

Appeal Decisions

Site visit made on 6 October 2016

by **David Prentis BA BPI MRTPI**

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

Decision date: 11 October 2016

Appeal A: APP/X5210/W/16/3152963

Appeal B: APP/X5210/Y/16/3152968

8 Prince Albert Road, London NW1 7SR

- The appeals are made by Ms Claire Farrow against decisions of the Council of the London Borough of Camden.
 - **Appeal A** is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The application, Ref 2016/1065/P, dated 24 February 2016, was refused by notice dated 18 April 2016.
 - The development proposed is 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.
 - **Appeal B** is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The application, Ref 2016/1221/L, dated 24 February 2016, was refused by notice dated 18 April 2016.
 - The works proposed are 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.
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Decision – Appeal A

1. The appeal is dismissed.

Decision – Appeal B

2. The appeal is dismissed.

Preliminary matters

3. The description of the development/works set out above is that used in the Council's decision notices, which differ from that on the application forms. The appellant has not objected to the Council's wording which I have adopted for my decisions.
4. Since the appeals were made the Council has granted planning permission and listed building consent for a single storey side extension, the siting of which would be the same as the appeal scheme. Listed building consent has been given for internal alterations. These works were in progress at the time of my site visit.

Main issue

5. The main issues, for both appeals, are the effect of the proposal on the special historic and architectural interest of the listed building, the effect on the settings of other listed buildings and the effect on the character and appearance of the Primrose Hill Conservation Area.

Reasons

6. The appeals relate to a Grade II listed building which the listing description notes dates from the mid-19th century. It forms part of a group of related detached and semi-detached properties which face Regent's Park at Nos 1 – 15 (consecutive) Prince Albert Road. The building has significance in its own right due to its architectural interest as an example of Victorian domestic architecture in the classical style, designed to convey a sense of grandeur and elegance. The fact that it forms part of a planned development of similar villas adds to its special interest and to its significance as a designated heritage asset. Its garden setting, which was an integral part of the original design concept, also makes an important contribution to its significance.
7. The appeal property forms a semi-detached pair with No 9 which was rebuilt in facsimile in the 1980s following war damage. It is included in the listing for its group value. The OS map of 1872 shows that No 9 had a side extension of about the same width as the appeal proposal. It seems likely that this extension was added at a relatively early stage in the life of the building. No documentary evidence of the height and design of this extension has been found other than the use of the word '*facsimile*' in the listing description. The equivalent part of the rebuilt No 9 is the same height and width as the appeal scheme.
8. The conservation area comprises a cohesive layout of planned streets. The OS map of 1872 shows that Nos 1 – 15 were laid out within generous garden settings, with tree-lined carriage drives and substantial gaps between the buildings. These features of the design were, no doubt, intended to reinforce the sense of grandeur found in the architecture. They make an important contribution to the significance of the conservation area. Unsurprisingly, with the passage of time, this layout has not survived fully intact. Some of the houses, such as No 7, had substantial side extensions added at an early stage. The gaps which can be seen today are not therefore of uniform width. Nevertheless, the presence of generous gaps which allow the pairs of houses to be experienced as individual buildings, rather than as part of a built-up frontage, remains a strong and distinctive characteristic of the group as a whole.
9. This is certainly the case at the appeal property where the gap between Nos 8 and 7 allows views from Prince Albert Road between the properties. Such views are filtered by trees within the gardens, which add to the character and quality of the view. The reverse view can be appreciated from Regal Lane, which runs behind the appeal site, and from the back of properties in Regent's Park Road.
10. The appeal scheme proposes a very substantial addition, three storeys in height and over half the width of the host building. To my mind this would result in a significant erosion of the gap between Nos 8 and 7, which would be harmful to the setting, and hence the significance, of both properties. It would also result in harm to the character and appearance of the conservation area.

The permitted scheme, although on the same footprint, will not have this effect because it will be at lower ground floor level and will have very little impact on such views.

