

48a Regents Park Road, London
Erection of Glazed Side Extension
Planning and Heritage Statement

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July 2014

Indigo

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Erection of Glazed Side Extension

Planning and Heritage Statement

Appendices

Appendix 1

Site Location Plan

Appendix 2

Conservation Area Advisory Committee Comments
(Previous Scheme)

Appendix 3

Pre-application Response Letter (02.05.2014)

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Views of the Rear of Regents Park Road

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Copy of Appeal Decision APP/E5900/E/13/2199056 and
APP/E5900/A/13/2199055

1. Introduction

- 1.1. This Planning and Heritage Statement has been prepared by Indigo Planning, on behalf of the applicant, homeowner Tony Segal, in support of a planning application for:

The erection of glazed side extension on existing roof terrace at second floor level.

- 1.2. The proposal seeks to partially enclose an existing small roof terrace at second floor level of the residential building. The proposal comprises minimalist frameless glazing with a shallow pitched roof. It will provide a high quality all year round private amenity space for sitting and relaxing. This application follows a previously withdrawn application and pre-application discussions with the Council's planning officers.
- 1.3. The proposal will conserve the special character and appearance and heritage significance of the Primrose Hill Conservation Area.
- 1.4. This statement is structured as follows:
- Section 2: describes the site and surroundings, and relevant planning history;
 - Section 3: describes the proposals;
 - Section 4: sets out relevant planning and heritage considerations; and
 - Section 5: sets out our conclusions.
- 1.5. This planning and heritage statement should be read in conjunction with:
- Existing and proposed planning drawings prepared by Wilton Studio; and
 - Design and Access Statement prepared by Wilton Studio.

2. Background

Site Description

- 2.1. The site is located in Regents Park Road in the London Borough of Camden (LBC). It is situated near to Primrose Hill, and in the Primrose Hill Conservation Area. A site location plan is included at **Appendix 1**.
- 2.2. The building is a semi-detached brick built and stucco-faced house comprising four storeys over half basement with a hipped slate roof. It was originally a large Italianate house that has been converted into flats.
- 2.3. The main building is two window bays wide with a large canted bay window above which rises paired windows with white-stucco architraves. All windows are timber-framed vertically sliding sashes (painted white) and the building contains classical moulded string courses, capitals and deep overhanging eaves with regularly placed brackets. The side and rear elevations of the property are unarticulated and of plain London stock brick.
- 2.4. The street is defined by similar large Italianate houses (now mostly converted into flats). Numbers 4-56 Regent's Park Road form a group that are heavily altered; stretching from the junction with Princess Road. Despite their general symmetry in terms of style, composition and form, the facades reveal subtle differences in detail. Many of these houses are substantially altered to the extent that it reads as a terrace in part.
- 2.5. Figure 1 below, shows the site in context with neighbouring buildings.

Figure 1: 48 Regents Park Road (right of centre)



- 2.6. The houses are all set-back from the road, behind a variety of front garden walls enclosing spaces, some of which have been converted to hard-standing and some reveal large basement extensions. The houses have large and deep rear gardens, which have also been altered through sub-division.

Planning History

- 2.7. A previous application for a similar proposal was withdrawn on 29 October 2013 (ref: 2013/6346/P). There are no other site specific applications relevant to this proposal.
- 2.8. We understand that the previous application was withdrawn following feedback received from the Primrose Hill Conservation Area Advisory Committee (CAAC). We have reviewed the response of the CAAC and note that it makes a number of assumptions as follows:
- That the proposal would change the shape and form of this section of roof and would be harmful to the Conservation Area;
 - That the extension would compromise the gap between two buildings, causing harm;
 - That there are a range of other viewpoints that need consideration; and
 - That the glazed structure would be lit at night and would be obtrusive.
- 2.9. A copy of the CAAC correspondence is included at **Appendix 2**.
- 2.10. In preparing this application the comments of the CAAC have been taken into account. The revised design proposals address the CAAC comments in full. We discuss this further in Section 4.

The Proposal

- 2.11. Following the withdrawn application and pre-application discussions the applicant has sought to identify design solutions to improve the year around usability of this private amenity roof terrace. This terrace is the only dedicated amenity space for the flat. The photograph at Figure 2 shows the existing layout and function of the space. Although it is currently an attractive and functional space, it is open to the elements all year round and exposed to wind tunnel conditions, especially in the colder months. Partially enclosing the space with an open and transparent glazed box would not be an extension to the existing flat; rather it would improve the usability of the existing amenity space, allowing it to function better.
- 2.12. The revised design will provide:
- A high quality and highly transparent glazed enclosure;
 - Reduced height to ensure no part of the structure could be seen in any public view;
 - It is entirely glazed; slim line, transparent and lightweight; and
 - It would be barely visible in limited private views.
- 2.13. The detailed proposal would comprise a small glazed box constructed of cutting-edge contemporary glazing which is frameless, with seamless joints and produces maximum transparency. The character and appearance would be lightweight and ethereal. This simple structure would provide the flat, which currently has no access to a rear garden, with good quality year round private amenity space.

Figure 2: Existing terrace



Pre-application Discussions

- 2.14. Following the withdrawal of application 2013/6346/P, amended drawings were submitted to the Council on 9 April 2014 for pre-application advice. Following a meeting on site on 25 April 2014 the Council's Planning Officer provided a written pre-application response (included at **Appendix 3**).
- 2.15. In the letter the Council states that terraces should form an integral element in the design of elevations. The Council's main comments were:
- That the Council has an "in principle objection" to the extension as it does not demonstrate an "*exceptional circumstance*" that would warrant supporting the proposal, in accordance with paragraph 4.19 of the Council's Design SPD and advise in the Primrose Hill Conservation Area;
 - Although the proposal would be "less visible from the road side than the previous proposal" it is still "*not considered an acceptable form of development*";
 - That the step down in the front elevation of the pair of semi-detached properties is

original and an integral feature of the property which should be retained;

- It would be “visible from all higher levels of buildings opposite and behind, which is not acceptable” and that, “the views of the terrace within the Conservation Area are relevant material considerations, not just public views”.

