



Appeal Decision

Site visit made on 7 July 2022

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2ND July 2022

Appeal Ref: APP/X5210/D/22/3291770

4 Ellerdale Close, London, NW3 6BE

- 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 James Cutress against the decision of the London Borough of Camden Council.
 - The application Ref 2021/2786/P dated 8 June 2021, was refused by notice dated 22 December 2021.
 - The development proposed is replacement side and front extensions (and reduction) and alterations to the existing fenestrations and alterations to hard landscaping at the front of the property.
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Decision

1. The appeal is allowed and planning permission is granted for replacement side and front extensions (and reduction) and alterations to the existing fenestrations and alterations to hard landscaping at the front of the property at 4 Ellerdale Close, London, NW3 6BE in accordance with the terms of the application ref: 2021/2786/P dated 8 June 2021, subject to the following conditions:
 - 1) The development to which this permission relates must be begun not later than the expiration of three years, beginning with the date of this decision;
 - 2) The development hereby permitted shall be out in complete accordance with the following approved plans: site plan - EX000, proposed ground floor plan - PL101C, proposed first floor plan - PL102B, proposed second floor plan - PL103B, proposed front elevation - PL105B, proposed rear elevation - PL106B, proposed side elevation - PL107A, proposed side elevation - PL108B and proposed site section - PL110A.
 - 3) The materials used in development hereby permitted shall match those of the existing dwelling unless details are submitted to, and approved in writing by, the Local Authority.

Main Issue

2. The main issue is the impact of the proposal upon the character and appearance of the host building and the Conservation Area.

Reasons

3. There are several elements to the appeal proposal as noted within the development description. The refusal reason is specific to the proposed front extensions at ground and first floor levels and the Council's decision confirms that the pitched side extension with the glazed roof is acceptable as it is

subordinate to the host building and would replace the existing structure with a similar massing. The Council also confirm in their delegated report that the gate to the side passage, new stone clad steps and lowering of this window sill heights to the existing windows to the side to match sill levels across the front façade are acceptable. Based upon my site visit, and the evidence before me, I have no reason to conclude differently on these elements. For the avoidance of doubt this appeal will, therefore, focus on the front extensions upon which the refusal reason and main issue is based.

4. The appeal site is located at the end of Ellerdale Close which is small residential development comprising of four dwellings which stand within the Fitzjohns/Netherhall Conservation Area (CA). The appeal site is masonry built with a pitch clay roof, painted timber windows and shutters. It is located off a narrow, private, access road which, combined with the appeal site standing lower than the access road in terms of site levels, and having an original front elevation starting behind the rear elevation of 3 Ellerdale Close means I find that the visibility of the appeal site is limited within the immediate area. When I arrived at the appeal site I found that the existing garage structure, which projects forward of the front elevation, is a prominent feature which is visually dominant in the context of the front elevation. It was the first thing I noted at the time of my site visit upon arriving at the site which detracted from the host building. A garage is an ancillary structure; however, the scale and massing in this case attracts undue attention to the detriment of the host building due to its overall design and prominent positioning.
5. As a result of the proposals before me this garage would be removed and replaced with a single storey front extension which would reduce the length of protrusion from the front elevation. This element would increase the width from that for the existing garage but I find that this would be more in keeping and less visually detrimental than the current garage structure on site. I do not find it would appear more dominant on the front elevation; I find that it would resolve the existing dominance issue caused by the garage by keeping the front building line more consistent than is currently the case and generally improving design. The proposal would also improve the front building line which would be more in keeping with the right hand side of the property as well as generally improving symmetry of the appeal site.
6. The proposed two first floor extensions on either side of the front entrance porch are noted to not be set below the eaves and would extend forward the eaves and roof, however, I found examples of similar design approach visible from the appeal site at the neighbouring property at 18 Froggnal Way as well as this being evidenced within the appellant's submissions. Whilst each case should be considered on its own merits such an approach, therefore, is not uncharacteristic within the immediate area and I do not find them to be of detriment to the host building.
7. The proposed extensions would be stepped back from the ground floor and would match existing fenestration on the front elevation with shutters as shown on the proposed elevational drawings. The proposal would result in new front wings at upper and lower levels but I do not find that the upper floor extensions would appear out of place or that the character of the building would be lost. The sensitive design, using materials and fenestration to match existing retains the character i.e. the qualities which distinguish the property and would not result in a loss of detail.

