



Appeal Decision

Site visit made on 19 April 2023

by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 May 2023

Appeal Ref: APP/X5210/W/22/3312142

18, Flat A, Caversham Road, London NW5 2DU

- 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 Ms Mangrai against the decision of the London Borough of Camden.
 - The application Ref 2021/5689/P, dated 12 January 2022, was refused by notice dated 23 August 2022.
 - The development proposed is a single storey rear extension with materials to match existing.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension with materials to match existing, at 18, Flat A, Caversham Road, London NW5 2DU in accordance with the terms of the application, Ref 2021/5689/P, dated 12 January 2022 and the plans submitted with it, and subject to the attached schedule of conditions.

Procedural Matters

2. The plans considered by the Council and before me as part of the appeal, indicated that the proposed extension would be built off an existing garden wall that lay partly outside the appeal site. Confirmed as an error, the appellant submitted amended plans during the appeal process to set the proposal within the appeal site. The Council was given the opportunity to comment on the amendment. As the alteration reduces the extent of the proposed extension and is very minor in nature, no party would be prejudiced in taking the amended plans into account. For clarity, the appeal has been determined in accordance with drawing numbers 000 Rev PL1, 001 Rev PL1, 200 Rev PL1 and 301 Rev PL1 as originally submitted and the amended plans, references 100 Rev APPL, 101 Rev APPL and 300 Rev APPL.

Main Issue

3. In considering this appeal, any impact upon the character and appearance of the area would be interlinked with the associated impact upon the historic environment. The main issue is therefore whether the proposed development would preserve or enhance the character and appearance of the Bartholomew Estate Conservation Area (CA).

Reasons

4. In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act), I am required to pay

special attention to the desirability of preserving or enhancing the character or appearance of the CA.

5. The CA is characterised by predominantly Victorian residential development, although more modern infill development occurs in places, along with commercial uses close to the railway line. Architectural quality is high with semi-detached and terraced properties comprising features such as raised entrances, bay and tripartite windows, shallow pitched roofs, and moulded detailing to front elevations. Roads are typically straight and wide with buildings between 3 and 5 storeys high, set back from the highway behind short front gardens. The setting of the buildings and the presence of trees within the street and plot frontages adds to the pleasant spacious character of the CA. These features combine to contribute to the historic and aesthetic significance of the CA.
6. Although referred to as part of a terrace by the Council, the appeal site comprises the lower ground floor flat of a 4-storey semi-detached building of London stock brick. The front elevation is finely detailed with a raised entrance flanked by pilasters and served by stone steps, diminishing window sizes from ground floor level with projecting pediments to the first-floor windows, and overhanging eaves. In contrast, the rear elevation although attractive has a plainer appearance with vertically proportioned windows facing into the sizeable rear garden. Due to its age, architectural quality and spacious gardens, the appeal property makes an important and positive contribution to the character and appearance of the CA.
7. The Bartholomew Estate Conservation Area Statement 2001 (CAS) states that rear extensions should be as unobtrusive as possible and should not adversely affect the character of the building or the CA. It goes on to advise that in most cases such extensions should be no more than one storey in height and half width, but its general effect on the CA will be the basis of its suitability.
8. The Council is concerned that the proposed extension would disrupt the consistency of the rear elevations of the host building and neighbouring properties. However, it has indicated that a rear extension would be acceptable subject to it being half width, as per other recently approved rear extensions within Caversham Road.¹ Arguably, any extension could be considered disruptive to the consistently flat rear elevations whether full or half width.
9. The CAS is guidance rather than a prescriptive requirement, and it is clear that the context of the particular site and proposal should be considered. Along with the Home Improvements and Design Camden Planning Guidance documents, the CAS seeks to ensure that rear extensions are in harmony with the original form and character of the host building, do not encroach significantly into the rear garden space or harm public views.
10. Whilst the harmony of the rear elevations of the host building and its neighbours does contribute to the character of the CA, their lack of public visibility reduces the contribution they make to the significance of the CA. Located to the rear of the existing building, there would be no public views of the proposed extension. Extending across the full width of the host building, it would be of simplistic proportions and clean lines, unobtrusive and free from adornments of external staircases or railings. The bi-folding doors would have a

¹ For example, planning application reference 2018/1750/P.

vertical emphasis such that the extension as a whole, would respond to and respect the unity and simple character of the existing rear elevation.

