

**PLANNING SERVICES**

**TOWN AND COUNTRY PLANNING APPEALS (DETERMINATION BY INSPECTORS)  
(INQUIRIES PROCEDURE) (ENGLAND) RULES 2000**

***SUMMARY PROOF OF EVIDENCE***

**Mortimer MacSweeney**

**FOR PUBLIC INQUIRY COMMENCING ON**

**DECEMBER 18<sup>th</sup> 2013**

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**APPEAL SITE**

No.4 St Augustine's Road, London NW1 9RN

**APPELLANT**

Paul Godfrey

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**SUBJECT OF APPEAL**

Appeal against the London Borough of Camden's refusal of Planning Permission for the 'Erection of five storey building comprising 9 residential units (2 x 2 bedroom and 7 x 3 bedroom flats) (Class C3).

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**COUNCIL REFERENCE: 2013/1210/P**

**PLANNING INSPECTORATE REFERENCE: APP/X5210/A/13/2204277/NWF**

## **1.0 Introduction and Scope of Evidence**

- 1.1 My name is Mortimer MacSweeney. I have a Diploma in Architecture (1979) from the Polytechnic of North London, became a corporate member of the RIBA in 1981, have an MA in Conservation Studies (1993) from the Institute of Advanced Architectural Studies, University of York, and a Post Graduate Diploma in Urban Design (2002) from the University of Westminster.
- 1.2 I am employed as senior conservation officer by the London Borough of Camden since August 2013, and was previously employed by the Council as a Conservation Officer (2000 - 2005) advising on conservation and design issues in the planning process.
- 1.3 Together with my colleague Ben Le Mare, Senior Planning Officer, I will be representing the Council at this Public Inquiry. This proof, deals with the conservation and design issues raised by Reason for Refusal No.1
- 1.4 The further 8 Reasons for Refusal will be addressed by my colleague Ben Le Mare. These relate to the absence of a legal agreement to secure the provisions of a Construction Management Plan, car-free housing, open space contribution, education contribution, highway contribution, pedestrian, cycling, and environmental improvements, affordable housing contribution, and a sustainable energy strategy.

## **2.0. The Site**

- 2.1 The application site is a triangular site at the junction of St Augustine's Road, Agar Grove and Murray Street. It is enclosed by a 2m high brick wall facing St Augustine's Road and Agar Grove and backs onto the side boundaries of 4 St Augustine's Road and 27 Agar Grove. It lies within the Camden Square Conservation Area and is identified as making a negative contribution to the character and appearance of the conservation area.
- 2.2 Agar Grove, to the south and east of the site, consists of three-storey semi-detached Victorian villas raised on basements and dating from the 1850s. Both sides of the street have strong building lines and unity of design, although this rhythm is interrupted by two long 1950s blocks of flats at nos. 33-47. St Augustine's Road has a similar uniformity comprising three storey semi detached Victorian villas with stuccoed fronts, dormer windows and raised entrances.

- 2.3 The application site originally housed a pair of 19<sup>th</sup> century villas with triangular front garden, which were demolished after the widening of the railway in 1898. It is currently a vacant site with no authorised use, although there have been some unauthorised uses in recent past such as a waste transfer and storage use, and car and caravan parking. The most recent lawful use of the site was as a builders yard on a temporary planning consent which has now expired

### **3.0 The Application under Appeal**

- 3.1 The application is for the erection of a 5 storey building to provide 9 x flats.
- 3.2 This Appeal is against the Council's refusal of 2013/1210/P Full Planning Permission Refused for ; Erection of five storey building comprising 9 residential units (4x 2 bedroom and 5x 3 bedroom flats) (Class C3).

The Reason for Refusal No.1 :

*'The proposed development, by reason of its scale, massing and detailed design, would appear as an unsympathetic addition to the street scene and would fail to achieve the necessary quality of architectural design befitting of this prominent site. As such it would neither preserve nor enhance the character and appearance of the Camden Square Conservation Area contrary to policies CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies'.*

### **4.0 Relevant Planning Policies & Guidance**

#### **4.1 Core Strategy, LDF Development Policies & Planning Guidance**

CS14 Promoting high quality places and conserving our heritage

DP24 Securing high quality design

DP25 Conserving Camden's heritage

Camden Square Conservation Area Appraisal and Management Strategy 2011

#### **4.2 National policies & guidance**

National Planning Policy Framework 2011

English Heritage's Understanding Place : Conservation Designation, Appraisal, and Management, March 2011.

4.3 Regional Planning Guidance ; London Plan July 2011

## **5.0 Summary of Assessment**

- 5.1 The refused scheme is of significantly contrasting massing and design to the historic villas of its immediate context and its effect would be significantly harmful to the local character and appearance of the conservation area.
- 5.2 The established rhythm of St Augustines Road and Agar Grove would be broken by this intrusive design. Overall the design appears as an overscaled, disparate separate entity. Its overall height bulk and mass as a 5 storey building appears overdominant and out of scale with the historic villas along both St Augustine's Road and Agar Grove. The effect would appear visually jarring in this sensitive corner site, and be obtrusive in local views.
- 5.3 Whilst it is understandable that the architect may wish to enhance its visual prominence, a new building in this sensitive context should reinforce the particular sense of place of the conservation area, rather than diluting and diminishing it. The effect in this instance is an overdominant, out of scale design which disturbs the harmony and settled character and appearance of this part of Camden Square Conservation Area, and is harmful to its special historic and architectural interest.
- 5.4 Having due regard to the Council's adopted policies and the particular circumstances of the proposed development, I consider that the approval of the proposal would conflict with the Development Plan and Camden Square Conservation Area Appraisal as described. I have considered other material considerations. I have taken into account the statutory duty to pay regard to preserving or enhancing the conservation area and I consider this development will do neither. I have considered the policies of the NPPF. I consider that this development will cause more harm than the site currently does as a detractor to the conservation area. Any public benefits in providing new housing in this development, in my opinion, do not outweigh the harm caused to the character and appearance of the conservation area.
- 5.5 For these reasons, it is my opinion that the first Reason for Refusal was sound and respectfully invite the Planning Inspector to dismiss the Appeal.

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