



Appeal Decision

Site visit made on 7 October 2014

by **D J Board BSc (Hons) MA MRTPI**

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

Decision date: 15 October 2014

Appeal Ref: APP/X5210/A/14/2223652

30 Oval Road, London, NW1 7DE

- 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 Jones Knowles Ritchie against the decision of the Council of the London Borough of Camden.
 - The application Ref 2013/7390/P, dated 15 November 2013, was refused by notice dated 20 February 2014.
 - The development proposed is installation of security roller shutter to entrance (west) elevation.
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Decision

1. The appeal is allowed and planning permission is granted for installation of security roller shutter to entrance (west) elevation at 30 Oval Road, London, NW1 7DE in accordance with the terms of the application, Ref 2013/7390/P, dated 15 November 2013, subject to the following condition:
 - 1) Unless within 3 months of the date of this decision a scheme for the internal lighting of the reception/security area shown on drawing JKR218/WD01/001J when the security roller shutter is drawn down, including confirmation of the hours when it will be drawn down, is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within 3 months of the local planning authority's approval, the use of the security roller shutter shall cease until such time as a scheme is approved and implemented; and if no scheme is approved within 6 months of the date of this letter, the use of the security roller shutter shall cease until such time as a scheme approved by the local planning authority is implemented.

Procedural

2. As noted in the description of development, the security roller shutter has already been erected. The appeal, therefore, relates to an application which seeks planning permission for the installation of a security roller shutter to entrance.
3. The description of development refers to a security roller shutter. Part 9 of the application form and the submitted plans refer to two parts of the shutter covering the entrance door (1) and the window (2). These two parts are contained in one shutter box and when drawn down would comprise a shutter about 8.55m in width on the west elevation. I have considered the appeal on this basis.

Main Issue

4. The main issue is whether the security roller shutter would preserve or enhance the character or appearance of the Regents Canal Conservation Area (CA).

Reasons

1. The appeal premises are a 4-6 storey building. The ground floor is in office use with flats above. The security roller shutter is in association with the ground floor office use. The building is located on the north side of the canal towpath in a prominent location within the CA. Whilst the shutter was not drawn down at the time of my visit, it has been possible to reach a balanced decision from the submitted documents, plans and photographs.
2. Although the building is not protected by any heritage designation the Regent's Canal Conservation Area Statement (CAS) identifies that No 30 Oval Road makes an important positive contribution to the character and appearance of the CA. It is an attractive building that has been sympathetically redeveloped. Within the CAS it is located in 'sub area one'. The overall character of this part of the CA is identified as open and accessible.
3. Roller shutters provide a high level of security but I acknowledge that there are negative aspects to such installations. These include their susceptibility to graffiti and their inability to reflect light. As the Council report suggests internal shutters or open grill designs are often the preferred solution for these reasons. In this case the building already has an alarm system, security cameras and internal security shutters on other parts of the building. Further, whilst not decisive, the appellant indicates that since the installation there has not been graffiti on the shutter. In this case there are recorded instances of burglaries including threats to staff and residents with alternative measures already in place.
4. It would be in the interests of the business to maintain an attractive frontage. The appellant has indicated that the shutters would only be drawn down between 2330-0700 Monday to Friday and from 1700 on a Saturday through to Monday at 0700. Outside these times the shutters would be retracted and the open glazed frontage would be displayed. This was the case at the time of my visit.
5. The ground floor entrance and glazing are set back behind the upper floors and balconies of the building. There are a number of metal columns supporting these floors which are located in front of the glazing. The security roller shutter is installed in a shutter box positioned directly below the back of the overhang created by the upper floors of the building. Further the dark grey colour assists in the box being read as part of the overall building frontage when the shutter is open. Therefore when retracted, it is hardly noticeable on the front elevation of the building, due to the set back position, its colour and the presence of the large columns to the front of the building all of which serve to lessen its impact when viewed from Oval Road.
6. When down, the shutter will impact on the appearance of the building. However, whilst I note they are small, the perforations will allow some view into, and light from, the building rather than creating a dead frontage. Whilst this would not allow clear views into the building it would allow light through

from the reception area, which the appellant submits is lit at night, when the shutter is drawn down. The detail of lighting could be secured by condition. This would give views into the building behind and create an interaction with the street. Further the photographs demonstrate that the subdivision of the glazing would also remain visible. The fact that they would have a grey powder-coated finish would enhance the appearance, tie into the existing detail of the building and means that, whilst obviously functional, it would not materially detract from the quality of the west elevation of the building, which at ground floor is clearly commercial in nature.

7. The overall impression of the building would remain of a substantial building with a commercial frontage at ground floor level. This elevation is not visible from the canal side. Whilst the ground floor frontage is visible from Oval Road the time when the shutters would be closed would primarily be late in the evening and overnight. Any views of the shutter drawn down would be limited by the set back of the ground floor frontage and the presence of the large columns. Considering these factors and the material finish I do not consider that the shutter would be out of place on this part of the building or harmful to the character and appearance of the area. Therefore, in my judgement, the proposed additions would have a neutral effect on the character, appearance and setting of the CA and so would preserve it.
8. Therefore it would not conflict with policy CS14 of the Core Strategy and policies DP24 and DP25 of the Camden Development Policies (DP) which amongst other things seek to ensure that buildings are attractive, safe and easy to use and also require alterations to existing buildings to consider the character and proportions of the buildings, the materials to be used and preserve and enhance the character and appearance of Conservation Areas. It would not conflict policy DP30 of the DP which refers to new and altered shop fronts.

Other matters

9. I have carefully considered the additional representations made by near neighbours. In particular it is suggested that the scheme would cause a reduction in the value of the residential properties in the building. I have not seen any convincing evidence that this would be the case.

Conditions

10. The shutter is already in place and the Council has not suggested any conditions but for the reasons stated above I have included one requiring the detail of the lighting when the shutter is drawn down to be agreed.

Conclusion

11. For the above reasons and having regard to all other matters raised I conclude that the appeal should be allowed.

D J Board

INSPECTOR

