

Appeal Decision

Site visit made on 21 August 2024

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2024

Appeal Ref: APP/X5210/W/24/3343323

Flat D, 13 Upper Park Road, Camden, London NW3 2UN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Sorensen against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2023/5043/P.
 - The development proposed is the erection of side dormer and roof light.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development on the decision notice and appeal form for clarity and to remove words not relating to acts of development.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the appeal site, and the extent to which it would preserve or enhance the character or appearance of the Parkhill and Upper Park Conservation Area.

Reasons

4. The appeal site is within the Parkhill and Upper Park Conservation Area (the CA). The statutory duty set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. In addition, the National Planning Policy Framework (the NPPF) requires great weight be given to the conservation of heritage assets.
5. The area around the appeal site is a 19th Century suburb, associated with burgeoning rail connections to the City of London and affluent commuters of the time. Upper Park Road is one of a series of side-streets leading off the busy Haverstock Hill into quieter, residential settings. Its central section is occupied by imposing semi-detached villas with largely symmetrical facades, in which architectural features are balanced in terms of placement and

proportions. The villas have short roofs, hipped on three sides with a small flat section above, creating a simple but elegant form. They adhere to a defined building line, with consistent plot widths and separation gaps. These features create a notable uniformity that connects the villas, identifying them as a cohesive development.

6. The significance of the CA therefore, insofar as it relates to the appeal proposal, is in the way the proportions, symmetry, and uniformity of the villas identify them as a single, simultaneous development of impressive houses which, in turn, illustrates the historic relationship between the wider area and access to the City.
7. The appeal property is a flat spread over the upper levels of a converted semidetached villa which strongly adheres and contributes to the significance of the CA described above. An existing rooflight is flush with the front roof slope and is not prominent, therefore, whilst a rear inset terrace is not visible from the street. Number 11, the attached neighbouring villa, has no roof extensions, only modest flush rooflights. In all, the appeal property presents its original hipped roof form to the street, closely mirroring No 11 in that respect.
8. The dormer would be fairly modest in size, set back from the eaves and slightly down from the top of the main roof. It would nevertheless be clearly visible from the street, particularly around the junction with Tasker Road, from where the width of the gap to number 15 and the elevated position of the dormer would combine to make it prominent. The dormer would clutter the existing simple, elegant roof with a jarring and incongruous presence, whilst also significantly undermining the existing symmetry between the appeal property and No 11. This would unbalance the pair visually, disturbing the architectural completeness both currently benefit from. In these ways, the proposal would harm the character and appearance of the appeal property.
9. In eroding both the simple elegance of the appeal property roof and its existing balance and symmetry with No 11, the proposal would also reduce the extent of uniformity between the group of villas, eroding the existing cohesion from which the street draws much of its beneficial character.
10. I recognise that many of the villas have been altered over time including, pertinently to the appeal proposal, roof extensions such as those at numbers 6, 16, 23 and 24. I have no evidence these were approved recently or, in most cases, at all. In any event, they are too few to create a visual precedent and, moreover, the visible front and side roof extensions in the street generally undermine the character of the houses. I do not find the existing roof extensions capable of justifying the appeal proposals, therefore.
11. Whilst the dormer would be built using high quality materials complementary to the appeal site, these are expectations of policy rather than benefits, and do not mitigate the harm identified above.
12. The proposed dormer would harm the character and appearance of the appeal site and would not preserve or enhance the character or appearance of the CA. As such, it would conflict with Policies D1 and D2 of the London Borough of Camden Local Plan 2017 (the Local Plan).

Planning Balance

13. Paragraph 205 of the National Planning Policy Framework (the NPPF) advises that when considering the impact of the development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. Given the scale of the development, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances paragraph 208 of the NPPF advises that this harm should be weighed against the public benefits of the proposal.
14. The development would create some temporary economic benefits during construction. Given the moderate scale of the proposal I afford these benefits very limited weight in favour of the scheme and, on balance, find they would not outweigh the great weight that should be given to the asset's conservation.
15. I conclude that the proposal would fail to preserve the character or appearance of Parkhill and Upper Park Conservation Area. This would fail to satisfy the requirements of the Act, and the historic environment protection policies of the NPPF, as set out above.

Conclusion

16. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is dismissed.

A Knight

INSPECTOR