



Appeal Decision

Site visit made on 8 January 2026

by **H Jones BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 March 2026

Appeal Ref: **APP/X5210/W/25/3374811**

34 Chalk Farm Road, Camden, London NW1 8AJ

- 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 Andrew Bacon (Hallmark Property Group) against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2025/2312/P.
 - The development proposed is erection of lower ground and ground floor extension to form new fire exit onto Harmood Street. Associated facade and fenestration alterations on Harmood Street.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A new local plan for Camden is emerging (the Emerging Plan). I have limited information before me in relation to the precise stage at which the Emerging Plan is at and the level of unresolved objection that there may be to it. However, the evidence indicates to me that the Emerging Plan remains in the process of being examined. Consequently, the content of the Emerging Plan could be the subject of change. In the circumstances, the Emerging Plan is a matter of limited weight in my decision.
3. The appellant's appeal submission includes a revised section¹ plan. The revised section proposes an alternative material finish to the lower ground floor element of the extension. However, the revised section does not substantially or fundamentally alter what is proposed. Furthermore, as part of the appeal proceedings, the Council and interested parties have had an opportunity to comment on the revision. I am therefore satisfied that it is procedurally fair to accept the revised section, and I have had regard to it in reaching my decision.

Main Issues

4. The main issues are:
 - The effects of the development on the living conditions of site occupiers; and
 - The effects of the development on the character and appearance of the host property and the area.

¹ Plan ref A(GA)320 – Façade Material Alternative Section BB

Reasons

5. The site principally contains a student accommodation building that has been developed in phases. The building's main access point is on its south-facing elevation, which fronts Chalk Farm Road - a street lined with various commercial properties. The west elevation faces Harmood Street, while part of the east elevation fronts Hartland Road, and both these streets have a predominantly residential character. The proposed development involves a part of the wider student accommodation building only, a part closest to, and fronting onto, Harmood Street, including a group of its studios.
6. The Harmood Street Conservation Area (the CA) is adjacent to, but does not encompass, the site. The CA's significance is largely derived from its architectural interest. This stems from its predominately quiet residential character and its assortment of distinctive properties. Many of these have either 2 or 3 storeys of accommodation, are set behind small front gardens and display traditional London design facets and material finishes such as stucco and London stock brickwork. Although it displays a more contemporary design, the site's largely residential character is reflective of the CA, and it adopts an important transition point between the quieter CA and the more vibrant Chalk Farm Road.

Living conditions

7. The extended lower ground floor studio would be served by a rooflight. Above it would be a large window within the extended ground floor studio. The proposed plans do not depict that the glazing within either the window or the rooflight would be obscured. The insertion of clear glazing would enable views from the ground floor studio into the lower ground floor studio beneath via the rooflight. The view would encompass only parts of the affected room, nevertheless, given the close proximity, the view which would be available would feel particularly invasive for the affected occupier, and a considerable infringement on privacy would arise.
8. At lower ground floor level, a window is proposed within the extension's north-facing elevation. This would be positioned adjacent to, and in very close proximity to, a window directed toward Harmood Street within the neighbouring studio, albeit at an angle. Despite this angled arrangement, the close proximity of the windows would create an intimate relationship between the studios. Again, the proposed plans do not indicate that either window would be obscured, and the installation of clear glazing would enable views between these studios which would result in unacceptable levels of privacy for the occupants.
9. At lower ground floor level, existing studio windows on the Harmood Street elevation are partly obscured with privacy film. However, none of the evidence demonstrates to me that any existing planning permissions control this to be the case.
10. As suggested by the appellant, the option is available to me now to impose a condition requiring one or more of the windows or the rooflight involved in the development to be obscured. However, if this was undertaken, I can only conclude that this would reduce light entering the lower ground and ground floor studios, as well as limit outlook. Outlook would be especially limited if the extended ground floor studio's window was obscured since this is the only window into the room. If the extended lower ground floor studio's rooflight was obscured, it would still benefit from another window but, given its northerly orientation and since it would be set

beneath street level and beside 5 storeys of accommodation, it would still adopt an enclosed position uncondusive to receiving light. Moreover, the submitted Daylight and Sunlight Report² does not account for the effects of any obscure glazing. Therefore, it does not serve to counter my concerns or demonstrate to me that the effects of obscuring glazing would be acceptable in terms of light. Therefore, the imposition of a condition requiring obscure glazing to resolve the privacy infringements I have described would only serve to detrimentally affect other facets of living conditions.