2.16. It should be noted that the Conservation Officer did not attend the site visit, in which a mock-up was presented to the case officer demonstrating that the proposal would not be visible at all in public views from the road.

2.17. These comments are addressed in section 5.

3. Relevant Planning Considerations

- 3.1. This section sets out relevant national regional and local planning policy considerations, in the context of the proposals.
- 3.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions are to be made in accordance with the development plan unless material considerations indicate otherwise.
- 3.3. The Council are in the process of drafting a new Local Plan following the publication of the National Planning Policy Framework (NPPF) in March 2012.

National Planning Policy Framework (NPPF)

- 3.4. The NPPF prescribes Government planning policy for England and is a strong material consideration. Paragraph 215 provides that policies adopted before the NPPF can only be attributed weight depending on the degree of compliance with the NPPF.
- 3.5. Paragraph 14 sets out the presumption in favour of sustainable development. This means approving applications for sustainable development unless the adverse impact would significantly and demonstrably outweigh the benefits.
- 3.6. NPPF seeks positive decision-making which approves applications for sustainable development where possible, looking for solutions rather than problems.

Development Plan

- 3.7. The London Borough of Camden Development Plan includes the following relevant documents:
 - London Plan (April 2011);
 - Camden Core Strategy (November 2010); and
 - Camden Development Policies (November 2010).
- 3.8. London Plan strategic Policy 1.1 sets out the Mayor's commitment to delivering a good quality of life over the plan period, meeting the challenges of population growth.
- 3.9. The following are material considerations:
 - Primrose Hill Conservation Area Statement (2001);
 - Camden Planning Guidance Note 1 Design Supplementary Planning Document (2010); and
 - London Housing Design (2012).

Heritage

Statement of Significance

- 3.10. The contribution of the building to the character and appearance and significance of the Primrose Hill Conservation Area as a whole is minor and derives principally from group value.

- 3.11. The main aspects of significance are:
- The stature of the houses which forms part of a group which are good examples of the semi-detached arcadian villa a housing typology which had begun in the 1830s and become widespread by the 1860s;
 - The distinctive period features of this group including broad first floor bay windows, decorative iron-work and distinctive bracketed eaves which tie the wider group together; and
 - The pastel colours of the stucco, the stucco detail and the similar detailing which create a sense of varied yet cohesive appearance and a sweeping horizontality in the townscape.
- 3.12. Unlike earlier speculative London housing ventures such as the earlier standardised Georgian terraces, or even at Cubitt's town planning at Pimlico, the quality of this area does not rely on an overarching appreciation of symmetry and proportion. The special character, appearance and significance lies principally in an appreciation of the broad sweeping streets, set within spacious plots with more of a sense of informality and openness.
- 3.13. The site forms part of a substantially altered group. This group reads partly as a terrace, meaning that the existing character and appearance relies even less on a strong sense of symmetry or cohesion. This has resulted from large and varied roof level alterations and the solid infilling of the spaces between buildings.

Heritage Impact

Exceptional Circumstances

- 3.14. The pre-application response raised an in principle objection to the proposal and stated that conservatories are only acceptable at this level in exceptional circumstances.
- 3.15. Core principle 10 of the NPPF and London Plan Policy 7.8 seek development that sustains the significance of heritage assets. Camden Core Strategy (adopted 2010) Policy CS 14 seeks development that preserves and enhances conservation areas, is high quality design and respects local context and character.
- 3.16. Nowhere in policy is there an 'in principle' objection to particular proposals, such as roof level extensions. To make an in principle objection, without accounting for particular site circumstances, the significance of the heritage asset and detailed design, would be contrary to the NPPF.
- 3.17. The specific site circumstances are considered below.

Form of Development and Visual Gap

- 3.18. The location and height of the proposal would mean it is not visible in any public view and there would be limited insignificant private views; while the material and design approach will deliver high quality design that respects the significance of the Conservation Area.

Public Views

- 3.19. The proposal is not visible in public views of the gap between the two buildings, which has been referred to as the gap contributing to the conservation area. The pre-application response stated that the "step down", or gap, between the two buildings is original and an integral feature which should be retained.
- 3.20. The statement of significance confirms that the gap between the two buildings contributes to an appreciation and understanding of this building typology. Whilst the gap is largely intact in this building, this is not the case throughout the terrace due to varying degrees of infilling

as explained above.

- 3.21. Regardless, great care has been taken in the design of the proposal to ensure that it does not have any impact on the step down or gap between the buildings in public views. The pre-application response inaccurately states that the proposal would be less visible than the previous proposal from the road. Detailed assessment was carried out in the design to ensure that the glazed enclosure to this existing roof terrace will not be visible in public views, and that the public views of the gap are preserved in entirety. That the proposal would not be visible from public view was demonstrated to the Council's planning officer by marking up the extent of the enclosure. Additionally, the proposal would not be visible in any public view from the rear, as demonstrated at **Appendix 4**. These images are the only public views where wider views of the rear of the terrace are possible.