11. Private views of the extension from neighbouring properties would be more limited than is suggested. The long gardens to the appeal property and the dwellings on Islip Street to the rear, are such that views would be at some distance, and filtered by intervening trees, boundary walls and the outbuilding belonging to the appeal property. As the garden is raised above the floor level of the host building, the proposed extension would be tucked down, again limiting its visibility. The green roof would assist in assimilating the extension into the garden, as well as potentially aiding biodiversity, subject to the agreement of appropriate plant species. The plain unadorned upper 3 storeys would remain prevalent in any private views and the overall harmonious and simple composition of the host building's rear elevation would remain.
12. The suggested dominance of the proposed extension has been overstated. The appeal property is part of a 4-storey building. Being single storey, the proposal would clearly read as a subordinate extension to the building viewed as a whole. Even with the presence of the existing outbuilding within the garden, the proposed extension would amount to a small incursion, such that the overall spaciousness of the garden and its contribution to the character of the CA, would not be undermined.
13. The proposal represents an appropriate design and scale of development that would not harm the significance of the CA as a whole. It would therefore preserve its character, according with Policies D1 and D2 of the Camden Local Plan (2017) which seek amongst other things to secure high quality development that preserves or where possible, enhances the historic environment and preserves garden spaces that contribute to the character and appearance of a CA. It would further accord with Policy D3 of the Kentish Town Neighbourhood Plan (2016) which seeks amongst other things, to ensure that proposals draw upon key aspects of character or design cues from the surrounding area.

Other Matters

14. The Council did not refuse the proposal in respect of the impact on the living conditions of existing occupiers within the host building. Thus, I have not been required to address this matter within my decision.
15. The approval of other half-width extensions within the street does not diminish the acceptability of the particular proposal before me, which I have found would not harm the architectural integrity of the host building, nor have a negative effect on the character or appearance of the CA as a whole.

Conditions

16. I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance (PPG) and paragraph 56 of the National Planning Policy Framework. Along with the standard time limit, conditions are imposed to require the use of matching materials, in the interests of consistency of appearance and to list the plans in the interests of certainty. A condition to restrict the ability to use the roof as a terrace is reasonable and necessary, to protect the living conditions of the occupants of adjoining flats.

17. A pre-commencement condition was suggested to require detailed information regarding the implementation and ongoing maintenance of the proposed green roof, to ensure the structural capability and quality of the structure.
18. Although the concerns of the Council are acknowledged, along with the appellant's agreement to the pre-commencement condition, the PPG is explicit that such conditions should only be used where there is a clear justification. This is likely to mean that the requirements of the condition are so fundamental to the development permitted that it would otherwise be necessary to refuse the whole permission.² Whilst the provision of a green roof would be preferable for the reasons given above, there is nothing before me to indicate that the development should be refused without one. The submission of details of the proposed green roof prior to any works taking place whilst desirable, nevertheless appears to be unduly onerous. If the specification for the green roof necessitated a different design solution, the appellant would in any case be required to submit a revised planning application or minor amendment. I have therefore varied the wording to require the submission of details prior to any works above slab level, allowing groundworks to progress in a timely manner.

Conclusion

19. For the reasons given above, and having regard to all other matters raised, the appeal is allowed.

M Clowes

INSPECTOR

²Paragraph: 007 Reference ID: 21a-007-20180615.

Schedule of Conditions

- 1) The development hereby permitted shall begin not 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;

000 Rev PL1; 001 Rev PL1; 100 Rev APPL; 101 Rev APPL; 200 Rev PL1; 300 Rev APPL and 301 Rev PL1.
- 3) The materials to be used in the construction of the external surfaces of the development hereby approved shall match those used on the existing building.
- 4) No works shall take place above slab level, until full details in respect of the green roof have been submitted to and approved in writing by the local planning authority. The details shall include:
 - i a detailed scheme of maintenance,
 - ii sections at a scale of 1:20 with manufacturers details of the construction and materials to be used,
 - iii full details of planting species and density.

The green roof shall be implemented in accordance with the approved details prior to first occupation of the extension and thereafter retained and maintained in accordance with the approved scheme.
- 5) The flat roof of the single storey rear extension hereby approved shall not be used as a balcony or terrace or for any other ancillary residential purposes.