8. At the time of my site visit I entered site, went to the front door, and found the existing entrance area to be of limited quality. The infilling of the ground floor porch with a larger, wider, one and a larger replacement balcony would add further bulk the front elevation but in the context of the extensions which have already been discussed, and which I consider acceptable, I do not find that this would add bulk which would be harmful or warrant refusal. It would, ultimately, be a subordinate element to the building which is set back from the building line of the combined proposals. The proposed balcony would result in an increase in size; however, it is replacing an existing balcony at first floor level so does not introduce a new feature which is not already a characteristic of the property.
9. In the context of Ellerdale Close there is no strong building line due to the properties following the curve of the road and, in any case, the appeal site property is located notably back of its neighbouring property as has previously been outlined. The front extensions would not result in highly visible alterations which would change the character of the host building or the street. As previously outlined Ellerdale Close is a small development of four dwelling with varied building lines, proportions and site levels with the appeal site being at a notably lower level than the surrounding context and built form. Given this I find the proposal responds positively and sympathetically to the varied surrounding built form.
10. In accordance with paragraph 199 of the National Planning Policy Framework 2021 when considering the impact of the proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The existing front elevation of the appeal site is disjointed and unsymmetrical in appearance due to the extensions which have been added on over the years. Overall the proposal before me I find would result in improvements which would remove mismatched extensions, reintroduce symmetry and provide an opportunity to visually improve the character and appearance of the host building which is noted in the CA as making a positive contribution to the character and appearance of the area.
11. The extensions would be introduced in an appropriate style which reflects the host building. This would, in turn, improve the host buildings contribution to the wider CA despite its limited visibility in public views due to an improvement in the appeal sites outward, visible qualities. It therefore follows that I do not find the proposals would result in harm to the significance of a designated heritage asset but rather they would conserve and enhance the asset which has previously been extended in a disjointed manner.
12. The proposal is consistent with Camden Local Plan 2017 (LP) Policy D1 which requires development to respect local context and character and preserve or enhance the historic environment and heritage assets in accordance with LP Policy D2. The proposal is consistent with LP Policy D2 which requires that development within the CA preserved, all where possible, enhances the character or appearance of the area.
13. The proposal would be consistent with the objectives of Hampstead Neighbourhood Plan 2018 (NP) Policy DH1 which requires development proposals to ensure that design is sympathetic to establish building lines and arrangements of front gardens, walls, railings or hedges and respond positively and sympathetically to the existing rhythm, proportion, height, scale, massing,

materials and storey heights of surrounding buildings. The proposal would also be consistent with the objectives of NP Policy DH2 which requires development to take advantage of opportunities to enhance CAs as well as seek to protect and or enhance buildings which make a positive contribution to the CA.

Other Matters

14. Letters of support are noted from other residents of Ellerdale Close, however, a lack of objection is a neutral consideration. An objection is raised with regard to overdevelopment and notes the appeal site's presence in a CA with notable design by architect Clough William Ellis. Whilst the property is noted to have previously been extended the proposal before me seeks to alter and reduce some of the aforementioned extensions. I have dealt with matters relating to design and the CA in the main body of this decision letter.
15. A second objection is noted (which relates to two applications at the appeal site, only one of which is the subject of this appeal). The objection raises concern with the rooflight on the side elevation (west) with regard to overlooking and loss of privacy. The proposed rooflight would face towards the neighbouring garden of 3 Ellerdale Close, however, I do not find that the rooflight would result in a loss of privacy or allow overlooking given that it is located in a vaulted ceiling a floor above eye level. It would not, therefore, be possible to obtain views into the neighbouring property. Based upon this, and the Council's submissions, I do not find the rooflight to cause impact upon neighbouring residential amenity nor do the Council raise concern in this regard.

Conditions

16. The Council have suggested three standard conditions in their questionnaire which I have applied. A time condition is attached to comply with section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent. A materials condition is required to ensure the proposal matches the host dwelling and that any deviations in materials from existing are approved by the Council to ensure an appropriate finish.

Conclusion

17. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR