

Appeal Decision

Site visit made on 21 March 2017

by **Elizabeth Pleasant DipTP MRTPI**

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

Decision date: 7 April 2017

Appeal Ref: APP/X5210/W/16/3161562

Kings College Court, 55 Primrose Hill Road, Camden, London NW3 3EA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Pirton Ltd against the decision of the Council of the London Borough of Camden.
 - The application Ref 2016/0070/P, dated 6 January 2016, sought approval of details pursuant to conditions Nos. 4, 5, 7, 9 and 10 of a planning permission Ref 2013/6388/P granted on 19 June 2014.
 - The Council issued a split decision by a notice dated 6 October 2016. The application was approved in so far as it related to the details submitted pursuant to conditions 5, 7, 9, but was refused in relation to the details submitted pursuant to condition 4.
 - The development proposed is the erection of a three storey roof extension to provide 4 self-contained flats (2 x 2beds and 2 x 3beds), single storey extension to east elevation for new entrance, installation of balconies to all flats with insulated cladding to all elevations, landscaping works throughout the site, erection of cycle storage for 50 cycles to the south of the building and provision of two disabled car parking spaces.
 - The detail for which approval is sought in relation to condition 4 is for the use of brick slips manufactured by Sto as the material to clad the external insulation.
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Decision

1. The appeal is allowed and the brick slips manufactured by Sto as the material to clad the external insulation, submitted pursuant to condition No 4 attached to planning permission Ref 2013/6388/P granted on 19 June 2014, in accordance with the application dated 6 January 2016 and the details submitted with it, are approved.

Application for costs

2. An application for costs was made by Pirton Ltd against Council of the London Borough of Camden. This application is the subject of a separate Decision.

Procedural Matter

3. The Council's reason for refusal related to the impact the proposed cladding material would have on the appearance of the host building and setting of the Primrose Hill Conservation Area. The Council has subsequently confirmed that it would in fact be the setting of Belsize Conservation Area that would be most affected, however Primrose Hill, Elsworthy, and Eton Conservation Areas are also situated near to the site. The appellant has had an opportunity to comment on this matter and so has not been prejudiced.
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Main Issue

4. In relation to the details submitted pursuant to condition 4, the main issue in this case is the effect on the character and appearance of the host building and the setting of Belsize Conservation Area. I take no issue with the approval of the submitted details pursuant to conditions 5, 7, and 9.

Reasons

5. Kings College Court occupies a prominent position on the corner of Adelaide Road and Primrose Hill Road. It is a nine storey residential block which lies within the large Chalcot housing estate, constructed in the late 1960's. By reason of its scale and height it is clearly visible from the surrounding area. Views of this building are seen in the context of its position within the larger housing estate which is characterised by a mix of high rise blocks, interspersed with rows of housing. Consequently, although the site lies relatively close to Belsize Conservation Area and is visible from it, it does not form part of the Conservation Area's historic setting. Fellows Road forms the boundary of Belsize Conservation Area, and its setting is confined to the immediate garden frontage of those properties that lie within it.
6. Kings College Court is finished in light coloured spandrel panels and brick faced masonry panels. The adjacent rows of housing on Tobin Close are similarly constructed in brick and render, whilst the neighbouring high rise blocks have recently been refurbished and clad in a lightweight aluminium rainscreen. The external finishes of buildings in the immediate locality are therefore mixed in terms of both their appearance and quality.
7. Condition 4 required samples and manufacturer's details of the materials to be used in the construction of the external surfaces of the extension permitted to be submitted to and approved in writing by the local planning authority. It further required the details to include an on-site facing brickwork panel demonstrating the colour, texture, face-bond and pointing. The reason given for this condition was to safeguard the character and appearance of the area.
8. The approved development included the recladding of the existing building to improve its energy efficiency. The Design and Access Statement advised that this would take the form of new insulation to the outside of the building's existing fabric which would then be clad in brick slips. The Council Officer's report recognised that the cladding would improve the energy efficiency of the building and could also improve its appearance.
9. The proposed cladding material is a Sto brick slip. A sample of this material, together with details of its durability, bonding details and examples of its use on other buildings accompanied the application. A corner of the first floor of the building has also been clad in this material to provide a sample panel of the brickwork to demonstrate the colour, texture, face-bond and pointing details of this material's external finish.
10. The Council are concerned that the proposed cladding system would not replicate the texture, colour, patina, character or appearance of real brick, and would not weather or have the durability of a clay brick. However, from a close inspection of the materials on my site visit, and also when viewed from the street, it was clear to me that there is no discernible difference in appearance between the sample panel constructed from the Sto brick slips and the existing

brickwork. Furthermore, the materials also matched in their texture, face-bond and pointing details.

11. The appellant has provided evidence that the material has at least a 30 year life span and is durable both in terms of its colour fastness and long term adhesion to the proposed external insulation.¹ The Council have also been provided with a number of examples of where the system has been used on buildings of a similar scale, albeit not on buildings within the London Borough of Camden. However, despite the Council stating that such systems are rarely successful, they have not provided any substantive counterevidence, and I therefore see no reason to dispute the product's qualities in this respect.
12. I recognise that it is likely that the Sto-brick slip system will not weather or develop to the same patina as a clay brick. However, it is proposed to clad the whole of the building with this system and consequently the external materials would overall display a uniform appearance. Furthermore, the building would retain its visual qualities as a predominantly brick building and therefore the general character and appearance of the host building and the area would not change.
13. The building does not lie within a Conservation Area, and it lies within an area where the external surface materials of buildings differ considerably. Whilst it may be possible to find a clay brick cladding system that would be suitable for a building of this height, I do not consider that the use of a traditional clay brick is essential in this location. Furthermore, the use of a clay brick was not a condition of the original planning permission. From what I have seen on site, when viewed from the neighbouring streets and Conservation Areas, it would not be possible to visually discern the difference between the use of a clay brick, or the Sto-brick system proposed.
14. I conclude that the submitted details pursuant to Condition 4 would not have a harmful effect of the character or appearance of the area, including the setting of Belsize Conservation Area. I therefore find no conflict with the development plan, and in particular Policy CS14 of the London Borough of Camden's Local Development Framework Strategy, Core Strategy, 2010 and Policies DP24 and DP 25 of London Borough of Camden Local Development Framework Strategy, Development Policies which seek to ensure, amongst other criteria, that new development is of the highest quality design and respects local context and character, including the quality of materials used, and preserves and enhances Camden's heritage assets.

Conclusion

15. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be allowed.

Elizabeth Pleasant

INSPECTOR

¹ BBA Certificate, Letter from Sto Ltd, 6 December 2016 & Sto-Resin Brick Slips-Durability, Appendix C