11. As approved and identified by planning permission 2020/1192/P, studios 1 to 7 within the wider student accommodation building are served by mirrored glazing, purposefully incorporated to maintain privacy. This is not proposed in the scheme before me. Therefore, the relationships between the studios affected by the appeal scheme and those between studios 1 to 7 are not comparable.
12. In terms of angles and proximity, the window relationships between the lower ground floor studios identified by planning permission 2008/2981/P as studios 26 and 27, 37 and 38, and between a series of studios and the communal space below them, bear some similarities with those proposed in the appeal scheme.
13. However, importantly that planning permission was granted back in 2008. The development plan documents now in force are not the same ones, and I cannot be certain that relevant policies concerning living conditions which applied in 2008 are very similar to those I must assess the development against. Furthermore, planning permission 2008/2981/P, which permitted a 192-bedroom scheme, entailed a development considerably different in overall scale and kind to that before me. The Council's decision to grant that planning permission was made in that context, and I note from the relevant committee report that matters such as that scheme's contribution to town centre vitality, how that scheme addressed student housing need and could ease pressure on the housing market at that time were all factors considered, whilst a contribution towards affordable housing was also proposed. Therefore, factors which weighed in the planning balance in respect of the development permitted by planning permission 2008/2981/P very much depart from the appeal proposal.
14. For these reasons, the accommodation relationships within the host property that have been highlighted to me do not justify those that would arise from the proposal, which would result in unacceptable living conditions.
15. In conclusion on this main issue, I find that the development would result in unacceptable effects on the living conditions of site occupiers. Therefore, the development conflicts with Policies D1 and A1 of the Camden Local Plan 2017 (the LP) which, together, in summary and amongst other matters, seek to secure high quality design, promote health, and protect the quality of life and amenity of occupiers.

Character and appearance

16. The proposed extension would comprise a modest, two-storey enlargement of a much larger multi-storey building. The lower ground floor element would sit beneath pavement level and would therefore be partly hidden from view and inconspicuous within the street scene.

² Daylight and Sunlight Report, by Right of Light Consulting, dated 17 March 2025

17. At ground floor level, the part of the extension containing the fire escape route would be narrow and would adjoin an existing brick offshoot at the adjacent pub premises, projecting in alignment with it and matching its height. Consequently, it would form a sympathetic and relatively minor addition to a feature already present in the street scene. Adjacent to this, the proposed ground floor window box and the replacement first floor window above it would echo a corresponding window box and first floor window at the opposite end of the building's west-facing elevation. As a result, the building's modified elevation fronting Harmood Street would retain balance and symmetry. Furthermore, the external materials proposed on the plans, including those on the revised section, would, appropriately, match those used in the existing building.
18. For these reasons, the proposed extension and alterations would form subordinate and unobtrusive modifications to the host property and the street scene's appearance. In turn, the proposal would form a sympathetic development within the setting of the CA, ensuring that its character and appearance would be preserved and unharmed.
19. The effects of the development on the character and appearance of the host property and the area would therefore be acceptable, and in these particular regards, the development complies with Policy D1 of the LP as a result. Amongst other matters, Policy D1 seeks to secure high quality design, requiring developments to be respectful of local character and preserve heritage assets.

Other Matters

20. The development would deliver improved fire escape provisions for the host property. This would be a benefit of the scheme, and since the escape route would be step-free, that benefit would also apply to those with mobility impairments. A further modest benefit would derive from the extension being served by a green roof and the associated biodiversity enhancements which would arise from it.
21. However, in my first main issue, I have identified that the development would result in harm to the living conditions of site occupiers and, in turn, the development conflicts with development plan policies. The development's benefits would not be sufficient to outweigh this harm and policy conflict.
22. In reaching this view, I have had due regard to the Public Sector Equality Duty (the PSED) contained in section 149 of the Equality Act 2010 (the Equality Act), which sets out the need to eliminate unlawful discrimination, harassment, victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. The Equality Act sets out the relevant protected characteristics which includes disability, age, and pregnancy and maternity – characteristics which could affect individuals' mobility in an emergency.
23. In dismissing this appeal, the improved fire escape provisions would not be delivered. However, it does not follow from the PSED that the appeal should succeed. In my view, the adverse effects of dismissing the scheme on those with protected characteristics is justified and proportionate and is for legitimate and well-established planning policy reasons given the harm and development plan conflict I have identified.

Conclusion

24. I have found that the development's effects on the character and appearance of the host property and the area would be acceptable. However, it would be harmful to the living conditions of site occupiers and, overall, I have found that it would conflict with two policies within the development plan. I conclude that the development conflicts with the development plan as a whole. There are no material considerations of sufficient weight to indicate a decision other than in accordance with the development plan. Therefore, the appeal should be dismissed.

H Jones

INSPECTOR