
Appeal Decision

Site visit made on 18 April 2016

by H Baugh-Jones BA(Hons) DipLA MA CMLI

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

Decision date: 12 May 2016

Appeal Ref: APP/X5210/W/15/3140654

20 The Old Nick, Sandland Street, London WC1R 4PZ

- 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 Marsa Holdings LTD against the decision of the Council of the London Borough of Camden.
 - The application Ref 2015/1562/P, dated 16 March 2015, was refused by notice dated 16 June 2015.
 - The development proposed is erection of mansard roof extension to provide 1 x studio at third floor level and 1 x 2 bed maisonette at third and fourth floor level.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are (i) the effect of the proposal on the host building; (ii) whether the proposal would preserve or enhance the character or appearance of the Bloomsbury Conservation Area (CA); and (iii) whether, if necessary, the proposal makes adequate provision for car-free housing.

Reasons

Host building and CA

3. The appeal property is an ornate building that sits tight in between an extensive residential terrace and a large commercial building. The CA is characterised by the regimented rows of substantial terraced town houses set along wide streets. There are also a number of modern office developments. Because of the proportions of the appeal property in contrast to those of the commercial building, it shares an affinity with, the adjacent terraces. However, its appearance is markedly different resulting from its lower height and fenestration. In terms of the building's façade, its mansard roof is set back from a balustrade parapet and behind two small flat roofed dormers positioned either side of an extended lunette window.
 4. When viewed from street level, the mansard roof is therefore inconspicuous and the combination of roof features stands out in sharp contrast to the appearance of the adjoining terraces. Consequently, the appeal building is locally distinctive, which amplifies its presence in the street scene and it therefore makes a valuable contribution to the character and appearance of the CA.
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5. This existing pronounced central feature of the building has clearly been designed to be a dominant feature and it stands out against the skyline. It is a key element of the building's ornate façade and significantly assists in defining the difference in the character and appearance between the appeal building and the plainer appearance of its adjoining neighbours. The introduction of the proposed taller mansard roof would visually subsume the central feature around the lunette window and the two dormers either side. When viewed from Sandland Street, the proposed changes would result in the upper part of the building having a substantially greater and disproportionate mass, giving it a 'top-heavy' appearance. This would therefore fail to respect the character and appearance of the building, thus diminishing its contribution to the CA.
6. I recognise that the building has a much plainer rear elevation and I do not consider that the proposed changes to its appearance would be unacceptable. However, this in itself is insufficient to overcome the harm to the character and appearance of the host building and the adverse effects on the CA resulting from changes to the front of the building.
7. The CA is a designated heritage asset to which I have found that the proposal would cause harm counter to the objective to conserve Camden's heritage set out in Policy DP25 of the Camden Local Development Policies (2010) (CLDP) and with the National Planning Policy Framework (the Framework). I recognise that in the terms of the Framework, the proposal's effects would not reach the high hurdle of substantial harm to the significance of the designated heritage asset. However, though less than substantial, the Framework states that any harm to the significance of a designated heritage asset requires clear and convincing justification. Paragraph 134 of the Framework indicates that such harm is to be weighed against the public benefits of a proposal.
8. I accept that the site is in a sustainable location and would contribute to the overall housing stock in the borough in line with the development plan objective of maximising the supply of additional homes, especially those for people unable to access market housing. Nevertheless, the addition of two dwellings would make only a modest contribution to housing supply. I note that the development plan dates from 2010 and I have not been made aware of any current pressing need for dwellings of the type proposed such that this would outweigh the harm to the significance of the designated heritage asset.
9. I have also taken account of the proposal set out in the appellant's statement to refurbish elements of the building. However, whilst such improvements would be welcome, this matter does not outweigh the overall identified harm to the building and the CA.
10. For the above reasons, and in addition to those policies already mentioned, the proposal would run counter to Policy CS14 of the Camden Core Strategy (2010) (CCS) that seeks to promote high quality places and requires development to be of the highest design standard that respects local context and character. This objective is also reflected in Policy DP24 of the (CLDP), which includes alterations and extensions to existing buildings.

Car-free housing

11. The appeal building is within close proximity of a range of shops and facilities and the wide availability of public transport. Policy DP18 of the CLPD expects development to be car free in the Central London Area in order to address

congestion and encourage the use of sustainable transport options. This is further supported by the aims of CLDP Policy DP19. I observed at my site visit that the availability of parking spaces was extremely limited in the surrounding streets and therefore to exacerbate this situation by additional parking need would place an unacceptable burden on the ability of the Council to manage traffic and parking. I am therefore satisfied that the requirement for a car free development would be necessary, directly related to the development and fairly and reasonably related in scale and kind. However, there is no suitable mechanism provided by the appellant that would secure this.

12. Whilst, I note the appellant's suggestion that this could be a requirement of a planning condition, national Planning Practice Guidance is clear that such a condition would be unlikely to pass the test of enforceability. However, as I am dismissing the appeal for other reasons, I do not need to consider this matter further.

Conclusion

13. For the above reasons and having had regard to all other matters raised, the appeal does not succeed.

Hayden Baugh-Jones

Inspector