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# Appeal Decision

Site visit made on 12 November 2013

**by L Gibbons BA (Hons) MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 3 January 2014**

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**Appeal Ref: APP/X5210/A/13/2203853**

**1 Queens Tavern, Edis Street, London NW1 8LG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Harry Enfield against the decision of the Council of the London Borough of Camden.
  - The application Ref 2013/1500/P, dated 12 March 2013, was refused by notice dated 18 June 2013.
  - The development proposed is to replace the existing painted tiles at ground floor level with stucco rendered finish.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is whether the appeal proposal would preserve or enhance the character or appearance of the Primrose Hill Conservation Area.

## Reasons

3. The appeal property is within a part of the Primrose Hill Conservation Area where the general character is defined by its variety of uses and although the immediate surroundings are mainly residential, the former function of the appeal property as a public house is still recognisable. Houses here are generally stuccoed with some with exposed brickwork from the first floor. Buildings at corner locations are often built forward of the main building line, giving them prominence in the street scene and they have other features and treatments that differentiate them from houses, even if they are no longer in business use. The appeal property is such a building.
4. The appeal proposal seeks the replacement of tiles at ground floor level with stucco. The tiles are present from pavement level on the ground floor level, finishing below the windows of the first floor. Whether the tiles are an original feature of the building is in dispute between the two parties. The appellant has submitted plans from the 1930s in order to show that the tiles are not part of the original building; however this does not appear to me to be compelling evidence either way. Nevertheless, it is my opinion that the tiles are an intrinsic feature of the property and have been for a significant number of years.

5. The appellant argues that the tiles are of poor quality and are fixed in an inappropriate manner. On my site visit, the building was partly obscured by scaffolding and protective hoarding. However, I was able to view the full range of tiles on the elevation of the appeal property fronting Chalcot Road and in an area along the Edis Street elevation. Whilst I noted that there were signs of damage and repair to some tiles, there were sufficient numbers in good enough condition to determine the overall pattern and the association of the tiles with its former use as a pub.
6. The Primrose Hill Conservation Area Statement makes specific reference to the importance of the public houses within this part of the Conservation Area, both in relation to their prominence and their decorative features. The appellant argues that the description in the Statement does not reflect the characteristics of the appeal property. However, it seems to me that the appeal property generally matches the overall design principles of other public houses within the area, setting it apart from other buildings, serving as a clear reminder of its different form and function.
7. The appellant has submitted that the building is only distinctive due to its position within the street scene and refers to a previous appeal decision in support (APP/X5210/A/01/1058374). I have read the appeal decision with interest but it seems to me that the Inspector was assessing a very different development and I note he does not directly address the materials in question.
8. The appellant also submits that the tiles do not have any value and removing them would improve the appearance of the Conservation Area. Whilst I agree that the building is partly defined by its position in the street, it appears to me that the tiles do make a significant contribution to the building's distinctiveness in relation to evidence of its former use and in comparison with its immediate surroundings. Therefore, I consider that their removal would be harmful to the character and appearance of the Conservation Area.
9. The Conservation Area Statement Guidelines makes reference at PH10 to the materials and maintenance of buildings. This sets out that materials are to be replaced only where there is no alternative. I have no information to confirm that replacement of the damaged tiles is neither possible nor practical. Whilst the significance of the harm to the Conservation Area is less than substantial in terms of paragraph 134 of the National Planning Policy Framework (the Framework), no other benefits have been identified that would outweigh the harm I have found.
10. I conclude that the appeal proposal fails to preserve or enhance the character or appearance of the Primrose Hill Conservation Area. It conflicts with policies CS14 of the London Borough of Camden Local Development Framework Core Strategy 2010 and DP24 and DP25 of the Development Policies 2010, which seek to secure high quality design and conserve the heritage of the Borough amongst other things. It is also contrary to the relevant provisions of the Framework relating to conserving and enhancing the historic environment.
11. For the above reasons and having regard to all other matters including some support for the proposal, the appeal is dismissed.

*L Gibbons*

INSPECTOR