Private Views

- 3.22. The proposal would only be visible in limited and insignificant private views. The material and detailed design approach would mean that an appreciation and understanding of the existing gap would be conserved.
- 3.23. The pre-application response states that it would be visible in all higher level private views and that these private views within the conservation area are relevant. Council policies do not state that private views are important considerations. These views are not original 'designed views' and are secondary views of limited importance.
- 3.24. Figure 3, 4 and 5 show views from the existing roof terrace and demonstrate that due to the position of the terrace the proposal would only be visible in limited private views. These views are largely high level, long-distance, oblique, obscured and predominately only glimpsed. This is due to the siting and set-back of the proposal. Larger images in the Design and Access Statement show that in these views the observer would see little cohesion or rhythm in the wider townscape, especially to the rear (see also Appendix 4). To the front, it would not be possible to read the terrace as a whole. As discussed, the character of the area is not dependent on a strong sense of symmetry, it displays variety and the proposal would contribute to this.
- 3.25. Even so, the proposal has been designed to maintain an appreciation of the gap in these private views. The design approach is light-touch, minimalist and reversible: simply enclosing the existing space with a lightweight highly transparent glazed box. The extension would:
- Be a simple lean-to structure in form with a small footprint, so as not to detract from the form and stature of the existing building;
 - Be made of high-quality cutting-edge glazing technology which would appear very lightweight and allow for maximum light transmission and transparency, so as to maintain an appreciation of the gap by:
 - Allowing crisp clear sky views straight through the structure and maximum light transmittance into this gap;
 - Be frameless, with seamless joints so as not to interrupt the gap with visual clutter; and
 - Comprising minimal height that ensures that it is entirely obscured in public views.
- 3.26. The materiality of the proposed float glass would complement the flush and scored stucco work of the host building in its flush, smooth and slim line appearance.
- 3.27. There are other examples of high level glass structures in the area, for example, across the road at number 47 Regent's Park Road, directly facing the site (Figure 3). Whilst the

photograph shows that this neighbouring enclosure has little impact in this private view the proposal at 48b Regents Park Road is designed, through its form and materials, to be far less perceptible than this example.

Summary

- 3.28. It has been demonstrated that the proposal would not harm perception of the gap between the two buildings. It will not be visible at all in important public views. It will be barely perceptible in limited private views. The proposal accords with Core Principle 10 of the NPPF and London Plan Policy 7.8, which seek to sustain the significance of heritage assets.
- 3.29. It would accord with Camden Core Strategy Policy CS 14 and Development Policies Policy DP 24, which seek development that preserves the character of conservation areas, and are of high quality design.

Figure 3: view looking South from Terrace



Figure 4: View looking north from terrace



Figure 5: view looking north west from terrace



Amenity Space

- 3.30. The Core Strategy particularly at paragraphs 14.3 and 14.6 acknowledges that the design of buildings affects quality of life for residents. Policy DM 25 states that good design means delivering good amenity space (Criterion h). Paragraph 24.23 of the Development Policies document acknowledges that:

“Private outdoor space can add significantly to resident’s quality of life and applicants are therefore encouraged to explore all options for the provision of outdoor space. Gardens, balconies and roof terraces are greatly valued and can be especially important for families”.

- 3.31. The proposal would better serve both the present and future occupiers of the flat, improving quality of life by allowing for this existing small roof terrace space to be used to sit and relax all year round.
- 3.32. Recent appeal decisions have recognised the importance of sensitively adapting heritage assets to accommodate modern living in densely populated London.
- 3.33. Similarly, in the appeal decision on Club Rowe, Shoreditch, the Inspector found that the loss of some non-integral historic fabric of a listed building was outweighed by maximising and allowing for modern day usage. For instance, in relation to the replacement of an original roof, the Inspector found at paragraph 14:

“The design for the new structure, the form of the roof and standing seam covering have been carefully considered and detailed to provide what would be a sympathetic addition to the building. To my mind and eye, the shape of the new roof would improve the proportions and therefore appearance of the building. The design has the added advantage of a concealed gutter system and maximising use of a largely redundant space.”

- 3.34. The appeal decision is included at **Appendix 5**.
- 3.35. All options have been explored and this proposal does not harm any features of interest to the building, while ensuring the use of a pleasant space can be achieved, being a sensitive and innovative solution to preserving the character and appearance of the conservation area.

4. Conclusion

4.1. In summary, this statement concludes:

- The proposal would not be visible in public view;
- The proposal would be partially visible to a limited degree in private, high level and non-prominent and non-significant views;
- The minimalist structure and materiality of the proposal would be lightweight and transparent, ensuring that it preserves the features, scale and form of the building and the clear sky views through this gap; and
- The proposal would significantly improve the amenity of the existing flat by providing a good quality amenity space that can be used all year round.

4.2. The proposal will secure the preservation of the character and qualities of the CA whilst improving the quality and usability of an existing private roof terrace which provides the only available private amenity space for the residents.

4.3. The proposal is in accordance with the development plan as:

- It would deliver high quality design and preserve the conservation area in compliance with London Plan Policy 7.8, Core Strategy Policy CS 14 and Development Policies Policy DP 24, which seek to sustain the significance of heritage assets.
- It would deliver a high quality all year round amenity space in accordance with Development Management Policy DM 25, which seeks to deliver good amenity space without harm to the wider Primrose Hill Conservation Area.

4.4. It satisfies core principle 10 of the NPPF (paragraph 17) by understanding, building on and sustaining the significance of the Primrose Hill Conservation Area. In accordance with paragraph 14 of the NPPF the proposal should be approved without delay.

APPENDIX 1



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Preliminary 2014-03-21

<div>Scale<div><div></div><div></div><div></div><div></div><div></div></div><div>10m20m30m40m50m</div></div> <div>Notes</div> <div>1. Do not scale from this drawing. 2. Survey indicative only. Contractor to undertake own surveys and investigations.</div>	RevisionDateChange		Project 48B Regents Park Road, NW1 7SX		Reference REG		
			Drawing Title Location Plan				
			1 Pitwell Mews London E8 1FH United Kingdom	T: 020 7502 2599 F: 070 0604 0213 E: info@wiltonstudio.eu	Scale 1:1250 @A3	Date March 2014	Dwg. No. 005

1. The first part of the report is a general introduction to the project, including the objectives, scope, and methodology.

2. The second part of the report is a detailed description of the data collection process, including the sources, methods, and quality control measures.

3. The third part of the report is a detailed description of the data analysis process, including the statistical methods used and the results of the analysis.

4. The fourth part of the report is a discussion of the results, including the interpretation of the findings and the implications for future research.

5. The fifth part of the report is a conclusion, summarizing the main findings and the overall conclusions of the project.

6. The sixth part of the report is a list of references, including the sources of the data and the literature cited in the report.

7. The seventh part of the report is an appendix, containing supplementary information that is not included in the main text of the report.

