
Appeal Decision

Site visit made on 8 December 2014

by Peter Rose BA MRTPI DMS MCM1

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

Decision date: 22 December 2014

Appeal Ref: APP/X5210/A/14/2226097
110 Gloucester Avenue, London NW1 8HX

- 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 the Primrose Hill Business Centre against the decision of the Council of the London Borough of Camden.
 - The application Ref 2014/1062/P, dated 10 February 2014, was refused by notice dated 3 July 2014.
 - The development proposed is addition of an external staircase to the rear of the building. Addition of curtain walling to provide sheltered enclosure to external staircase. Roof extension and alteration to rear building to create additional office space, including roof lights. Addition of windows and alterations to existing windows and doors.
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Decision

1. The appeal is allowed and planning permission is granted for addition of an external staircase to the rear of the building, addition of curtain walling to provide sheltered enclosure to external staircase, roof extension and alteration to rear building to create additional office space, including roof lights, and addition of windows and alterations to existing windows and doors at 110 Gloucester Avenue, London NW1 8HX in accordance with the terms of the application, Ref 2014/1062/P, dated 10 February 2014, and subject to the conditions set out in the attached schedule.

Procedural Matter

2. The appellant and the Council have each confirmed that the relevant plans should include revised drawings Ref 339-150P7, 339-152P6 and 339-163P. I consider the appeal on that basis.

Main Issue

3. The main issue is the effect of the proposed development, by reason of its form, height, bulk, massing and detailed design, upon the character and appearance of the host site and surrounding area, and with particular regard as to whether the scheme would preserve or enhance the character or appearance of the Primrose Hill Conservation Area.

Reasons

4. The appeal site comprises a collection of buildings occupied as a business centre. The site is accessed from Gloucester Avenue and includes an

- undercroft serving two commercial buildings with an intervening courtyard to the rear of, and enclosed by, the main terrace. Beyond the rear premises further to the north is an adjacent railway line. The western building is the older of the two rear commercial buildings and is in a poor state of repair. It contains a double-pitched roof with the roof slope running parallel to the courtyard. The eastern building is a more contemporary industrial building with a pitched roof running perpendicular to the main elevation. The rear buildings are jointly occupied and offer three floors of accommodation.
5. The site forms part of the Primrose Hill Conservation Area. This part of Gloucester Avenue is characterised by impressive period buildings, predominantly in residential use. The site is referred to in the Council's Primrose Hill Conservation Area Statement (the Conservation Area Statement) as the 'Primrose Hill Workshops' and is identified as making a positive contribution to the Conservation Area and as having value as a local landmark. I note, however, that references by the Council to any particular historic significance of the site, and to its use as part of a mews, are disputed in evidence from the appellant.
 6. The scheme would involve extensive works to the rear buildings. These include replacement of the existing double-pitch roof to the western building, raising of the eaves, extending the upper level of the western building across the eastern building, provision of rooflights, and enclosure and associated alterations to the existing front external staircase. The design seeks to respond to the character and appearance of the Conservation Area by retaining a double-pitched roof with height and gradient in line with adjacent developments and by altering the roof of the adjacent, more modern eastern building to create a unified development but with contrasting roof slopes to distinguish the two buildings.
 7. I acknowledge that the existing double-pitched roof is a relatively distinguishing feature and forms part of the local heritage. Nevertheless, its condition is poor, its exposure is limited, and its setting to the rear is varied and includes a range of buildings of differing styles and forms.
 8. The Conservation Area Statement identifies the site as within an area where roof extensions and alterations which change the shape and form of the roof are unlikely to be acceptable, but subject to specified criteria. With reference to those criteria, I do not consider the works would be detrimental to the form and character of the existing building, the rear buildings do not form part of an unimpaired group or terrace, or part of a symmetrical composition. The roof also has little exposure from the public domain and the buildings are not prominent or higher than many surrounding buildings. Rather, the scheme would involve a generally sympathetic refurbishment and adaptation of the existing building and would include refurbishment of its dilapidated northern elevation facing the railway line.
 9. I also do not consider that the extent to which the eaves would be raised would be excessive or that, in the particular circumstances of the site, the extension would be overly large, or that the elevations would appear unbalanced. I have also had regard to the evidence provided by the appellant in relation to other developments in the vicinity, their contribution to the area and their relevance in design terms to the scheme proposed.
 10. Nevertheless, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty upon me to give special attention to the

desirability of preserving or enhancing the character or appearance of the Conservation Area. There is a clear presumption in this duty that preservation is desirable, and the finding of harm to the character of a heritage asset, such as a Conservation Area, is a consideration to which I must attach considerable importance and weight.

