The Planning Inspectorate

Appeal Decision

Site visit made on 30 May 2017

by Robert Fallon B.Sc. (Hons) PGDipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30th June 2017

Appeal Ref: APP/X5210/D/17/3171849
4 Charlton King's Road, London, NW5 2SA

- 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 Leslie Ward and Ms Jude Liknaitzky against the decision of the Council of the London Borough of Camden.
- The application Ref 2016/5338/P, dated 22 September 2016, was refused by notice dated 6 March 2017.
- The development proposed is the construction of a mansard type roof extension with front roof terrace. Roof extension to include an additional storey with flat roof at the rear. Small single storey ground floor extension and new aluminium windows.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The development description on the application form does not correspond with the submitted plans, decision notice or appeal forms. This arises from the fact that the appeal scheme was amended to exclude the additional storey of accommodation with flat roof on the existing rear projection and the front roof terrace prior to its determination by the Council. In view of the fact that there does not appear to be any dispute between the Council and Appellant on this matter, I have proceeded on the basis that the development proposed is a mansard roof extension and single storey rear extension to single family dwelling (Class C3).

Main Issue

3. The Council raises no concerns regarding the single storey rear extension. Accordingly, the main issue is the effect of the proposed mansard roof extension on the character and appearance of the host building and surrounding area.

Reasons

4. Charlton King's Road is predominantly characterised by 2-storey Victorian dwellings, some of which have been subject to mansard roof extensions similar to the current proposal. However, the locally Listed terrace at Nos. 2-8 retains a largely unaltered roof line and façade, which helps to give it a clear sense of unity, rhythm and balance. In accordance with the National Planning Policy Framework (NPPF), this building constitutes a non-designated heritage asset and so in accordance with paragraph 131 I have taken account of the desirability of sustaining and enhancing its significance.

5. The proposed roof extension would project substantially above the front parapet wall and occupy the entire width of the host property's roof. As a consequence, it

would give rise to an entirely different roofscape to the middle part of the terrace and significantly disrupt the unity of the entire block generated by the unaltered roofline. Despite using similar materials, it would be an unduly dominant, intrusive and harmful feature and would erode the overall integrity of the existing roof form. The proposal would be clearly visible from the existing street and the junction with Leighton Road and Torriano Avenue.

6. A similar scheme (also the subject of an appeal) is proposed for the neighbouring property at No. 2. While a combined mansard roof extension would give the development slightly more horizontal emphasis, echoing that of the existing front parapet wall and terrace block, any such benefit would not overcome the significant harm identified above.

7. I appreciate that a number of other properties in Charlton King's Road have been subject to mansard roof extensions, but these are less visible from the junctions with Leighton Road and Torriano Avenue. I am also not aware of the particular circumstances leading to the granting of planning permission for these additions and in any event, I must consider the appeal scheme on its own merits. In doing so, I have concluded that the harm identified would arise due to a combination of how the scheme detracts from the character of the locally Listed terrace and its wider visibility in the street scene.

8. I accept that the Appellant has reduced the size of the scheme from that originally submitted but this does not overcome the harm identified above. Similarly, the letter of support and lack of objections do not in themselves demonstrate a lack of harm. The existence of other roof extensions on the road do not justify the harm I have identified, and nor do the benefits outlined by the Appellant of providing additional living space.

9. I therefore consider that the proposed development would adversely affect the character and appearance of the dwelling and surrounding area and would therefore be contrary to Policy CS14 of the Core Strategy[1] and Policy DP24 of the Development Policies Document[2], which seek to ensure that new development is of a high design standard that respects the local context and character of the area and conserves heritage assets. Moreover, the harm to the significance of the building as a heritage asset would not be outweighed by the benefits of the development. Consequently, there is conflict with paragraph 135 of the NPPF, which requires a balanced judgement to be made in such cases. The policies contained in the Emerging Local Plan[3] have not altered my conclusions.

Conclusion

10. In view of the above, having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Robert Fallon

INSPECTOR

[1] London Borough of Camden Local Development Framework Core Strategy 2010-2025
[2] London Borough of Camden Local Development Framework Development Policies 2010-2025
[3] Camden Local Plan Submission Draft 2016