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**Our refs: 2016/1065/P & 2016/1221/L**  
**Your Refs: APP/X5210/W/16/3152963 & APP/X5210/Y/16/3152968**  
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James Bunten  
The Planning Inspectorate  
3/14  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Dear Mr Bunten,

**Town and Country Planning Act 1990**  
**Appeal by PAR Ltd**  
**Site at 8 Prince Albert Road NW1**

**Proposal: Erection of 3 storey side extension; replacement of 2 x existing windows with new doors at rear lower ground and ground floor level; and installation of new staircase from ground floor to garden level.**

### **Summary**

The appeal relates to a three storey building with lower ground floor and attic storey. The application building is a mid C19 semi-detached house which was Grade II listed in 1974. It is, in addition, listed for its group value with the detached and semi-detached villas 1 to 15 (consecutive) Prince Albert Road. The application building is attached to the semi-detached villa at no.9 Prince Albert Road, which is also Grade II Listed. No.9 was rebuilt towards the end of the 1980s following extensive war damage and features a substantial 3 storey side extension.

The application site is within Sub Area One of the Primrose Hill Conservation Area, which is east of Primrose Hill and north of Regents Park. The area is dominated by large villas set back from the highway and surrounded by substantial gardens. The original wide gaps between the pairs reinforce their spacious parkland style siting.

The surrounding area is predominantly residential in character.

Planning permission was refused on 18 April 2016 for:-

The erection of 3 storey side extension; replacement of 2 x existing windows with new doors at rear lower ground and ground floor level; and installation of new staircase from ground floor to garden level (reference 2016/1065/P).

It was refused on the grounds that:

1. The proposed side extension, by reason of its scale and siting would be detrimental to the character and appearance of the host building and the distinctive gaps between neighbouring villas which form part of the character and appearance of the conservation area in this location. The development is therefore considered contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies; and
2. The proposed alterations to the rear fenestration and the installation of a staircase would be incongruous additions to the host building which would result in the loss of historic windows and cause harm to the overall composition and proportions of the host building. The development is therefore considered contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

Listed building consent was also refused on 18 April 2016 for:-

The erection of 3 storey side extension; new internal openings between the proposed extension and original dwelling at lower ground, ground and first floor level; replacement of 2 x existing windows with new doors at rear lower ground and ground floor level; installation of new staircase from ground floor to garden level; and creation of new steps to the side and rear garden.

It was refused on the grounds that:

1. The proposed side extension, by reason of its scale and siting would be detrimental to the character, appearance and setting of the host listed building. The proposed extension therefore fails to respect the special historic and architectural interest of the listed building contrary to Policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and Policy DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.
2. The proposed internal alterations and loss of historic fabric through the creation of new openings within the existing side elevation would give an unbalanced composition and false sense of hierarchy within the plan form at ground floor level, and would therefore result in harm to the special architectural and historic interest of the listed building contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policy DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.
3. The proposed alterations to the rear fenestration and the installation of a staircase would be incongruous additions to the host building which would result in the loss of historic windows and cause harm to the overall composition and proportions of the special historical character of the listed host building, contrary to policy CS14

(Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policy DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

The Council's case is largely set out in the officer's report, a copy of which was sent with the questionnaire. In addition to this information, I would ask the inspector to take into account the following comments.

### **Status of Policies and Guidance**

The London Borough of Camden Local Development Framework was formally adopted on the 8th November 2010. The policies of relevance to the appeal scheme are set out in the delegated report and decision notice. The full text of the relevant policies was sent with the questionnaire documents.

The Council also refers to supporting guidance documents CPG1: Design and CPG6: Amenity. The Camden Planning Guidance has been subject to public consultation and was approved by the Council in July 2015.

With reference to the National Planning Policy Framework 2012, policies and guidance contained within Camden's LDF 2010 are up to date and fully accord with paragraphs 214 – 216 (Annex 1) of the NPPF and should therefore be given substantial weight in the decision of this appeal. The National Planning Policy Framework was adopted in April 2012 and states that development should be refused if the proposed development conflicts with the local plan unless other material considerations indicate otherwise. There are no material differences between the council's policies and the NPPF in relation to this appeal.

### **Comments on the appellant's grounds of appeal**

The appellant's grounds of appeal are summarised below and addressed beneath:

**No.9 historically had a side extension of the same footprint. The statutory list description clearly establishes "No.9 rebuilt in facsimile following war damage". It is reasonable to assume it originally had three storeys.**

Although it is acknowledged that no.9 historically had a side extension of the same footprint to what is currently constructed, there is no explicit evidence documenting the number of stories of this side projection. The villas were originally constructed without extensions to the side, and the Council argues that a historic side extension of unknown height to the neighbouring property does not inform the acceptability of the current proposal.

**Nos. 8 and 9 were originally built as a matching pair. The development would help to reintroduce the visual symmetry of the pair.**

The re-introduction of symmetry is not considered to be sufficient justification to outweigh the harm caused to the spacious character of the listed building's setting and the conservation area as discussed in the officer's delegated report. Furthermore, the proposed development does not exactly mirror the design of the extension at no.9. Therefore, there would still be a sense of imbalance within the appearance of the semi-detached pair.

