



Appeal Decision

Site visit made on 16 May 2012

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 29 June 2012

Appeal Ref: APP/X5210/A/12/2168953
Flat 2, 4 Murray Street, London NW1 9RE

- 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 Simon Wood against the decision of the Council of the London Borough of Camden.
 - The application Ref 2011/2924/P, dated 7 June 2011, was refused by notice dated 4 August 2011.
 - The development proposed is the erection of a retractable awning to the rear second floor terrace.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the determination of the application by the Council and the submission of the appeal the National Planning Policy Framework (the Framework) has been published and is a material consideration upon which the parties have been able to comment.

Main Issue

3. It is considered that the main issue is whether the proposed development would preserve or enhance the character or appearance of the Camden Square Conservation Area.

Reasons

4. The appeal property is situated within the Camden Square Conservation Area and there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. This duty is echoed in Policy DP25 of the Camden Development Policies 2010-2025 (CDP) and Policy CS14 of the Camden Core Strategy 2010-2025 (CS). Guidance on alterations to roofs is provided in the *Camden Planning Guidance 1: Design* (CPG1) but it does not specifically consider the erection of awnings which are referred to as part of the guidance on shop front design.
 5. The Council's *Camden Square Conservation Area Appraisal and Management Strategy* refers to the area generally being characterised by wide streets
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fronted by 3 and 4 storey terraced and semi-detached properties and to the rear are 2 storey mews type properties. This description characterises the area adjacent to the property. Based on the site visit, some alterations to the predominantly slate roofs of the properties have occurred including additions, dormer windows and the creation of terraces.

6. The proposed development comprises the erection of a retractable awning which would extend across an existing terrace at roof level. There are views of the terrace from Cobham Mews and Agar Grove. These views include other properties fronting Murray Street some of which have had alterations to their rear elevations and roofs, including the creation of terraces. The planning status of the various roof alterations is unknown.
7. In its closed state, the Council acknowledge that the proposed awning would have little impact on the character and appearance of the Conservation Area and the host building. By reason of the design and materials of the proposed housing there are no reasons to disagree with the Council's assessment. However, for reasons of enforceability, it is acknowledged that it would be difficult to impose a condition on the appeal scheme which required the awning to be kept closed when not in use.
8. Awnings can be a common feature within Conservation Areas but they are generally at ground floor level, principally associated with commercial premises, rather than being a characteristic of residential roofs. When open, the awning would almost extend across the full width of the terrace and project forward about half its depth. When open the proposed awning is full extended it would appear an uncharacteristic and incongruous addition at roof level which would be clearly visible from the viewpoint identified to the rear of the property and from neighbouring terraces.
9. For the reasons given, it is concluded that the proposed development would not preserve the character and appearance of the Camden Square Conservation Area and, as such, would be contrary to CS Policy CS14 and CDP Policy DP25. The appeal scheme would also be contrary to the general high quality design aims of CS Policy CS14 and CDP Policy DP24 which are consistent with the Framework. Accordingly, and taking into account all other matters and the presumption in favour of sustainable development, it is concluded that this appeal should fail.

D J Barnes

INSPECTOR