



# Appeal Decisions

Site visit made on 23 August 2010

**by D Roger Dyer BA, DipArch, RIBA,  
FCI Arb, Barrister**

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

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372  
email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

**Decision date:  
2 September 2010**

## **Appeal A Ref: APP/X5210/E/10/2120522/NWF**

### **33 Chalcot Square, London NW1 8YA**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr Peter Hall against the decision of the Council of the London Borough of Camden.
- The application Ref 2009/4162/L, dated 25 August 2009, was refused by notice dated 6 November 2009.
- The works proposed are "Alter accommodation to form 2 no. 1 bed flats at basement level + 1 no. Family size maisonette on upper floors. Demolish central + western basement + ground floor extensions + rebuild as shown. Demolish existing 20<sup>th</sup> century 3F zinc roof extension + rebuild as parapet to front + side + mansard to rear. Open up previously blocked window openings. 2 no. New windows to GF rear. New facade details + repairs to match adjacent houses. New rooflights to rear at 3F level. New front door + sidelights. Alterations to internal partitions. Repair + repaint render to front + side elevations".

## **Appeal B Ref: APP/X5210/A/10/2120530/NWF**

### **33 Chalcot Square, London NW1 8YA**

- 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 Peter Hall against the decision of the Council of the London Borough of Camden.
- The application Ref 2009/4161/P, dated 25 August 2009, was refused by notice dated 6 November 2009.
- The development proposed is "Alter accommodation to form 2 no. 1 bed flats at basement level + 1 no. Family size maisonette on upper floors. Demolish central + western basement + ground floor extensions + rebuild as shown. Demolish existing 20<sup>th</sup> century 3F zinc roof extension + rebuild as parapet to front + side + mansard to rear. Open up previously blocked window openings. 2 no. New windows to GF rear. New facade details + repairs to match adjacent houses. New rooflights to rear at 3F level. New front door + sidelights. Alterations to internal partitions. Repair + repaint render to front + side elevations".

## **Decisions**

### **Appeal A Ref: APP/X5210/E/10/2120522/NWF**

1. The appeal is allowed and listed building consent is granted for alterations including a new roof extension and associated works at 33 Chalcot Square, London NW1 8YA in accordance with the terms of the application [reference: 2009/4162/L] dated 25 August 2009 and the plans submitted therewith subject to the conditions set out in the attached schedule.

## **Appeal B Ref: APP/X5210/A/10/2120530/NWF**

2. The appeal is allowed and planning permission is granted for alterations including a new roof extension and associated works at 33 Chalcot Square, London NW1 8YA in accordance with the terms of the application [reference: 2009/4161/P] dated 25 August 2009 and the plans submitted therewith subject to the conditions set out in the attached schedule.

### **Main issue**

3. The principal consideration in these appeals is whether the new roof extension, solar panel and safety rail at roof level would preserve the features of special architectural or historic interest which the listed building and the adjacent listed buildings possess.

### **Reasons**

4. The appeal property forms part of a terrace of six houses on the north side of Chalcot Square that were built between 1855 and 1860 and which are listed Grade II. The appellant's building is unusual in that it lies on a triangular site. There is a distinction between the right hand half of the building when viewed from Chalcot Square, having three bays and an entrance porch and the left hand side which has two bays and an angled projecting third bay on the narrowest part of the site. The external elevations are in stucco with details common throughout the Square but the rear is finished in yellow stock brick. The stucco face is rusticated on the lower floor. Like its neighbours it has three main floors in addition to a basement and attics.
5. The top floor is an extension added in the 1930s. The Council regards that as having no particular merit so that its loss, as part of the proposed alteration, does not cause concern. Nevertheless its proposed replacement is thought by the Council to be inappropriate because of the incorporation of a "square box" on the corner roof with a traditional Mansard form to the rear. The Council's view is that it would be over-sized and out of proportion with the rest of the building and that it is out of keeping with the design of an end of terrace roof extension. A new raised parapet on the front and side elevations that would hide the solar panels to be placed on the roof would add height and contribute to the visual bulk of the roof extension.
6. The Council is also concerned that "rooftop clutter" including the solar panels would be highly visible features to the rear and would be inappropriate for a domestic listed building of this period. Only "conservation type" solar panels flush with the roof plane would be acceptable to the Council. It also takes exception to the safety rail which it considers unnecessary as this is not a commercial or institutional building requiring such safety measures. In conclusion the Council considers that only a traditional form, design and materials for an end of terrace building consistent with its period would be acceptable in this location within the Primrose Hill Conservation Area.
7. Inspection of the site and the drawings submitted shows a scheme of flair and imagination that demonstrates a thorough knowledge of the host building and its historic context. The whole scheme has been developed with extensive detail that reflects the original design of the listed building and others in Chalcot Square. These details respect the character of the listed building and

preserve its features of special architectural and historic interest. The design recognizes the nature of the houses on all sides of Chalcot Square. In that respect it preserves and enhances the character and appearance of the Conservation Area.

8. The solar panels and safety rail would not be seen from Chalcot Square as they would be screened by the parapet. They would be fixed 1.5m behind the edge of the roof and examination of the site and surroundings reveals that they would be unlikely to be visible from anywhere in Berkeley Road or at its junction with Regents Park Road. Equally I note that the rails are to be formed in 12mm wire on three 25mm posts 250mm high so they would have little visual impact on the scheme and its surroundings.
9. Overall the proposed new attic storey is consistent with others in Chalcot Square. It is a well designed scheme that complies with the main policies (B1 – Design principles, B3 – alterations and extensions, B6-listed buildings and B7 – Conservation Areas) of the Council's Replacement Unitary Development Plan adopted in June 2006 all of which have been saved by the Secretary of State.

### **Conclusions**

10. It follows that both appeals succeed subject to conditions that are necessary to preserve the listed building and its setting and its features of architectural and historic interest. In reaching my decision I have taken careful note of all other matters brought to my attention in writing, including the submissions of the Primrose Hill Conservation Area Advisory Committee, but I have found nothing that outweighs the main planning considerations in this case.

*D Roger Dyer*

INSPECTOR

## **Schedule of conditions**

Appeal A ref: APP/X5210/E/10/2120522/NWF

1. The works hereby granted consent shall be begun not later than the end of three years from the date of this letter.
2. All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any conditions attached to this consent.
3. Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:
  - a) plan elevation and section drawings of all new doors at a scale of 1:10 with typical moulding and architrave details at a scale of 1:1.
  - b) plan elevation and section drawings, including jambs, head and cill, of all new window and door openings.
  - c) plan elevation and section drawings of all new windows at a scale of 1:10 with typical glazing bar details at a scale of 1:1.
  - d) details of service runs for all new bathrooms and kitchens, demonstrating the relationship of new pipe work with the structure of the building.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Appeal B Ref: APP/X5210/A/10/2120530/NWF

1. The development hereby permitted must be begun not later than the end of three years from the date this letter.
2. All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.