



Appeal Decision

Site visit made on 25 January 2023

by **L McKay MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st February 2023

Appeal Ref: APP/X5210/D/22/3299176

49 Leverton Street, London NW5 2PE

- 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 Parkhurst against the decision of the Council of the London Borough of Camden.
 - The application Ref 2021/5148/P, dated 21 October 2021, was refused by notice dated 11 March 2022.
 - The development proposed is described as 'general refurbishment of the building exterior, demolition of the existing garage conversion and outrigger and construction of a new two storey rear London Stock brick extension with white concrete coping, bifolding doors, rooflights, windows to rear and Alvitra Evalon single ply roof, replacement of ground floor side window, new rooflights, replacement of the existing side garage gate, courtyard area increased from 20m² to 27m², new hard landscaping to rear with access from sliding doors with retained vehicular access for off street electric car charging and bicycle storage.'
-

Decision

1. The appeal is allowed and planning permission is granted for general refurbishment of the building exterior, demolition of the existing garage conversion and outrigger and construction of a new two storey rear London Stock brick extension with white concrete coping, bifolding doors, rooflights, windows to rear and Alvitra Evalon single ply roof, replacement of ground floor side window, new rooflights, replacement of the existing side garage gate, courtyard area increased from 20m² to 27m², new hard landscaping to rear with access from sliding doors with retained vehicular access for off street electric car charging and bicycle storage at 49 Leverton Street, London NW5 2PE in accordance with the terms of the application, Ref 2021/5148/P, dated 21 October 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and the details specified thereon: P100, P101, P102, P103, P150, P151, P200, P201
 - 3) The external brickwork used in the development hereby approved shall match the brickwork of the existing dwelling in colour, texture, size and bond.

Preliminary Matters

2. The evidence before me is that planning permission has previously been granted at the appeal property for 'Demolition of existing single storey rear outrigger, erection of single storey rear extension and replacement of garage doors in side (Railey Mews) elevation' (Council Ref. 2021/2735/P). The proposal before me includes some of the same elements, with the primary difference being the rear extension, which is now proposed to be part two storey and part single storey.
3. I saw on site that the side window appeared to have been replaced, the previous outrigger and garage had been demolished and walls had been built to the rear. These appeared to be associated with the previous permission, and there was no indication that the revised elements sought in this appeal had been implemented. I have therefore determined the appeal on the basis that the development now proposed has not yet commenced.

Main Issues

4. The main issues are the effect of the proposal on:
 - the character and appearance of the Kentish Town Conservation Area (CA) and the setting of The Pineapple public house; and
 - the living conditions of the occupiers of 47 Leverton Street with particular regard to outlook

Reasons

Conservation Area and listed building

5. The CA derives considerable significance from its historic core and the arrangement of the late 19th century streets around it, which broadly form a grid layout. Leverton Street is lined with uniform terraced developments, with houses sharing a particular style using brick and stucco. The Kentish Town Conservation Area Appraisal and Management Strategy (adopted 2011) identifies these homogenous house designs and architectural detailing as part of the special interest of the CA.
6. The Grade II listed Pineapple public house is on the other side of Railey Mews to the appeal site. It is notably wider than the appeal property and others around it and has detailing not found in the plainer buildings either side, including pineapple motifs on the keystones over the windows and doors. It derives considerable significance from its function as a public house, its decorative external appearance and the fine behind-bar screen inside. Set at the junction, it would have had some commercial premises around it, with one shop still surviving on the opposite corner property.
7. The setting of the listed building now comprises the predominantly residential development around it. Its relationship to the surrounding housing, built at the same time, and its prominent position are an important part of its special interest. For these reasons it also makes an important, positive contribution to the character and appearance of the CA.
8. The appeal site and associated terrace are three storey, tall, narrow buildings with butterfly roofs. In common with many other corner plots in the CA, the appeal site projects slightly forward of the rest of the terrace. Its architectural

detailing, including blank windows in the side elevation, quoins and parapet detail, are also characteristic of these end-terrace buildings. Formerly a shop at ground floor, elements of the shopfront are still visible. No 49 is identified in the CAA as a positive building, along with others in the terrace. For these reasons, it contributes positively to the character and appearance of the CA.

