed remains, which offers a walled/planted edge to a part of the site's frontage. Moreover, the extent of hardstanding that has been installed is not excessive (in character and appearance terms) and does not appear out-of-place when viewed in the context of its surroundings. Similarly, the external steps that have been constructed appear neither over-sized nor discordant.
7. For the above reasons, the character and appearance of the CA is preserved. The scheme accords with Policies D1 and D2 of the Camden Local Plan (2017) (the Local Plan) and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2016) in so far as these policies require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.

Surface water flooding

8. Policy CC2 of the Local Plan requires development to be resilient to climate change and, amongst other provisions, not to increase surface water run-off through increasing permeable surfaces and utilising Sustainable Drainage Systems. At odds with these requirements, the on-site works undertaken have involved the laying of a sizeable expanse of impermeable paved surfacing that does not incorporate any substantive means of infiltration or on-site water retention.
9. The driveway would harbour the potential to direct a not insignificant volume of surface water into public drainage systems. Moreover, it is apparent from the submitted evidence that the extent of hardstanding now installed clearly exceeds both what was in place to the front of the site prior to the works being carried out and the extent of hardstanding that was consented in May 2019¹ (but not implemented).
10. Whilst the natural topography of the site slopes down to the existing drainage infrastructure associated with the public highway, such circumstances would not rule out the potential for run-off to be intercepted on-site and directed through a Sustainable Drainage System. It has not been robustly demonstrated otherwise, nor that it would be unviable to bring forward such a system in line with the drainage hierarchy.
11. I accept that sizeable front driveways constructed from impermeable materials are prevalent close to the site. However, many of these are longstanding and would predate the Local Plan. In any event, the local existence of other impermeable driveways does not in itself justify unacceptable development at the appeal site.
12. For the above reasons, the development unacceptably contributes to the risk of surface water flooding and thus causes harm. The scheme conflicts with Policies CC2 and CC3 of the Local Plan in so far as these policies seek to ensure that development does not increase flood risk and reduces the risk of flooding where possible.

¹ 2019/0810/P

Other Matters

13. It is apparent from the Council's Delegated Report that the Highways Engineer, in his or her role as the Local Highway Authority, has sounded concerns with respect to the intention to extend the dropped kerb in place to the front of the site. However, as I have found the scheme to be unacceptable for other reasons, it is not necessary for me to explore any potential relevance of this matter further here.
14. There is conflict with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

15. Whilst I have found that the character and appearance of the CA is preserved, I have identified that harm is caused by virtue of the risk of surface water flooding being unacceptably contributed to. This harm is the overriding consideration in this case. Thus, for the above reasons, the appeal is dismissed.

Andrew Smith

INSPECTOR