



Appeal Decision

Site visit made on 4 November 2024

by O Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 November 2024

Appeal Ref: APP/X5210/W/24/3346803

Flat 1, 226 Camden Road, Camden, London NW1 9HG

- 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 Manoj Kanuga against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2023/4078/P.
 - The development proposed is erection of single storey front extension at lower ground floor.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey front extension at lower ground floor at Flat 1, 226 Camden Road, Camden, London NW1 9HG, in accordance with the terms of the application, Ref 2023/4078/P, subject to the conditions attached in the Schedule to this decision below.

Preliminary Matters

2. I have used the description of the proposal as set out in the Council's Decision Notice, which is more accurate than that used in the application form. The appellant has used this revised description in the appeal form and so I am satisfied that no party would be prejudiced as a result.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, including the Camden Square Conservation Area (CA) within which the site lies, and on protected and important trees.

Reasons

4. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The CA consists of 19th century planned wide streets, with mews behind. The area around the appeal site includes semi-detached villas lining Camden Road, with a regular pattern and building line. Relevant to this appeal, the significance of the CA is the attractive appearance of its buildings and street scenes.
5. The host building consists of the lower-ground floor of a four-storey semi-detached villa, one of a row of similar buildings fronting Camden Road. They have a consistent building line including front bays, and most have projecting front steps leading to their main entrances. Many have front gardens that are

visible through railings or above low walls. In contrast, the appeal site is on a corner plot with a tall, solid frontage wall, with access being taken from the side. It is identified in the Camden Square Conservation Area Appraisal and Management Strategy as a Positive Building, with its position and form reflecting the wider row and CA.

6. The proposal seeks to erect a single-storey lower-ground floor extension, within the front garden. It would partially replace paving, steps, and a raised area and its walls. The proposal would extend beyond the closest parts of the existing building to its front and side. The Council's Home Improvements guidance, dated January 2021, advises that front extensions are usually highly visible and can change the character of a building and the street, particularly where there is a regular pattern and a defined building line.
7. The proposal would extend beyond the front building line. However, it would be largely if not entirely hidden behind the solid frontage wall in public views obtainable from adjacent roads. The wall also screens views of the existing front garden, meaning that its contribution to the street scene is limited.
8. The extent of visibility does not necessarily correlate to acceptability, and the proposal would be seen from neighbouring properties. Even so, it would not exceed the overall width of the host building, and its low height would be subordinate to the existing property as a whole. The front bay would be retained above the extension, maintaining its contribution to the rhythm of the street. The provision of a green, living roof would also soften the visual effects of the proposal.
9. Although the proposal would reduce the garden area to the front, much of this space would remain. I therefore see little reason why future occupiers would seek to reduce the frontage wall, which also provides something of a barrier from traffic noise. The proposal would obscure the existing modern front door and windows, but these features do not appear to have any particular architectural merit. As such, the proposal would not undermine the regular pattern, design or building line of the property or street. Consequently, it would maintain the attractive character of the buildings and street scenes of the area and the CA as a whole.
10. The Council's second reason for refusal refers to the effect of the proposal on trees within the appeal site, and the absence of a sufficient arboricultural impact assessment and tree protection plan. However, some trees within the site have subsequently been felled, with permission from the Council, who has confirmed that the proposal would not now harm trees or vegetation.
11. For the reasons given above, the proposal would preserve the character and appearance of the area and would not harm protected or important trees. It would therefore comply with policies D1 and D2 of the Camden Local Plan (CLP), adopted 2017, and policies D1, D4 and D5 of the emerging New Camden Local Plan (NCLP). These require proposals including extensions to preserve heritage assets and respect local character. Similarly, the proposal would also accord with the statutory requirements of the Act, and the aim of the National Planning Policy Framework to conserve heritage assets.
12. In addition, for the reasons given, the proposal would comply with CLP policies A2 and A3 and NCLP policies NE1, NE2 and NE3. These policies seek to protect trees, green infrastructure and their associated biodiversity benefits.

Other Matters

13. The proposal would have a relatively low height and so it would not unduly harm the outlook of neighbouring properties. As such, their living conditions would be maintained.

Conditions

14. The Council has provided a list of conditions, which I have assessed and where necessary amended, having regard to the advice in the Planning Practice Guidance. A condition requiring adherence to the approved plans is necessary for certainty.
15. Despite the removal of some existing trees within the site, others remain close to or on its boundary. As such, a condition is necessary to ensure that trees to be retained are protected from development, in the interests of the character and appearance of the area. The details may affect construction work and so a pre-commencement condition is required. To maintain the character and appearance of the area, it is necessary that details of a living roof would need to be provided, and that external materials match those of the existing building.

Conclusion

16. For the reasons given above, I conclude that the appeal should be allowed.

O Marigold

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin no later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved proposed plans: 07, 08, 09, 10, 11, 12, 13, 14, 15, 16.
- 3) No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority which show how trees or parts of trees growing from adjoining sites to be retained shall be protected during construction work. Such details shall follow the guidelines and standards set out in BS5837:2012 'Trees in Relation to Construction'. All trees on the site, or parts of trees growing from adjoining sites, shall be retained and protected from damage in accordance with the approved protection details.
- 4) Prior to the installation of a living roof, full details of it shall be submitted to and approved in writing by the Local Planning Authority. These shall include a detailed scheme of maintenance, sections at a scale of 1:20 with details demonstrating the construction and materials used, and full details of planting species and density. The living roof shall be fully provided in accordance with the approved details before first occupation of the development hereby approved and shall thereafter be retained and maintained in accordance with the approved details.
- 5) The external materials of the extension hereby permitted shall match those used on the existing building.

End of Conditions