
Appeal Decision

Site visit made on 16 September 2020

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2020

Appeal Ref: APP/X5210/D/20/3254388

18 Frognal Way, London NW3 6XE

- 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 Mrs Lucy Fitzpatrick against the decision of the Council of the London Borough of Camden.
 - The application Ref 2020/0986/P, dated 25 February 2020, was refused by notice dated 18 May 2020.
 - The development proposed is the erection of two rear ground floor extensions.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether or not the proposed development would preserve or enhance the character or appearance of the Hampstead Conservation Area (HCA).

Reasons

3. The appeal building appears as a quaint and low rise detached dwelling set back from and facing the south side of Frognal Way. Originally of very modest proportions, it is built in the Palladian style and thus consisting of a classical architectural type, characterised by symmetry and proportion. The evidence suggests it was historically an artist's studio with accommodation, hence its modest appearance. Despite the extensive alterations the building has undergone in the recent past, the legibility of the original building form can still be appreciated from the front and rear ground floor level. The majority of the changes to the building have seen levels added below and around the sides the original building but in a way that has maintained symmetry, albeit in a more modern way through the use of projections and voids, insets and terraces at the rear. Notwithstanding the changes that have been made, the architectural style of the building, its positioning and quality mean it contributes positively to the HCA.
4. The appeal scheme seeks to extend the ground floor level of the building in the form of two mostly glazed structures. They would effectively infill two sides of the rear ground floor terrace that sits above the other past alterations. They would be the same size and design and aim to emulate the evolution of the building in terms of symmetry and rhythm of projections.

5. Be this as it may, I am concerned that the extensions, when viewed from the rear, would make the building look top heavy. This is primarily due to the fact that there are two additional floors below the street level 'ground floor'. Whilst they would be mostly obscured from views from the rear garden due to the retention of the terrace's parapet wall, they would still be noticeable and project out part of the original dwelling, losing some of its legibility and blurring the difference between that and the extended newer elements below.
6. Being glass, I can appreciate that to some extent one could still identify the original shape of what is a modest building of architectural quality and view parts of the original building. However, given the fact that the extensions aim to enlarge existing rooms, any fittings and furniture associated with them has the capability to subsume the spaces more as purely internal and lead to them appearing less as a bolt on to the outside. This would add to the effect of losing some of the building's original shape.
7. The roofs of the additions would be flat, and thus sit below the eaves of the side sections of the building's roof. This would not however be by far. How all sections of the building's roof over sail and interrupt the verticality of the walls is a key recognisable feature of the building. Tucking a flat roof directly underneath it would detract from it, further diluting the building's appeal for what it is.
8. With the above in mind, the appeal scheme would cause harm to a quality building and thus, since it contributes positively to the HCA, result in harm thereto. Taking into account the extent of the alterations in the grand scheme, I would consider the harm to be less than substantial. As per paragraph 196 of the Framework¹, I am required to balance this harm against the public benefits of the proposal.
9. The appeal scheme would provide additional accommodation at the dwelling which would no doubt be beneficial for incumbent and future occupiers. The appellant suggests that this would be of benefit to local amenity but I am unsure as to how. Noting how broad a term local amenity is. In my view, the benefits of the proposed development would be very limited in terms of how they would be so to the public. Ultimately, the appeal scheme does not involve any uses or physical development linked to the community or indeed associated with a project that would be beneficial thereto. The public benefits of the proposed development would not therefore be sufficient to outweigh the harm that I have found since, as per paragraph 193 of the Framework, great weight should be given to the conservation of a heritage asset.
10. For these reasons, the proposed development would fail to either preserve or enhance the character or appearance of the HCA. Consequently, it would be contrary to the aims of Section 16 of the Framework and Policies D1 and D2 of the Local Plan² and Policies DH1 and DH2 of the Neighbourhood Plan³. Amongst other things, these policies seek to ensure that new development is of a high quality design and appearance and the historic environment is protected from harm through preserving and, where possible, enhancing the borough's rich and diverse heritage assets. They also require development proposals to respond and contribute positively to the distinctiveness and history of the

¹ The National Planning Policy Framework 2019

² Camden Local Plan 2017

³ Hampstead Neighbourhood Plan 2018-2033

character of areas and taking advantage of opportunities to enhance them and buildings within them.

Conclusion

11. Whilst having regard to other matters that have been raised by consultees, it is for the reasons set out above that the appeal is dismissed.

John Morrison

INSPECTOR