



Appeal Decision

Site visit made on 7 March 2024 by Ifeanyi Chukwujekwu BSc MSc MRTPI MIEMA CEnv

Decision by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th May 2024

Appeal Ref: APP/X5210/D/24/3337128

171 Kiln Place, Camden, London NW5 4AP

- 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 Alev Yaman against the decision of the Council of the London Borough of Camden.
 - The application Ref 2023/3441/P, dated 22 August 2023, was refused by notice dated 8 November 2023.
 - The development proposed is a single storey side extension to provide a new entrance, study room and WC.
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Decision

1. The appeal is allowed, and planning permission is granted for construction of a single storey side extension to provide a new entrance, study room and WC at 171 Kiln Place, Camden, London NW5 4AP in accordance with the terms of application Ref 2023/3441/P, dated 22 August 2023 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: SE 1639 - 01/P1; SE 1639 - 07/P1 Rev B; SE 1639 - 08/P1 Rev B; SE 1639 - 09/P1 Rev B; SE 1639 - 10/P1 Rev B and SE 1639 - 11/P1 Rev B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.
3. On 19 December 2023, the Government published a revised National Planning Policy Framework (the Framework). However, as any policies in the Framework that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party and I have made my recommendation on this basis.

Main Issues

4. The effect of the proposal upon the character and appearance of the surrounding area and upon the living conditions of occupants of 173 Kiln Place with particular regard to outlook and safety.

Reasons for the Recommendation

Character and appearance

5. The appeal property is a two-storey semi-detached dwelling located at Kiln Place, which is to the south of Lambie Street. The surrounding area is residential and is characterised by a mix of up to five storey flat blocks and the more recently constructed infill dwellings which have lower height linking elements with balcony terraces to the roofs. These present a modern contemporary street scene.
6. The appeal property is one of these infill dwellings and consists of a two-storey flat roofed building. The adjoining dwelling is similarly designed but with a single-storey construction which links to the appeal dwelling. The appeal property has an amenity area to the side which has a low wall around it.
7. The proposed side extension would be constructed within the low-walled courtyard. It would be setback from the wall at the street frontage. When viewed from the street, it would appear similar in design and appearance to the linking elements at the adjoining dwelling at 172 Kiln Place as well as the other modern infill on the other side of Kiln Place (nos. 165 to 170).
8. As such, the extension would not be an alien addition and would not appear as an incongruous feature in the area. It would be subservient to the host dwelling and would not detract from its contribution to the street scene. Furthermore, whilst it would result in further built form at the site, it would not give rise to an unacceptable sense of enclosure or loss of openness to the area as a whole.
9. In coming to that view, I acknowledge the Council's submission that the courtyard is currently devoid of any built form for the purpose of creating a visual connection for no. 173 to the street. Nevertheless, the submitted drawings show that the proposed side extension would be at a scale where it would not dominate the streetscene or no. 173, which would still be visible from the street itself.
10. For the reasons above, I conclude that the proposal would not harm the character and appearance of the area and so would accord with Policy D1 of the Camden Local Plan 2017 (the 'LP') which seeks amongst other matters to ensure that developments respect local context and character.

Living conditions

11. The proposed single storey side extension would be sited with its rear wall flush with the rear wall of the appeal property. It would also have a flat roof. From the submitted plans, there would be a distance of around 7 metres between the extension and the glazed doors and window of the habitable rooms at 173 Kiln Place.
12. Whilst the proposed extension would block some views from the frontage of No 173, given the separation distance, and the scale and form of the proposed extension, there would still be views above the extension to allow for an

acceptable level of outlook from this property. This is particularly the case given the single storey flat roofed nature of the proposal. Additionally, there would also be some views possible along the pedestrian access between the existing flat block and the proposed extension.

13. With regard to safety and security, as noted above, the existing access to 173 Kiln Place is via a pedestrian passageway. This access shares a boundary wall with the courtyard at the appeal property and leads into an open area to the front of no. 173. The proposed side extension would occupy the full width of the courtyard at the appeal property.
14. Whilst this would only leave the width of the pedestrian access undeveloped, there would still be views possible down this access to the property. I am also conscious that the entrance way is overlooked by several balconies including from the roof terrace above no. 173 and the proposed side extension would not obscure these views. I consider that natural surveillance would still be maintained, and the safety and security of the occupiers of no. 173 would not be significantly diminished as a result of the proposal.
15. Taking all of the above into account, the proposal would not lead to an unacceptable impact on the living conditions of the occupiers of 173 Kiln Place. The proposal would also accord with Policies A1, D1 and C5 of the LP which, amongst other matters, seek to ensure that the amenity of communities, occupiers and neighbours is protected, considering factors such as outlook, and that developments demonstrate that they have incorporated design principles which contribute to community safety and security and the minimisation of antisocial behaviour.

Conditions

16. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have also included a condition requiring the external materials to match the existing building, to protect the character and appearance of the area. These are also reflective of the conditions suggested by the Council.

Conclusion and Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence, and my representative's report, and on that basis the appeal is allowed.

Chris Forrett

INSPECTOR