8. The eighth part of the report is a glossary, defining the key terms and concepts used in the report.

9. The ninth part of the report is a list of figures and tables, providing a visual representation of the data and the results of the analysis.

10. The tenth part of the report is a list of abbreviations, providing a shorthand notation for the key terms and concepts used in the report.

11. The eleventh part of the report is a list of acronyms, providing a shorthand notation for the key terms and concepts used in the report.

12. The twelfth part of the report is a list of symbols, providing a shorthand notation for the key terms and concepts used in the report.

13. The thirteenth part of the report is a list of units, providing a shorthand notation for the key terms and concepts used in the report.

14. The fourteenth part of the report is a list of variables, providing a shorthand notation for the key terms and concepts used in the report.

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16. The sixteenth part of the report is a list of functions, providing a shorthand notation for the key terms and concepts used in the report.

17. The seventeenth part of the report is a list of operators, providing a shorthand notation for the key terms and concepts used in the report.

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21. The twenty-first part of the report is a list of functions, providing a shorthand notation for the key terms and concepts used in the report.

22. The twenty-second part of the report is a list of operators, providing a shorthand notation for the key terms and concepts used in the report.

23. The twenty-third part of the report is a list of constants, providing a shorthand notation for the key terms and concepts used in the report.

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27. The twenty-seventh part of the report is a list of operators, providing a shorthand notation for the key terms and concepts used in the report.

28. The twenty-eighth part of the report is a list of constants, providing a shorthand notation for the key terms and concepts used in the report.

Conservation Area Advisory Committee

Advisory Committee	Primrose Hill
Application ref	2013/6346/P
Address	48 B Regents Park Road London NW1 7SX
Planning Officer	Carlos Martin
Comments by	7 November 2013
Proposal	Erection of a single storey side conservatory on existing first floor terrace in connection with residential flat (Class C3).
Objection	Yes
Observations	<p>ADVICE from Primrose Hill Conservation Area Advisory Committee 12A Manley Street, London NW1 8LT</p> <p>16 October 2013</p> <p>48B Regentâs Park Road NW1 7SX 2013/6346/P</p> <p>Strong objection.</p> <p>This is an astonishingly intrusive proposal which would do serious harm to the character and appearance of the conservation area.</p> <p>The location is between a pair of essentially symmetrical houses, part of a larger group on this important road in the conservation area, recognized as making a positive contribution to the conservation area. For this reason the houses are recognized and given special protection from the sort of roof extension proposed here which would change the shape and form of this section of the roof, and have a harmful impact on the conservation area (see Primrose Hill conservation area statement PH18 at pp. 31-32). Side extensions are similarly restricted, especially where, as here, they would compromise the gap between buildings (PH29 at p. 33).</p> <p>We note guidance from Planning Inspectorsâ decisions in</p>

Conservation Area Advisory Committee

our area that visibility is not the sole consideration in such cases, but observe that the very narrow view of visibility shown in the applicant's drawing 13-187-GA-61 does not represent the whole situation, where are a range of other viewpoints.

We also note that a glazed structure will be lit at night and become extremely obtrusive.

Richard Simpson FSA
Chair

Documents attached

No details entered

About this form

Issued by	Contact Camden Camden town hall extension Argyle Street London WC1H 8NJ
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Form reference	8948707
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Data Protection

No personal information you have given us will be passed on to third parties for commercial purposes. The Council's policy is that all information will be shared among officers and other agencies where the legal framework allows it, if this will help to improve the service you receive and to develop other services. If you do not wish certain information about you to be exchanged within the Council, you can request that this does not happen.

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22. The following information is provided for the purpose of the audit:

23. The following information is provided for the purpose of the audit:

Date: 02/05/14

Our ref: 2014/2646/PRE
Contact: Olivier Nelson
Direct line: 020 7974 5142
Email: Olivier.nelson@camden.gov.uk

Ben Eley
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planning@camden.gov.uk
www.camden.gov.uk/planning

Dear Mr. Eley,

Town and Country Planning Act 1990 (as amended)
Re: 48 Regents Park Road, London, NW1 7SX

Thank you for your enquiry received on the 09/04/2014, regarding the proposed third floor side extension, the extension would be positioned towards the rear of the property. The extension would be made of brick to match the existing building with a frameless glazed roof. The property is within the Primrose Hill Conservation Area.

Policy:

The Camden policy context for the proposal is as follows:

Local Development Framework Core Strategy

- CS1 (Distribution of growth);
- CS4 (Areas of more limited change);
- CS5 (Managing the impact of growth and development);
- CS14 (Promoting high quality places and conserving our heritage);

Local Development Framework Development Policies

- DP22 (Promoting sustainable design and construction);
- DP24 (Securing high quality design);
- DP25 (Conserving Camden's heritage);
- DP26 (Managing the impact of development on occupiers and neighbours);

Supplementary Planning Guidance

- CPG1 (Design)(2010);

On a regional and national level the London Plan (2011) policies and the National Planning Policy Framework (March 2012) would also be relevant.

It is noted that the proposal follows on from a planning permission Ref. 2013/6346/P which was withdrawn on 26/11/2013. The key differences between the proposals are as follows:

- **Roof Additions** - The proposal would use up the existing terrace area and the height has been reduced from the previous application which had appeared as an incongruous feature.
- **Fenestration** – The proposed extension has smaller windows and less glazing as compared to the previous application.

This pre-application advice will focus primarily on the changes proposed and whether these are deemed to be acceptable.

Roof Additions

CPG 1 (Design) Roofs, Terraces and Balconies suggest that balconies and terraces should form an integral element in the design of elevations. The key to whether a design is acceptable is the degree to which the extension complements the elevation upon which it is to be located.

There is an existing informal terrace area adjacent to the stairs and hall area. This terrace looks onto the communal rear garden area. The choice of railing is more in keeping with the conservation area with the choice of metal rather than the previous glazed balcony.

