



Appeal Decision

Site visit made on 30 July 2024

by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2024

Appeal Ref: APP/X5210/D/24/3343020

38A St Paul's Crescent, The Shadow House, London, NW1 9TN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Fridolin Walcher against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2023/2968/P.
 - The development proposed is single storey rooftop extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - whether the proposed development would preserve or enhance the character or appearance of the Camden Square Conservation Area (the CA), having particular regard to the effect on the character and appearance of the host dwelling and the St Paul's Crescent street scene; and
 - the effect on living conditions, having particular regard to the effect on outlook for the occupiers at No 100 Agar Grove (No 100) and No 102 Agar Grove (No 102).

Reasons

3. The statutory test set out at Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
4. Based on the evidence before me, including the Camden Square CA Appraisal and Management Strategy (2011), the significance of the CA derives from its planned development as a nineteenth century inner London suburb. Its grid street layout is focused around Camden Square, with Agar Grove and St Paul's Crescent being located at the southern edge of the CA.
5. The CA is characterised by Victorian properties, but has evolved with more recent development and individually designed dwellings, including at the appeal site where the contemporary designed property was completed in 2011. It is a two storey, flat roof dwelling constructed in dark engineering brick.

6. The adjoining dwelling at No 38 St Paul's Crescent (No 38) is a semi-detached dwelling of traditional character, appearance and proportions, with its upper two storeys in London Stock brick raised over a stucco lower ground floor. Nos 100 and 102 are four storey semi-detached dwellings of elegant and traditional proportions and also constructed in London Stock brick with stucco at ground floor level. Both have been subdivided into flats, but for the purposes of this decision I have referred to them as Nos 100 and 102.
7. The appeal site was formerly part of the rear garden areas of Nos 100 and 102 and was occupied by a garage. When approaching from Agar Grove/St Paul's Crescent junction, both the appeal property and No 38's brick gable are screened by the dense vegetation along the common boundary between the appeal site and the rear boundaries of Nos 100 and 102. Due to the separation distance between the appeal property and No 38, No 38's brick gable, the two gable windows and its stone quoins become apparent at closer distances when approaching along St Paul's Crescent.
8. Due to the combination of its low height, flat roof form, simple fenestration and dark coloured recessive materials, the existing appeal dwelling has an unassuming and understated character and appearance. It complements the traditional character and dominance of the immediately surrounding properties, including Nos 38, 100 and 102 all of which contribute to the historic significance of the CA.
9. The Council does not object to the proposed replacement windows and I see no reason to disagree with that position. The existing flat roof would be replaced with a new lightweight, timber-framed roof extension finished in black metal rainscreen cladding with a pitched roof form. The roof would be finished in a dark and recessive colour.
10. The roof structure would partially block views of the sky and of the trees in other gardens to the rear of the property, but those trees are not a prominent feature when viewed from either Agar Grove or St Paul's Crescent. Due to the separation distance between the appeal property and No 38, part of No 38's gable, gable windows and quoins would continue to be visible from closer distances on St Paul's Crescent.
11. However, due to its asymmetric and angular form with different pitches and a valley junction, the roof structure would appear as an overly complex addition which would be at odds with the regular and unassuming form of the existing dwelling. The raised stone parapet would have an unduly horizontal emphasis which, on the front elevation, would jar with the vertical emphasis of the existing marble insets and the more vertical proportions of surrounding traditional properties on St Paul's Crescent. The full width roof level window in the rear elevation would appear as a dominant and incongruous feature which would exacerbate the overall complexity of the rooftop addition.
12. The combination of the complex roof form and the stone parapet would have an awkward and top heavy appearance in relation to the host dwelling, which would result in it having an unduly prominent appearance in the St Paul's Crescent street scene. Whilst public views of the rear elevation would be more restricted, this does not negate the need for a design which would assimilate successfully with the host dwelling.

13. At my site visit, I was able to see the other dwellings of contemporary design at Nos 14, 19 and 36a St Paul's Crescent. However, from the details provided, these appear to be schemes that were proposed as dwellings rather than an addition to an existing dwelling. Further, the roofs are simpler in form and appearance compared with the appeal proposal. I also note that the design of the proposed scheme has evolved in response to pre-application consultation with the Council. However, my determination is based on the details of the scheme before me.
14. Whilst I note the previous appeal schemes for this site referred to by the Council¹ in support of their position, they both pre-date the construction of the appeal dwelling. For the avoidance of doubt, my determination of this appeal is based on the current circumstances of the site and the details of the proposed development before me.
15. Overall, I conclude that the appeal scheme would be an unsympathetic addition to the host dwelling which would have an unduly dominant appearance in the St Paul's Crescent street scene and would not preserve or enhance the character or appearance of the CA. It follows that the proposal would be contrary to Policies D1 and D2 of the Camden Local Plan (2017) (CLP) in so far as they require that development complements local character and preserves or enhances the historic environment and heritage assets.
16. The impact of the proposal would be relatively localised and the harm to the CA identified above would be less than substantial. The National Planning Policy Framework (the Framework) makes clear in paragraph 208 that where a proposed development would lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal and I return to that assessment below.

Living conditions

17. The increased height of the appeal property would be visible from the rear windows of Nos 100 and 102. However, the roof structure would be inset from the stone parapet and it would angle away from these properties. There would also be sufficient separation distance between the roof extension and the rear windows of Nos 100 and 102 so that the outlook from those windows would not be unduly restricted or enclosed.
18. When viewed from the rear outdoor areas of Nos 100 and 102, the existing vegetation along the common boundary with the appeal property would also provide a degree of screening. Although this is likely to be less effective in the winter months, the roof would not have a dominating or overbearing effect when viewed from the rear outdoor areas of Nos 100 and 102.
19. Overall, I consider that the outlook from the rear windows and outdoor areas of Nos 100 and 102 would continue to be acceptable and that there would be no additional material harm to the living conditions of the occupiers of those properties arising from the appeal scheme. As such, the proposal would accord with CLP Policy A1 in so far as it seeks to ensure that the amenity of occupiers is protected.

¹ Appeal Refs APP/X5210/A/04/1164413 and APP/X5210/A/04/1142730

Heritage balance and Conclusion

20. The proposed alterations would be sustainably constructed and would improve the dwelling's thermal efficiency. I also note that the scheme would support the appellant's work, contributing to the cultural life of the area. However, the public benefits arising from these aspects would be limited and they therefore confer limited weight in favour of the scheme.
21. I attach considerable importance and weight to the harm that would be caused to the character and appearance of the Conservation Area. The heritage harm identified would outweigh the public benefits in support of the scheme. Whilst there would be no material harm to the living conditions of adjoining occupiers, this aspect is neutral in the overall planning balance.
22. The appeal proposal would be contrary to the development plan read as a whole and would fail to comply with the Framework with regard to the conservation of designated heritage assets. There are no material considerations to justify making a decision other than one in accordance with the development plan. For the reasons outlined above and having had regard to the other matters raised, I conclude that the appeal should be dismissed.

Sarah Housden

INSPECTOR