
Appeal Decision

Site visit made on 4 February 2020

by Nick Fagan BSc (Hons) DipTP MRTPI

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

Decision date: 10 February 2020

Appeal Ref: APP/N5090/Y/19/3238766
22 Hampstead Way, London NW11 7LS

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Dr and Mrs John Bentley against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/1444/LBC, dated 12 March 2019, was refused by notice dated 21 May 2019.
 - The works proposed are internal alterations.
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Decision

1. The appeal is allowed and listed building consent is granted for internal alterations at 22 Hampstead Way, London NW11 7LS in accordance with the terms of the application Ref 19/1444/LBC dated 12 March 2019 subject to the following conditions:
 - 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 2072.010 RevB & HW.AC.RFP01.
 - 3) Lathe and plaster ceilings shall be installed to the breakfast room and master bedroom.

Procedural Matter

2. The original application proposed a wider variety of works including the installation of two conservation rooflights to the front and side roof planes and the installation of an air conditioning unit and other alterations. I understand that the latter were approved under separate applications.¹ The rooflights are not the subject of this appeal.
3. The only matters the subject of the refusal being appealed here are the proposed internal alterations as follows, as set out in the appellants' grounds of appeal:
 - The heightened ceiling and track lighting in the kitchen;
 - The insertion of downlighters in the adjacent breakfast room; and

¹ 19/0506/HSE & 0507/LBC and 19/4154/HSE & 4155/LBC

- The insertion of downlighters in the master bedroom (without the originally proposed spiral staircase to the loft space above).

I therefore confine myself to solely addressing these alterations.

Main Issue

4. The main issue is the effect of these proposed works on the significance of this Grade II listed building (LB) and on the character and appearance of the Hampstead Garden Suburb Conservation Area (CA).

Reasons

5. Statute requires that decision makers shall have special regard to the desirability of preserving LBs or their settings, and that special attention is paid within CAs to the desirability of preserving or enhancing the character or appearance of the area.²
6. The appeal property is the southern house in a group of four jointly listed properties (6-10 even Meadway and 22 Hampstead Way), designed by Baillie-Scott architects (almost certainly in the Edwardian period) and described as a picturesque group, with timber framing details. The other corner buildings on this junction of Meadway and Hampstead Way are also all listed. The site lies in the middle of the CA, within Area 4 specifically (Meadway and the Great Wall).
7. The appellant's grounds of appeal document that the current kitchen originally comprised a number of small storerooms, scullery and WC but that these had already been removed when the Council approved a slight repositioning of the entrance doorway and removal of the remaining partition in this area in 1985.
8. The proposal is to remove the ceiling and joists of the loft space above and to raise the height of the room to reflect the dual pitched roof of this projecting element of the house, introducing track lights to the ridge and two pendant lights. It is possible, though unlikely given the various past works in this area, that the ceiling joists are original to the house. But, even if that is the case, their retention is not necessary to retain the LB's significance, which essentially derives from its group value, design and elevational treatment by one of the Garden Suburbs leading architects. Such minor internal alterations to adapt the building to modern domestic standards would not adversely affect its significance as a LB.
9. Likewise, the proposed changes to the adjoining breakfast room and the master bedroom above it. Both rooms have been altered in the past – probably in the 1980s – by the installation of inappropriate modern gypsum plasterboard ceilings. The proposal is to replace these ceilings with lathe and plaster ceilings within which downlighters would be installed. Clearly such downlighters would not be in keeping with the lighting that would have been used when the house was built but such a change in lighting would have no effect of the LB's significance for the above reasons.
10. I conclude that the three internal alterations proposed would not harm the LB's significance. Since they are internal and would not be noticed externally, they would have no effect on the character or appearance of the CA.

² S 16(2), 66(1) & 72(1) Planning (Listed Buildings and Conservation Areas) Act 1990

11. Policies 7.8 of the London Plan and DM01 and DM06 of Barnet's Development Management Policies Document together require proposals to preserve LBs and the character and appearance of CAs. For the above reasons the proposed internal alterations would comply with these Policies, which are material to this appeal.
12. The Council has not submitted any conditions to be attached to any listed building consent. Apart from the standard commencement condition I consider that a condition listing the approved drawings is required and one to ensure that lathe and plaster ceilings are restored to the breakfast and master bedrooms. I have only specified those drawings relevant to the three internal alterations, not all those submitted with the original application. Subject to these conditions, I allow this appeal.

Nick Fagan

INSPECTOR