**There are similarly scaled side extensions at nos.7 and 13.**

Nos. 7, 9, 13 and Prince Albert Road benefit from side extensions; however, those at 7, 9 and 14 were constructed prior to the buildings' listing and no. 13 was permitted prior to current Development Plan Policy. The most recent approvals were for single storey side extensions at lower ground floor level at nos. 11 (granted 09/10/2015, reference 2015/4670/P & 2015/4843/L), 15 (granted 05/11/2012, reference 2012/4437/P & 2012/4438/L), and more recently, at the appeal site (granted 26/07/2016, reference 2016/2700/P & 2016/2723/L).

**The side extension would be subordinate to the host building.**

CPG1 (Design) provides detailed guidance regarding side extensions and paragraph 4.1 states that where a side extension is appropriate, it should be no taller than the porch and should be set back from the main building. Although the proposed side extension has been set back slightly front the front and rear elevations; at 3 storeys tall and nearly three fifths the width of the existing dwelling, it is considered an overly large, dominant addition that would not be subordinate to the host dwelling.

**It should be noted that at the time No. 9 was approved to be rebuilt in the 1980s, including its three storey side extension, the Primrose Hill Conservation Area, and the character and appearance which contributed to its adoption in 1971 was known. Therefore, subject to consideration of its detailed design, the same should be considered an appropriate addition to No. 8 Prince Albert Road.**

The fact of larger side extensions to nearby properties does not warrant approval in the face of the adverse impacts listed above and in the officer's delegated report. Policy DP24 expressly states that past extensions should not necessarily be regarded as precedents for future development (paragraph 24.13), particularly as all of the built or approved two/three storey side extensions to the neighbouring villas pre-date the current Development Plan.

**The side extension would be well screened by existing vegetation to the front of the property. It would also not be discernable in longer range views and would not therefore cause harm to the "character of spaciousness". Although the side extension would reduce the gap between the appeal property and no.7, the impact would be limited and an appropriate gap would be maintained.**

The sense of openness between the villas located along Prince Albert Road, and the generous gardens within which they sit is an important part of their special character and setting. The Council maintains that the loss of the gap between the appeal building and neighbouring property does not have limited impact, but that it is sufficiently harmful to the special character of the host building and wider terrace, as well as the character and appearance of the Primrose Hill Conservation Area to warrant dismissal of this appeal.

**Much of the internal fabric and remaining sense of hierarchy within the building is not original. The impact of the internal alterations is neutral.**

Whilst the new openings would be within hallways rather than principle rooms, there is concern that the resultant internal layout would give an unbalanced composition and false sense of hierarchy within the plan form at ground floor level, as shown by the equal prominence given to the use of double doors to access both the dining room and the newly created room within the proposed extension.

**The changes to the rear elevation would result in minimal loss of existing fabric and would relate well to the general hierarchy of window openings.**

The council considers the loss of historic window openings to harm the overall composition and proportions of this simple and restrained elevation.

**The proposed rear staircase would be a modest alteration that would improve the functionality of the building. It would not be an incongruous addition given the metal access stairs approved at surrounding properties.**

The appellant states “Contrary to the Council’s assertion (at para. 3.25) that the staircase would ‘protrude out from the rear closet wing’, the location and arrangement of the staircase is such that it runs parallel to the rear building line, rather than projecting directly out into the garden...”.

The Council would like to clarify that this statement refers to the fact that the balcony from which the staircase descends is located to the rear elevation of the closet wing. By positioning the new access door and balcony in this location, directly off the rear elevation, it would be a much more obtrusive addition than if it were located to the side of the closet wing, for example. The Council argues that the introduction of a staircase *in this location* is unacceptable.

## **Conclusion**

In conclusion, the Council maintains that the proposed development would harm the special character and appearance of the host building, wider terrace and surrounding Primrose Hill Conservation Area. I ask the inspector to uphold the Council’s policy, guidance, London Plan policies and the advice contained in NPPF and dismiss this appeal.

If the Inspector is of a mind to accept the appeal, proposed conditions have been included in Appendix 1 below.

If any further clarification of the appeal submission is required please do not hesitate to contact Laura Hazelton on the above direct dial number or email address.

Yours sincerely

Laura Hazelton

Planning Officer

## **Appendix 1**

### **Planning permission conditions**

1. The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 if in CA of the London Borough of Camden Local Development Framework Development Policies.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: 001 Rev.P00, 002 Rev.P00, 003 Rev.P00, 004 Rev.P00, 021 Rev.P00, 022 Rev.P00, 023 Rev. P01, 101 Rev.P02, 102 Rev.P02, 103 Rev. P02, 104 Rev.P02, 121 Rev.P02, 122 Rev.P01, 123 Rev.P02, 130 Rev.P00, 140 Rev.P00, 400 Rev.P00, 000 Rev.P00 , Design and Access Statement dated 01/02/2016, Cover letter dated 24/02/2016 and Arboricultural impact assessment report and outline method statement ref. NLP/8PAR/AIM/01 dated 15/03/2016.

Reason: For the avoidance of doubt and in the interest of proper planning

### **Listed building consent conditions**

1. The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. All new work and work of making good shall be carried out to match the original work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

3. The works hereby approved are only those specifically indicated on the drawing(s) referred to above.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.