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## Appeal Decision

Site visit made on 10 June 2025

by **C Skelly BA (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 July 2025

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**Appeal Ref: APP/X5210/W/25/3360083**

**23 West Hampstead Mews, Camden, London NW6 3BB**

- 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 Duncan Gilbert against the decision of the Council of the London Borough of Camden.
  - The application Ref is 2024/4230/P.
  - The development proposed is roof alterations and enlargements, demolition of a chimney and a rear ground floor extension.
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### Decision

1. The appeal is dismissed insofar as it relates to the roof alterations, extension and demolition of the chimney element.
2. The appeal is allowed insofar as it relates to the rear ground floor extension and planning permission is granted for a rear single storey extension at 23 West Hampstead Mews, Camden, London NW6 3BB in accordance with the terms of the application Ref 2024/4230/P, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with drawing nos EH/479/34 A.01 Rev A.7 and EH/479/24 A.02 Rev A.7.
  - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. EH/479/24 A.02 Rev A.7.

### Preliminary Matters

3. Because the appeal site lies in the South Hampstead Conservation Area (CA), I have had special regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCAA).
4. The rear ground floor extension is clearly severable both physically and functionally from the roof alterations, extension and demolition of the chimney element. Therefore, under section 79(1)(b) of the Act, I have the power to issue a split decision on this case.
5. The Council has not found any harm in relation to the proposed rear ground floor extension and considers that it would preserve the character and appearance of the CA and therefore meets the requirements of the LBCAA and the National Planning Policy Framework (the Framework). It also accords with Policies D1 and D2 of the Camden Local Plan 2017 (LP) and Policies 2 and 3 of the Fortune Green and Hampstead Neighbourhood Plan (2015) (NP). There have been no objections

raised in relation to this proposed element and I have no reason to disagree with this conclusion. I therefore consider that the rear ground floor extension should be allowed subject to the standard time limit condition, a condition requiring development is carried out in accordance with the approved plans, in the interests of certainty and a materials condition in the interests of character and appearance.

### **Main Issue**

6. The main issue is the effect of the proposed development on the character or appearance of the host property, a Non-Designated Heritage Asset (NDHA) and the surrounding area including the South Hampstead Conservation Area (CA) in which the site is located.

### **Reasons**

7. The appeal site is a two-storey end of terrace, mews style dwelling. The property retains much of its traditional appearance including large window and door openings, giving it a well-balanced appearance. The roof sits behind a parapet wall which has a decorative design to one side of the front elevation. There is an existing flat roof dormer to one side of the roof, whilst the other side slopes downwards following the design of the front parapet wall. To the rear of the property there is a larger flat roof dormer extension, which sits below the level of the brick chimney stack.
8. The site is within the South Hampstead CA which covers an extensive area from West End Lane to the west, the Metropolitan line to the north, Belsize Road to the southwest and the rear boundaries of properties of Fairfax Place/Marston Close/Naseby Close to the east. Its significance is derived from its large, semi-detached and terraced late-Victorian properties with particularly distinctive and attractive roofscape including turrets, gables and tall chimneys.
9. The appeal site is located within one of two remaining traditional mews developments at West Hampstead Mews. The mews development is generally two storeys in height and properties have simple elevations in keeping with their original functions as garages, workshops and stables. Properties are set directly adjacent to the road, which is partly cobbled. As the host property retains its traditional appearance as part of the mews it contributes positively to the character of the CA. The property is considered by the Council to be a NDHA and this has not been challenged by the appellant, therefore I have considered the appeal on this basis.
10. The South Hampstead Conservation Area Character Appraisal and Management Strategy (2011) (CAAMS) states that the original, carefully designed roofscapes play a very important role in maintaining the character of the CA. The CAAMS recognises that the alteration of roofscapes and insertion of new dormer windows can be damaging to the area. Therefore, alterations should not result in increased visual bulk to the roof, nor should they draw more attention than the existing roof slope.
11. The proposal would extend the existing roof to create an additional floor to the property, resulting in the demolition of the chimney stack. Although the decorative parapet wall would be retained, the extension would sit above this feature and extend beyond its edge. This arrangement would create a visually bulky addition to the corner of the property, eroding its sloped visual relationship with the parapet wall. Whilst the roof would be set back from the parapet wall, the layout of the

buildings means that it would be a prominent addition when viewed from the direction of Broadhurst Gardens, which would be accentuated by the use of zinc cladding. The extension across the whole width of the property would visually compete with the balanced proportions of the NDHA and disrupt the visual pattern of the wider mews terrace.

12. The overall scale, bulk and materials of the proposed development would appear at odds with the existing character of the traditional mews property thereby harming its character and appearance. Given that the building makes a positive contribution to the significance of the CA and that the proposal would cause harm to the appearance of the roofscape, the proposed development would fail to preserve or enhance the character or appearance of the CA.

### Heritage Balance

13. The proposal would harm the character and appearance of the host property, a NDHA and wider terrace which contribute positively to the CA. I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Paragraph 215 of the Framework states that where harm is identified to the significance of designated heritage assets and their setting, it should be weighed against the public benefits of the proposal.
14. The proposal would provide additional head space on the third floor to create a fourth bedroom, thereby increasing its overall functionality. The proposal would also improve the thermal performance of the building. The appellant contends that the proposal would also ensure the long-term preservation of the historic mews, however no substantive information has been submitted which suggests that the building is at risk. Overall, these are largely private benefits to which I attribute neutral weight which is insufficient to outweigh the less than substantial harm to the CA. Given this and the above, I conclude that the proposal would fail to satisfy the requirements of the LBCAA, the Framework and Policies D1 and D2 of the LP and Policies 2 and 3 of the NP. Together these policies seek to ensure that new development achieves the highest standard of design and preserves and where appropriate, enhances Camden's rich and diverse heritage assets.

### **Conclusion**

15. 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.
16. For the reasons given above the appeal should be dismissed.

*C Skelly*

INSPECTOR