9. The Pineapple pub and the appeal property share the architectural style characteristic of this part of Leverton Street as well as detailing found on many of the corner properties in the vicinity. Nevertheless, the greater width of the pub and its prominent and exuberant architectural detailing distinguish it from the appeal site and other neighbours. The window forms of the two terraces are also quite different. At the rear, the pub has various single storey additions and a two-storey projection. Consequently, although the pub and No 49 have a clear relationship as two of the four corner properties on this junction, they do not read as a pair either from the front or the rear.
10. The front elevations of the appeal terrace are relatively uniform but there are various single storey rear projections, and some rear elevations have been painted. There are no additions visible at first-floor or above on the rear, however this does not appear to be a particular characteristic of this CA, where terraces have different forms to the rear, including various outriggers. Furthermore, two storey rear additions are not unusual on end-terraced buildings in the CA even where rear outriggers are not a feature of that terrace. Several are clearly visible at corner plots around the appeal site. Moreover, as originally designed, many end-terraces are different in appearance to the rest of the terrace.
11. The two-storey element of the proposed rear extension would be visible from Leverton Street and Railey Mews. It would however be of modest height and depth in relation to the scale of the host property. Matching materials and sympathetic detailing are proposed, including a clear distinction between the reinstated boundary wall and the first floor of the extension. This would help reduce its visual bulk, and it would appear clearly subservient and proportionate to the host property. Consequently, it would not be a prominent feature in either street scene or detract from the historic form of the dwelling or the terrace. Nor would it draw undue attention away from the pub as the visual focus of this part of Leverton Street.
12. From Railey Mews various rear extensions are visible on the terraces in front, with those at the rear of the pub particularly apparent due to their scale and the glazed roof form. In this context, and given its scale, the proposed rear extension would not be unduly prominent and would not unbalance the relationship of No 49 with the pub.
13. There is a clear visual and spatial separation between the modest buildings of Railey Mews and the much taller terraced dwellings in front. The proposed extension would reduce the gap between No 49 and 1 Railey Mews at first-floor level, but there would still be a significant gap between them. Furthermore, the extension would be markedly lower in height than the smaller property behind. Consequently, when looking into Railey Mews from Leverton Street, the large expanse of the side of No 1 would still be a prominent feature. From Railey Mews the much taller main body of No 49 would remain dominant. Therefore, the moderate reduction in the gap between the appeal property and No 1

- would not significantly or harmfully alter the relationship between these properties or prevent appreciation of their differing scale and form.
14. A hoarding was in place along the boundary of the site with Railey Mews at the time of my visit, which was lower than the replacement boundary wall proposed. Between No 49 and No 1 I could see the sky and the tops of some trees which appeared to be towards the end of neighbouring gardens. However, I could not see the roofs of properties beyond. Given the limited depth of the proposed extension and its position immediately to the rear of the host property, it would not significantly affect these views or harmfully alter their contribution to the CA.
 15. Accordingly, in this context the proposed two-storey rear extension would not appear incongruous or be out of character with the CA and would respect the historic pattern and established townscape of the area. Neither the extension itself or the reduction in the gap between No 49 and No 1 would harm any features which contribute to the significance of the CA. Nor would it harmfully alter the prominence of the listed pub or its relationship with neighbouring properties.
 16. Therefore, the proposed two-storey rear extension would preserve the character and appearance of the CA as a whole, and would not harm the setting of the listed public house or any features of special architectural or historic interest which it possesses.
 17. The single-storey element of the proposed rear extension would have very little visual impact as it would be set behind the two-storey element. Use of matching brick would help it blend with the host property and the more modern window and door would not be seen from outside the site. Reinstatement of the boundary wall and replacement of windows, garage doors, roof lights and other detailing have previously been approved and would be sympathetic to the host property and the CA. These other elements would therefore also preserve the character and appearance of the CA and the setting of the listed building.
 18. I therefore find no conflict with Policies D1 and D2 of the Camden Local Plan 2017 or Policy D3 of the Kentish Town Neighbourhood Plan 2016 which together require high quality design which respects local context and character and preserves or enhances heritage assets.

Living conditions

19. The attached neighbour No 47 has a large, tall window in the rear elevation, which appears to serve a habitable room. The existing single storey projection at the rear of No 47 has a single pitched roof, with the ridge rising to the boundary with No 45 and a low eaves well below the top of the rear window. The boundary wall of the appeal property, where the approved extension is under construction, is of significant height adjacent to this window, and only drops slightly alongside the proposed courtyard area. To the rear of the modest courtyard is the side elevation of 1 Railey Mews, the mass of which is broken up by elements of glazed blocks and an obscure glazed screen. The outlook from the rear window of No 47 is therefore already relatively short and enclosed.
20. The proposed single storey extension would be taller than what has already been approved, and taller than the boundary wall currently on site. I am

advised that it would be the same depth as the approved extension. Due to the increased height, the proposal would result in a reduction in outlook from the window of No 47 compared to the existing situation. However, the increase in height would be modest and the flat roof would be only slightly higher than the top of the window of No 47. The low eaves of the existing projection to No 47 would continue to allow some outlook in that direction. Therefore, the proposal would not significantly reduce the outlook from that window or harmfully increase the sense of enclosure from the house or courtyard. The two-storey element of the proposal would be set well away from the boundary such that it would have no impact on outlook from that window.

21. Consequently, the proposal would not significantly adversely affect the outlook from the ground floor rear window of No 47 and would not unacceptably harm the living conditions of the occupiers of that property in that respect. Therefore, I find no conflict with Local Plan Policy A1 which seeks to protect the quality of life of occupiers and neighbours.

Conditions

22. In addition to the standard implementation condition, a condition to require compliance with the approved plans is also necessary in the interests of certainty.
23. The plans condition will secure compliance with the details of materials, joinery and other architectural detailing specified on the plans, therefore a separate condition to control them is not necessary. However, while London stock brick is specified, it is necessary in the interests of the character and appearance of the CA to ensure that it matches the existing building. The proposed rear bifold doors and window would have aluminium frames, however for the reasons above that would not harm the character and appearance of the CA, so it is not necessary for them to match the existing building. I have therefore modified the suggested condition accordingly.

Conclusion

24. For the reasons set out above the proposal would accord with the development plan when read as a whole, and there are no material considerations that justify a decision otherwise than in accordance with the development plan. The appeal is therefore allowed subject to the conditions listed.

L McKay

INSPECTOR