
Appeal Decision

Site visit made on 29 October 2019

by J Gibson BUEP MPIA

an Inspector appointed by the Secretary of State

Decision date: 5 December 2019

Appeal Ref: APP/X5210/D/19/3235244

2 Byron Mews, London NW3 2NQ

- 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 Chris Uff against the decision of the London Borough of Camden Council.
 - The application Ref 2018/5446/P, dated 7 November 2018, was refused by notice dated 9 July 2019.
 - The development proposed is a new full height side infill extension to existing mews house.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The above description has been taken from the appellants application form. The proposal can more accurately be described as a three storey side extension to the existing dwelling, following the demolition of an existing single storey side extension.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area, with particular regard for the Mansfield Conservation Area (CA).

Reasons

4. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be given to the desirability of preserving or enhancing the character or appearance of the conservation area. The appeal property is located within the Mansfield CA, Sub Area 1 – Fleet Road from west to east, of which its significance is derived from the high quality and uniform architectural style and form of development in the area.
5. The appeal property is a three storey end of terrace dwelling with an informal single storey side extension within a private gated mews off of Fleet Road. The dwellings within the mews all achieve a consistent architectural style and form which achieve a cohesive character and appearance, despite some variations in dwelling height, width and design. The appeal property specifically achieves a balanced design and appearance with the neighbouring dwelling attached.

Combined with this section of the terrace row the appeal property forms a positive rhythm through shared building heights, widths and façade design, before transitioning to the taller buildings in the middle. Although of a different style and design, the existing side extension to the appeal property does not appear incongruous with the character and appearance of the terrace dwellings. It achieves a subordinate appearance within the street scene and has a comparable appearance to a fence or gate enclosing the rear garden of the property.

6. The site was formerly a tram shed and was redeveloped to establish Byron Mews as a modern residential development. The only feature of the tram shed remaining is the approximately 10 metre high wall which encloses Byron Mews. Neither this feature, nor any of the buildings which make up Byron Mews, are specifically identified as positive or negative contributors towards the character and appearance of the CA under the Mansfield CA Appraisal and Management Strategy (CAAMS), or listed locally or statutorily. Despite this, I consider the original tram shed wall to be a positive feature which acknowledges the historical context of the site and the surrounding area.
7. The current development layout positively respects this historical feature by maintaining a consistent separation between buildings and this wall throughout Byron Mews, including directly opposite the appeal property. Whilst the existing side extension to the appeal property obscures the wall to some degree, the gap predominantly remains open and the wall visible from the mews. The proposed three storey side extension would consequently close this gap, obscuring the majority view of this wall from the mews and harming the character and appearance of the surrounding area.
8. The proposed side extension seeks to continue the pattern and design of the host dwelling and proceeding terrace row by achieving a similar building height, aligning with the front elevation, and by incorporating consistent design details. However, the design of the proposed side extension would unduly raise the height of the front parapet, above that on the host dwelling, and introduce a new row of windows in line with the existing dormer windows on the roof. The effect of this design choice would be to increase the vertical mass of the proposed extension at the first and second floor levels, which would appear overbearing next to the host dwelling, despite its width, and interrupt the rhythm and pattern along this section of the terrace row. Consequently, the proposed side extension would fail to achieve a subordinate appearance in relation to the host dwelling, subsequently harming the character and appearance of the host dwelling.
9. In accordance with paragraph 196 of the National Planning Policy Framework (the Framework) I consider the harm of the proposal to be less than substantial, and have had regard to whether the proposal offers any public benefits which may outweigh this harm. The proposed extension would afford the current occupants with additional living space to accommodate their growing family and would expand a house in an area which the appellant describes as having "high housing need". Whilst I note the benefit to the appellant and towards meeting local housing need, they would not outweigh the harm identified.
10. I note the proposed side extension would be predominantly concealed from public view along Fleet Road. However, this does not justify the identified

harm within the mews itself. The appellant references a number of different planning permissions for side extensions to end of terrace dwellings in an attempt to draw favourable comparisons to the appeal proposal. In my view the referenced permissions are not directly comparable to the appeal proposal as the context and quality design of dwellings within the mews differ from the examples presented. In any event I must determine the appeal before me on its own merits. These considerations do not collectively outweigh the weight I must give to the preservation or enhancement of the CA.

11. Accordingly, the proposed side extension would harm the character and appearance of the host dwelling and the surrounding area, in particular the Mansfield CA. It would therefore conflict with Policies D1 and D2 of the London Borough of Camden Local Plan (adopted June 2017), and Policies DH1 and DH2 of the Hampstead Neighbourhood Plan (adopted October 2018). These policies collectively seek, amongst other things, to ensure development is of a high quality which respects the character and appearance of the local context and preserves or enhances the historic environment.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

J Gibson

INSPECTOR