The Conservation Area appraisal makes reference to extensions and conservatories needing to maintain the balance and harmony of a property or group of properties. The step down in the front elevation in the linked pairs of semi-detached houses is original and is an integral feature of the property which the Council would seek to retain, especially when considered in the context of the overall terrace, which curves gently along Regents Park Road. The application property is one which is considered to make a positive contribution to the Conservation Area.

Both CPG1 paragraph 4.19 and the Conservation Area appraisal note that conservatories should be located at ground or basement levels and only in exceptional circumstances would they be allowed on upper levels. This is not considered an exceptional circumstance that would warrant supporting the proposal. I advise it would be an in principle objection to the addition of a conservatory to an upper level of the application building. Although the current design is smaller in appearance than the previous proposal and would be less visible from the road side than the previous proposal, the revised proposal is not considered an acceptable form of development. The proposed glazed roof extension would be visible from all higher levels of buildings opposite and behind, which is not acceptable. The views of the terrace within the Conservation Area are relevant material considerations, not just public views. I consider the proposal would conflict with policies CS14 – Promoting high quality places and conserving our heritage and DP25 – Conserving Camden's heritage and would not be supported were it to be submitted as a planning application.

Neighbours Amenity

The conservatory would provide a private outdoor amenity space which differs from the existing situation where the only garden space is for the ground floor flat. The conservatory would face onto the rear garden and this may lead to overlooking opportunities for this property. The conservatory has been positioned away from the existing rear elevation this is due to the existing light well. The positioning should help to reduce overlooking opportunities. The neighbour at no. 50 has a similar layout but the window on the side elevation is to the stairs. This neighbouring property is used as a single family dwelling house which has access to a rear garden area and the adjacent roof space to the side of the house at third floor level is not accessible. The proposal would see the addition of a boundary wall to protect the privacy of this neighbour.

Conclusion

For the reasons listed above the proposal is considered to be unacceptable in principle. The property is identified as making a positive contribution to Primrose Hill Conservation Area. Guidance should be taken from the Primrose Hill Conservation Area statement. This clearly sets out what is acceptable in the Conservation Area. It is not considered that an extension/ structure of this type would be acceptable in this location.

Please note that the information contained in this letter represents an officer's opinion and is without prejudice to further consideration of this matter by the Development Control section or to the Council's formal decision.

I trust this information is of assistance. Should you have any further queries please do not hesitate to contact me by telephone on 020 7974 5142.

Yours sincerely,


Olivier Nelson
Planning Officer – West Area Team



High level glimpsed view from corner of Kingstown Street and Princess Road of the rear of Regent's Park Road. The site is not visible in this view




High level glimpsed view of the rear of Regent's Park Road from Kingstown Street. The site is not visible in this view.

Project	48a Regents Park Road	LPA	London Borough of Camden	Indigo Planning Limited Swan Court Worple Road London SW19 4JS T 020 8605 9400 F 020 8605 9401 info@indigoplanning.com	
Title	Appendix 4	Date:	04.07.14		
Client	Wilton Studio Ltd	Project No:	20740001		
		Drawing	20740001/P08		
		Drawn By:	TH		



High level view from 21 Fitzroy Road looking towards Regent's Park Road. The site is behind the large tree in the middle of the image. It is clear that there is little rhythm to the rear elevations and a reading of the gabled roof profiles would not be disturbed

Project	48a Regents Park Road	LPA	London Borough of Camden	Indigo Planning Limited Swan Court Worple Road London SW19 4JS
Title	Appendix 4	Date:	04.07.14	
Client	Wilton Studio Ltd	Project No:	20740001	
		Drawing	20740001/P09	T 020 8605 9400
		Drawn By:	TH	F 020 8605 9401
				info@indigoplanning.com

1. The first part of the report, which is the most important, is the introduction. This part should be written in a clear and concise manner, and should provide a brief overview of the main points of the report.

2. The second part of the report is the body. This part should be written in a clear and concise manner, and should provide a detailed analysis of the data and the results of the study.

3. The third part of the report is the conclusion. This part should be written in a clear and concise manner, and should provide a summary of the main findings of the study.

4. The fourth part of the report is the references. This part should be written in a clear and concise manner, and should provide a list of the sources used in the study.

5. The fifth part of the report is the appendix. This part should be written in a clear and concise manner, and should provide additional information that is relevant to the study.

6. The sixth part of the report is the bibliography. This part should be written in a clear and concise manner, and should provide a list of the sources used in the study.

7. The seventh part of the report is the index. This part should be written in a clear and concise manner, and should provide a list of the topics covered in the report.

8. The eighth part of the report is the glossary. This part should be written in a clear and concise manner, and should provide definitions for the key terms used in the report.

9. The ninth part of the report is the list of figures. This part should be written in a clear and concise manner, and should provide a list of the figures included in the report.

10. The tenth part of the report is the list of tables. This part should be written in a clear and concise manner, and should provide a list of the tables included in the report.

11. The eleventh part of the report is the list of abbreviations. This part should be written in a clear and concise manner, and should provide a list of the abbreviations used in the report.

12. The twelfth part of the report is the list of acronyms. This part should be written in a clear and concise manner, and should provide a list of the acronyms used in the report.

13. The thirteenth part of the report is the list of symbols. This part should be written in a clear and concise manner, and should provide a list of the symbols used in the report.

14. The fourteenth part of the report is the list of units. This part should be written in a clear and concise manner, and should provide a list of the units used in the report.

15. The fifteenth part of the report is the list of equations. This part should be written in a clear and concise manner, and should provide a list of the equations used in the report.

16. The sixteenth part of the report is the list of figures. This part should be written in a clear and concise manner, and should provide a list of the figures included in the report.

17. The seventeenth part of the report is the list of tables. This part should be written in a clear and concise manner, and should provide a list of the tables included in the report.

18. The eighteenth part of the report is the list of abbreviations. This part should be written in a clear and concise manner, and should provide a list of the abbreviations used in the report.

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21. The twenty-first part of the report is the list of units. This part should be written in a clear and concise manner, and should provide a list of the units used in the report.