11. The appellant argues that the scheme would reinstate the original designed symmetry and grandeur of Nos 8 and 9. It is suggested that this would be a significant heritage benefit. I do not share that view. Whilst symmetry is a characteristic of the group at Nos 1 – 15, it is not a factor which outweighs all others. Some of the buildings have features added to break up the symmetry. Others, such as Nos 8 and 9, have become asymmetrical over time as a result of individual extensions. Moreover, although the appeal scheme would create a more-or-less symmetrical arrangement, the resulting proportions would be quite different to those of the original imposing classical façade. The extensions would be unduly dominant, reducing the ability to experience the original architectural composition.
12. The appeal scheme would also affect views from the southern footway of Prince Albert Road, which is within the Regent's Park Conservation Area. The effect would be harmful, for the reasons given above. Nevertheless this part of the conservation area is dominated by a large area of car parking which adds little to the significance of the Regent's Park Conservation Area as a whole. Consequently, I do not consider that the impact on this conservation area is a matter which adds materially to the case against the appeals.
13. The appellant points out that the extension would be screened in views from Prince Albert Road by a large Cypress tree in the front garden. I attach limited weight to this factor. Trees are not permanent features. They may die, become diseased or outgrow their location. In any event, the screening effect of the tree varies according to the location of the viewpoint. The proposed extension would be readily visible from some angles in Prince Albert Road, from Regal Lane and from nearby properties.
14. I note that the scheme which is now under construction would involve changes to two windows on the back elevation at lower ground floor level. It would also include a staircase leading down to the garden level from the ground floor. These elements would not be identical to the equivalent features in the appeal scheme. However, they would have a similar level of impact on the listed building. Consequently, I do not think that these aspects of the appeal scheme weigh against the appeal.
15. The purely internal changes are relevant to Appeal B only. Again, some of these would be similar to alterations forming part of the approved scheme. An important point of difference would be the creation of a double door from the entrance hallway leading to a living room at ground floor level in the proposed extension. This would mirror an existing door leading to the front reception room. Whilst this would create a balanced composition, it would blur the hierarchy of spaces in the building by giving equal prominence to the new living room. To my mind that would reduce the legibility of the historic hierarchy of spaces, resulting in some loss of significance.
16. In conclusion, I consider that the proposal would fail to preserve the special interest of the listed building. It would also be harmful to the setting of the listed building and to the setting of No 7 Prince Albert Road. It would fail to preserve the character and appearance of the Primrose Hill Conservation Area.

17. The proposal would be contrary to policy CS14 of the Camden Local Development Framework Core Strategy and to Policies DP24 and DP25 of the Camden Local Development Framework Development Policies. Together these policies seek to protect heritage assets and secure high quality design.
18. In the terms of the National Planning Policy Framework (the Framework), the proposal would be harmful to the significance of No 8, No 7 and the conservation area. The level of harm would be less than substantial in each case. However, the Framework emphasises the desirability of sustaining and enhancing the significance of heritage assets. Harm which is '*less than substantial*' is not to be regarded as harm which is minor or unimportant. The Framework suggests that such harm should be weighed against the public benefits of the proposal. I return to that balance in the conclusion of my decision.

Other matters

19. The occupiers of No 7, and also of properties in Regent's Park Road, raised concerns about overlooking and loss of natural light. In respect of No 7, the outlook from the lower ground floor is already much constrained by a high brick boundary wall. The proposed extension would be very apparent from side-facing windows at higher levels in the building. However, the daylight angle is already constrained by the existing flank of No 8. There would be no windows facing No 7. In respect of the properties in Regent's Park Road, there would be a sufficient amount of separation to avoid any harmful impact on privacy or natural light. Overall, I do not consider that the proposal would result in material harm to the living conditions of nearby residents.
20. A letter from the appellant's mother asks that the appeal be allowed to enable her to join her daughter. However, there is no evidence before me regarding the intended occupancy of the dwelling, with or without the proposed extension. In any event, personal circumstances such as these change over time whereas the alterations to the listed building would be permanent. I therefore attach limited weight to this factor.

Conclusion

21. The proposal would result in harm to the significance of No 8, No 7 and the conservation area. It would be contrary to the development plan. I have not identified any public benefits which outweigh the harm to the significance of designated heritage assets. Nor have I identified any considerations which indicate that the appeals should be determined other than in accordance with the development plan. The appeals should therefore be dismissed.

David Prentis

Inspector