

Appeal Decision

Site visit made on 2 February 2022 by A Coombes

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 March 2022

Appeal Ref: APP/X5210/D/21/3288156

Site Address: 18 Roderick Road, London NW3 2NL

- 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 Anna Maria Porceluzzi against the decision of London Borough of Camden.
 - The application Ref 2019/1137/P, dated 28 February 2019, was refused by notice dated 9 November 2021.
 - The development proposed is the erection of a single storey rear extension at second floor level above the existing two storey rear outrigger.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension at second floor level above the existing two storey rear outrigger at 18 Roderick Road, London NW3 2NL, in accordance with the terms of the application Ref 2019/1137/P, dated 28 February 2019 and subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: the site location plan, the block plan (001), Rear Elevation (Amended), Second floor plan (Amended).
 - 3) The materials to be used in the construction of the external wall surfaces of the development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The original application form describes the development as "lightweight balcony structure with detachable transparent sides at second floor level to rear of house in conservation area". During the course of the assessment of the application by the Council, revisions to the proposed scheme were submitted. As a result, the description of the development for this appeal has been altered to reflect the revised proposal.

Main Issue

4. The main issue is whether the development would preserve or enhance the character and appearance of the Mansfield Conservation Area (MCA).

Reasons for the Recommendation

5. The appeal site is a three-storey mid-terraced property, situated within a predominately residential area in the MCA. The rear curtilage of the property is situated back-to-back with that of terraced properties on Shirlock Road. Both terraces are villa style properties and the majority have multiple levels of gardens and mezzanine or roof terraces. The proposed extension would form a single storey on the existing two storey outrigger's terrace and would provide an additional bathroom for the dwelling.
6. There is a degree of uniformity to the rear elevations of the surrounding properties. However, some properties have been altered at second floor and roof level and the rear terraces are used for a variety of purposes, leading to a varied character. The development would be built in matching materials to the host dwelling and be modest in height and depth, which would allow it to appear subordinate and well-integrated. Therefore, it would respect the proportions of the building, be complementary to the original character and comply with the Home Improvements Camden Planning Guidance, adopted 2021.
7. The development would introduce one new window, and this would minimally alter the historic window pattern. However, due to the modest size of the addition it would not appear incongruous or diverge significantly from the window pattern such that it would harm the character of the terrace or the MCA. Therefore, it would not contravene the Mansfield Conservation Area Appraisal and Management Strategy, adopted 2008. Furthermore, it would not be the only example of such an alteration within the vicinity, with other examples of rear extensions at this level, specifically that directly opposite at 15 Shirlock Road. Though the Council have explained that these were granted permission under a previous development plan, these do form part of the character of the area.
8. Due to its siting, the development would be visible from properties within the enclave. However, the scale and design would ensure that local distinctiveness would be retained and, as the development would not be visible from the public realm, the street scene would remain unaltered. It is acknowledged that the Mansfield Conservation Area Advisory Committee (MCAAC) objected to the original design. However, with guidance from the Council, the proposed development has been considerably altered to integrate more successfully with the dwelling and the character of the surrounding area.
9. For the reasons given above, the development would preserve the character and appearance of the MCA. Therefore, it would comply with Policies D1 and D2 of the Camden Local Plan, adopted 2017. Together these Policies require development to respect local context and character and to preserve the historic environment and heritage assets. Furthermore, it would accord with the National Planning Policy Framework, which seeks to sustain the significance of heritage assets. The Council have referred generally to the London Plan, adopted 2021, however no specific Policies were raised in conflict.

Conditions

10. In addition to the standard time commencement condition, a condition should be attached to ensure that the development is built in accordance with the submitted plans to provide certainty. A condition to require the use of matching brick is necessary to preserve the character and appearance of the area.

Conclusion and Recommendation

11. The proposal would accord with the Development Plan when it is considered as a whole. For the reasons given above, I recommend the appeal should be allowed.

A Coombes

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

K Taylor

INSPECTOR