22. The twenty-second part of the report is the list of equations. This part should be written in a clear and concise manner, and should provide a list of the equations used in the report.

Appeal Decisions

Site visit made on 13 January 2014

by Ava Wood Dip Arch MRTPI

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

Decision date: 30 January 2014

Appeal A: APP/E5900/E/13/2199056

Club Row Building, Rochelle Centre, Club Row, Arnold Circus, London E2 7ES

- 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 James Moores against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref:PA/12/02318, dated 8 August 2013, was refused by notice dated 22 March 2013.
 - The works proposed are internal and external alterations (including rear extension) to Club Row Building plus alterations to boundary wall, associated with proposed change of use of building.
-

Appeal B: APP/E5900/A/13/2199055

Club Row Building, Rochelle Centre, Club Row, Arnold Circus, London E2 7ES

- 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 James Moores against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref: PA/12/02317, dated 8 August 2012, was refused by notice dated 22 March 2013.
 - The development proposed is change of use of building from D1 to mixed A1/B1/D1 use, plus extension to rear, internal alterations (including installation of mezzanine floorspace and new staircases), external alterations (including new doorways and windows and roof parapet raising and roof replacement) and alterations to Club Row boundary wall.
-

Decisions

Appeal A

1. The appeal is allowed and listed building consent is granted for internal and external alterations (including rear extension) to Club Row Building plus alterations to boundary wall, associated with proposed change of use of building at Club Row Building, Rochelle Centre, Club Row, Arnold Circus, London E2 7ES in accordance with the terms of the application Ref: PA/12/02318, dated 8 August 2013, and subject to the conditions listed in Schedule A.

Appeal B

2. The appeal is allowed and planning permission is granted for change of use of building from D1 to mixed B1/D1 use, plus extension to rear, internal alterations (including installation of mezzanine floorspace and new staircases), external alterations (including new doorways and windows and roof parapet raising and roof replacement) and alterations to Club Row boundary wall at Club Row Building, Rochelle Centre, Club Row, Arnold Circus, London E2 7ES, in accordance with the terms of the application, Ref: PA/12/02317, dated 8 August 2013, and subject to the conditions listed in Schedule B.

Preliminary Matters

3. A letter dated 26 June 2013 was sent to the Planning Inspectorate on behalf of the appellant requesting that Appeal B be considered on the basis of a change of use from Class D1 (non-residential institution) to mixed Class B1(business)/D1¹. In other words the description is to be amended to remove reference to A1 (shop use). I have complied with this request on the basis that it would not amount to a material departure from the application determined by the Council, and no one's interest would be prejudiced by me proceeding in this way.
4. The appeal building is listed as Grade II. The boundary wall is also listed Grade II in its own right. The fact that the building and wall are identified for their group value does not diminish the statutory protection accorded to them under Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. In fact, the first main issue I identify is worded along the lines of the duty imposed by the aforementioned sections of the Act.
5. I note the comments from third parties questioning the accuracy of English Heritage's up dated list description entry for the building. However, as with all list entries, it is supposed to be "...a broad summary highlighting the principal salient features of a building without – save under very special circumstances- attempting to catalogue the minutiae of its design construction etc".² The description is a useful starting point in this appeal, as it records the reasons for the building's designation, its history and briefly delves into details of materials, the plan, exterior treatment and internal features. The heritage assessment and reports presented in evidence on behalf of the appellant and by third parties are also material to my consideration of the appeals.

Main Issues

6. The main issues applying to both appeals (and considered together in my reasoning) are:
 - Whether the proposal would preserve the listed building and boundary wall or their settings or any features of special architectural or historic interest they possess.
 - The effect the change of use and works of alterations/extension to the building and wall would have on the character and appearance of the Boundary Estate Conservation Area.

¹ Town and Country Planning (Use Classes) Order 1987

² English Heritage Advice Report of 29 July 2013

Reasons

Listed Building Issue

7. The list entry refers to the appeal building as the former Nichol Street Infant School for that is what it was originally constructed for and opened in 1879 by the School Board for London (SBL). It was in use for educational purposes until the 1970s and is currently used for a variety of arts/education related exhibitions and events. The authorised use falls under Class D1. The single storey infant school was built alongside a larger school to the north for older boys and girls. Both were designed by the SBL's chief architect ER Robson. The building to the north has been altered and extended and is fully occupied by a range of businesses. The former bike shed within the school compound has been converted for use as a café for those working on the site (known as the Rochelle Centre).
8. The substantive areas for considering the proposal's impact arise from the following elements of the appeals scheme:

Internal

- alterations to plan form
- introduction of mezzanine levels

External

- replacement roof and parapet extension
 - rear infill extension
 - alterations to window openings to west elevation
 - changes to boundary wall
9. The ground floor layout of the former school building comprises a central block containing a large and undivided schoolroom with two cross-walls with archways. The shared schoolroom occupies the middle eight bays of the 10-bay building. The north and southern wings were designed to accommodate two identical classrooms each. At the back of the central block there is a pair of single storey ancillary blocks and a central stair tower providing access to the fully covered flat roof or what was originally intended as a roof-top playground for the infants attending the school.
 10. The appeal scheme retains the cellular arrangement of the double classroom wings. The ancillary blocks would also remain in much the same form as they are now at ground level, but added to at first floor level to create the accommodation and terrace at upper levels.
 11. Loss of the arched cross-walls at either end of the schoolroom and insertion of a new partition at the northern end of the room would alter the symmetrical arrangement and concept of the shared schoolroom. The schoolroom is a principal feature around which the plan revolves. The sub-divisions at each end reflect teaching practices of the time. Altering the space and re-dividing it in the way proposed would therefore disrupt the integrity of the building's plan form.