11. In this context, I note that the Primrose Hill Conservation Area Advisory Committee (the Advisory Committee) considers that the buildings to the rear add visual interest to the Conservation Area by contrasting in their variety, roofline and detailing with the formal terraces of Gloucester Avenue. Notwithstanding the contrasting treatments of the roofs and eaves as proposed, I share the concerns, of both the Advisory Committee and the Council, regarding the need to maintain a satisfactory visual distinction between the two buildings so as not to undermine that character.
12. The Framework encourages the use of conditions in planning decisions to make unacceptable development acceptable. I have noted the appellant's offer to amend the main south-facing elevation in relation to materials and other detailing so as to provide a further degree of visual differentiation between the two buildings. I am satisfied that such a requirement could be considered which would effectively mitigate the limited harm to the Conservation Area otherwise arising from the current design but without changing the nature of the scheme so as to prejudice any other interests, and without undermining the uniformity of that elevation. Accordingly, subject to such a condition, I do not find that the proposed development would fail to preserve or enhance the character or appearance of the Conservation Area.
13. Even in the absence of such a condition, however,, the appeal building and the scale of development are sufficiently modest such that the harm identified to the significance of the Conservation Area arising from the detailing as currently proposed would be less than substantial, and particularly so given the relatively enclosed nature of the site. The National Planning Policy Framework (the Framework), would require such harm to be weighed against the public benefits of the scheme.
14. In terms of the planning balance required by the Framework, I note the appellant's suggestion that there is a shortage of office space in the locality and that the centre provides an important source of serviced, small-scale office space for small and up-coming businesses. The service provided for the local community would clearly benefit from the improved and expanded accommodation and I further note the Advisory Committee's concern to support the proposed increase in employment space. The existing tired appearance of the building which is visually detrimental to the local area would also be addressed. On balance, I therefore find that, in any case, these public benefits would be sufficient to outweigh the slight degree of visual harm to the Conservation Area.
15. The appellant also suggests a potential threat to the centre caused by delay in refurbishment. Furthermore, I have regard to the Framework's commitment to securing economic growth in order to create jobs and prosperity, and am mindful that the Framework encourages support for existing business sectors.
16. The rear elevation would only be visible from the railway line and the scheme would involve a sympathetic repair and upgrade of that frontage, including in its use of materials. I find no harm to the Conservation Area in that regard. I

similarly find no harm arising from the proposed rooflights, entrance alterations or other works.

17. I therefore conclude that the proposed development, by reason of its form, height, bulk, massing and detailed design, would not fail to preserve or enhance the character or appearance of the Conservation Area and would not be harmful to the character and appearance of the host site and surrounding area. Accordingly, I consider the proposed development would not be contrary to Policy CS14 of the London Borough of Camden Local Development Framework Core Strategy 2010-2025, or to Policy DP24 and Policy DP25 of the London Borough of Camden Local Development Framework Development Policies 2010-2025. These seek, amongst other matters, to ensure that development is of the highest standard of design, respects local context and character, and preserves and enhances the character and appearance of the Conservation Area. The Framework also recognises that heritage assets such as Conservation Areas are an irreplaceable resource and requires them to be conserved in a manner appropriate to their significance.

Other Matters

18. I have had regard to all other matters raised, including the various other observations offered by the Advisory Committee.
19. I have had regard to all other policies and guidance quoted, and to the Mayor of London's Revised Early Minor Alterations to the London Plan published on 11 October 2013, and to the Draft Further Alterations to the London Plan January 2014.
20. I have noted that the Council does not consider the scheme would be harmful to the living conditions of nearby occupiers and, having considered the relationship of the development in that regard, I find little reason to conclude otherwise.
21. I have also noted the references of both the main parties to various on-going, informal discussions.
22. None of the other matters raised are of such significance, either individually or collectively, that they would outweigh the considerations that have led to my conclusions on the main issue.

Conditions

23. I have noted the list of conditions suggested by the Council. Nevertheless, I must have regard to the advice set out in both the government's Planning Practice Guidance (the Guidance) and in the Framework in terms of both the need for individual conditions and of appropriate wording.
24. For the avoidance of doubt and in the interests of proper planning, a condition is imposed to ensure the development is undertaken in accordance with the relevant drawings.
25. As suggested by the appellant, a condition is imposed requiring revised details of the main front elevation to reinforce the visual differentiation between the east and west buildings as proposed.
26. To ensure a satisfactory standard of external appearance, a condition is imposed requiring details to be agreed of external materials.

27. To promote sustainable development in the context of the additional office space to be provided, a condition requires provision of a scheme of cycle parking.
28. The Advisory Committee also suggests a condition to revoke Permitted Development Rights under Schedule 2, Part 3, Class J of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Whilst I recognise the particular characteristics of the site, I am not convinced that the circumstances of the scheme are so exceptional for such a general restriction to be necessary or reasonable in this instance.

Conclusion

29. For the above reasons, and with regard to all other matters raised, I conclude the appeal should be allowed.

Peter Rose

INSPECTOR

SCHEDULE OF 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 following approved plans: 339-001, 339-099P4, 339-100P5, 339-101P4, 339-102P4, 339-150P7, 339-151P4, 339-152P6, 339-160P5, 339-161P6, 339-162P5, and 339-163P5.
- 3) Notwithstanding the details shown on the drawings referred to in Condition 2, a scheme of revised detailing within the proposed main front elevations of the east and west rear buildings shall be submitted to and be approved in writing by the local planning authority. The amendment shall include proposals for materials and other detailing such as to provide further visual distinction between the two buildings. No development shall take place until such time as relevant details have been approved in writing by the local planning authority and the development shall be undertaken in accordance with the particulars as approved.
- 4) No development shall take place until full details, including samples, of all materials to be used in the construction of all external surfaces of the development hereby permitted, and including details of all doors and windows, have been submitted to and been approved in writing by the local planning authority, and the development shall be carried out in accordance with the details as approved.
- 5) No development shall take place until details of a scheme for cycle parking have been submitted to and been approved in writing by the local planning authority. The development shall be carried out in accordance with the details as approved and the parking shall be available for use prior to occupation of the additional office space hereby approved and be thereafter retained.