12. The proposed mezzanine floors can be accommodated in the smaller wings without serious repercussions to the way those spaces would be perceived. The mezzanine floor in the schoolroom would obstruct part of the double height space but the sense of this lofty central space lit by tall windows would be largely retained. The non-structural lattice timber brackets lost to accommodate the mezzanine in the central space would be retained in the building but relocated elsewhere. In essence, that element of the historic fabric is to remain in the building albeit not in its original position.
13. Turning to the roof. The original playground (or exercise ground) is fully covered by an open roof structure with wrought iron trusses. Parts of the roof have been rebuilt in timber. The roof covering is corrugated sheet metal that replaced a zinc finished roof. The proposal to raise the parapet wall by about 1.2m and to construct a new standing seam roof would result in loss of the entire (and most likely original) roof structure, including the wrought iron trusses and truncated chimney stacks. The open plan of the top floor would be largely retained in the proposed scheme.
14. The design for the new structure, the form of the roof and standing seam covering have been carefully considered and detailed to provide what would be a sympathetic addition to the building. To my mind and eye, the shape of the new roof would improve the proportions and therefore appearance of the building. The design has the added advantage of a concealed gutter system and maximising use of a largely redundant space. The benefits described would compensate for loss of the original roof structure which incidentally is said to be causing some of the building's structural and water ingress problems. The external steel bars to the windows (proposed to be retained) would provide a link to the playground use at that level but without materially affecting modern day usage of the space.
15. The rear infill extension would conceal the high level semi-circular windows on the eastern side of the schoolroom. Internally the effect would be negligible once the new mezzanine is inserted into the schoolroom but it would alter the building's eastern elevation. Despite the extension, and terrace running the length of the eastern elevation, however, the stair tower would retain its prominence. Because of its narrow depth and positioning, the infill would represent a subservient addition without detracting from the dominance of the tower or the two book-end blocks on the eastern elevation.
16. Of the 10 tall windows on the building's west facing elevation, four are to be extended to form entrance doors contained within the width of existing openings. While the new doors would signify a departure from the building's original use, their designs and proportions would be in keeping with the existing windows. The elevation would be relatively unaltered by the new doors, given that the familiar and recognisable 10-bay arrangement would be wholly retained. While I accept that it is important to retain timber windows on the main ground floor elevations, I see no harm in the use of metal windows in the new infill section at the rear or at top level where they would be concealed behind bars, provided that the external colour and size of sections of the frames and glazing bars match those on existing windows.
17. The boundary wall on the Club Row frontage is to be altered by replacement of non-original infill sections of brickwork with metal railings, a new opening created towards the southern end of the site and an existing one enlarged at

the northern end. Otherwise the wall is to remain in place marking its alignment with the planning and building of the Boundary Estate after the school was constructed. The works would improve visibility of the school building. Loss of parts of the original masonry would be outweighed by reinstatement of the remaining sections of the wall to what is likely to be its original form. The works to the wall, removal of outbuildings plus new landscaping would transform the setting of the building for the better.

18. Drawing together my observations in relation to the listed building issue; I note that the many letters sent in response to the appeals, and before that to the applications, confirm people's strong attachment to the building and the part it plays in the area's history. There may be some dispute over whether it is unique or the best surviving example of Robson's single storey model, but that debate should not detract from its appeal or the interests for which it is listed. Objectors to the proposed scheme argue that the proposal would result in loss of unique historic and architectural elements of the former school and that alternative viable means to preserve it must be sought.
19. The evidence and my own inspection confirm that the appeal building is not in a good state of repair. Significant investment in the fabric and refurbishment of the building is necessary to bring it to a standard that would secure its long term future viably. I would go so far as to agree with the appellant that its current condition most likely precludes optimum viable use of the building.
20. I find that the scheme has been designed to be respectful of the building and its history. Despite the internal and external alterations proposed, and loss of some historic fabric, features that go to the heart of the building's integrity and historic value would be retained. In other words, its external appearance, form, the architecture and internal arrangements would remain substantially unaltered. Even with loss of the cross-walls and changes to the schoolroom identified earlier, when looked at in the round, the special architectural and historic interests would be preserved. If harm is caused, it would fall in the "less than substantial" category.
21. The former school building lends itself to the mix of B1 and D1 uses intended, and which have the potential to generate sufficient revenue to be assured of its long term prospects. The repairs and refurbishment urgently needed would inevitably follow from implementation of the proposed scheme. It would also maximise occupation of a building that through under-use and under-investment has suffered from serious neglect. The works would breathe new life into the building. That is not to suggest that the scheme before me is the only viable or appropriate option. But this particular proposal is acceptable for the limited harm it would cause to the significance of the listed building and boundary wall, which, in any event, would be outweighed by the public benefits of repairs, refurbishment and viable use of the building.

Conservation Area Issue

22. In identifying the character of the late C19 planning Boundary Estate I turn to the Council's Character Appraisal which describes it as "...defined by the semi-formal, late C19 housing estate which is made up of purpose built housing blocks." The prevailing character is residential and commercial uses are confined mainly to Calvert Avenue. However, on Club Row, in addition to the Rochelle Centre, there are commercial properties and the St Hilda's Community Centre.

23. The appeal site is situated on the edge of the Central Activity Zone, promoting a vibrant mix of uses. It is well located to accommodate the small scale B1 and D1 uses intended. The uses would complement the businesses already present on the site, as well as reflect the cultural based activities in Shoreditch generally. It would not be appropriate to allow the full range of D1 uses to operate from the premises, given the proximity of residential properties and in the interest of preserving the cultural/arts/educational appeal of the building. A condition along the lines of that indicated in the officer's report to committee would ensure that the D1 uses intended (as articulated in the Council and appellant's evidence) are secured. With the condition in place, the character of the conservation area would remain unharmed by the B1/D1 uses proposed.
24. As for visual impact; the new roof would be far more visible than the current low profile metal clad roof it would replace. Yet, in the context of the 4-5 storey blocks that are characteristic of this conservation area, the building would neither appear over-dominant nor out of place. Furthermore, improvements to the building's appearance by virtue of the new roof plus its refurbishment and upgrade would enhance the already valuable contribution it makes to the streetscene. Opening up views of the school building by the intended works to the boundary wall would also help increase its presence in the street, to the benefit of the area's appearance, which would be enhanced.

Conclusions

25. In coming to the conclusions I have on the main issues, it follows that the proposal for planning permission and listed building consent would accord with the Council's Core Strategy Policy SP10 and its broad aims of protecting and enhancing heritage assets. It would also comply with the Development Management and Unitary Development Plan Policy DM27 and Policy DEV37 respectively, which provide more detailed control over developments affecting heritage assets or listed buildings. The proposal accords with the development plan in those respects and also with policies aimed at achieving high quality design. It meets the Government's National Planning Policy Framework of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. No other matters raised are sufficient to alter the balance of my considerations or my decision to allow the appeals.

Conditions

26. The conditions I impose are based on those suggested by the appellant and the Council but reworded to accord with advice in Circular 11/95.
27. The listed building consent is accompanied by a condition specifying the approved plans for the avoidance of doubt and in the interest of proper planning. To be assured that the works of construction and alterations are implemented to standards appropriate to the quality of the listed building and the listed wall, conditions are imposed to give the local planning authority sufficient control over external materials of construction, windows, the mezzanine floors, doors, gates and railing details, works of making good, and repairs to existing fabric and finishes. As the works will involve loss of fabric, a condition is imposed to record the parts of the building or wall to be removed.

28. On the planning permission the approved drawings are specified. Again, for the avoidance of doubt and in the interest of proper planning. For reasons given above, a condition restricting the D1 use is imposed.
29. In the interest of protecting the appearance of the listed building, a condition is imposed to control external facing materials and for control over details that affect the external appearance of the building and the wall. Landscaping condition are necessary to ensure that the areas around the building and boundaries are completed to a high standard, in the interest of the setting of the listed building and wall. As existing trees on the site will not be affected, I have removed reference to them in the condition. A condition is imposed to control the positioning of refuse storage, recycling facilities and to address cycle parking on site, to ensure a satisfactory appearance to the site and to accord with local policy requirements.
30. To enable safe access into and out of the site, a condition is included requiring the access points to be completed in accordance with an approved scheme. To accord with Policy DM24f of the Managing Development Document I have included a condition that would require approval of surface water drainage arrangements. Finally, to protect neighbours' living condition the hours of construction are restricted to the times indicated in the suggested condition.

Ava Wood
INSPECTOR

Schedule A – Listed Building Consent Conditions

- 1) The works hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Schedule of Plans set out at the end of the lists of conditions.
- 3) Notwithstanding Condition 2, the works hereby permitted shall not commence until the details, including samples where appropriate, of the following items have been submitted to and approved in writing by the local planning authority:
 - All external facing materials.
 - New windows and doors.
 - Gates and railings to the boundary wall.The works shall be carried out in accordance with the approved details and retained thereafter.
- 4) All new external and internal works and works of making good shall match the existing in respect of materials, detailed execution and finished appearance, except where indicated on the approved plans or as required by other conditions.

- 5) The works hereby approved shall not commence until method statement/s have been submitted to and approved in writing by the local planning authority detailing the following:
- The repair and cleaning of existing brickwork and stonework.
 - Repair and /or replacement of existing windows.
 - Construction and insertion of the mezzanine floors.
 - Removal and relocation of brackets removed from the schoolroom.
 - Repair and retention of existing woodblock flooring.
- The works are to be undertaken in accordance with the approved method statements.
- 6) The works hereby approved shall be carried out in accordance with a programme approved in writing by the local planning authority for notifying the local planning authority and giving reasonable access to a person/body nominated by the local planning authority for the purpose of recording the parts of the fabric of the building to be demolished or lost as a result of the consented works being undertaken.

Schedule B – Planning Permission Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Schedule of Plans set out at the end of the lists of conditions.
- 3) The Class D1 premises shall be used for art gallery, museum and exhibition space in association with cultural and educational uses and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
- 4) Notwithstanding Condition 2, the development hereby permitted shall not begin until the details, including samples where appropriate, of the following items have been submitted to and approved in writing by the local planning authority:
- All external facing materials.
 - New windows and doors.
 - Gates and railings to the boundary wall.
- The works shall be carried out in accordance with the approved details and retained thereafter.
- 5) Development shall not begin until details of surface water drainage works have been submitted to and approved in writing by the local planning authority. The drainage shall be carried out in accordance with the approved details.

- 6) Notwithstanding Condition 2, no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include means of enclosure and hard surfacing materials.
- 7) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
- 8) No development shall take place until a scheme for cycle parking, refuse storage and recycling facilities on site, to accord with Appendix 2 Standards of the Tower Hamlets Managing Development Document 2013, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 9) No development shall take place until details of the new vehicular access and any associated reconstruction/resurfacing of the adjacent carriageway/footway have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 10) The works of construction required to carry out the development permitted shall only take place between the hours of 0800 and 1800 Monday to Fridays, 0800 and 1300 on Saturdays and not at all on Sundays and Bank Holidays.

END OF CONDITIONS

Schedule of Plans (all with prefix QA105)

- Site location plan 001 Rev D
- Existing ground floor 101 Rev E
- Existing first floor 103 Rev F
- Existing roof plan 104 Rev F
- Existing north and south elevation 110 Rev F
- Existing east and west elevation 111 Rev F
- Existing street elevation 112 Rev B
- Existing section 120 Rev C
- Proposed ground floor plan 201 Rev F
- Proposed ground floor plan 201 Rev, dated 29/01/13 showing indicative cycle storage options
- Proposed mezzanine plan 202 Rev F
- Proposed first floor plan 203 Rev F
- Proposed roof plan 204 Rev F

- Proposed north and south elevation 210 Rev D
- Proposed east and west elevation 211 Rev D
- Proposed street elevation 212 Rev C
- Proposed textured west elevation 213 Rev A
- Proposed section A-A 220 Rev C
- Proposed section roof and window details 230 Rev D
- View of proposed Club Row 240 (indicative)

indigo