
Appeal Decision

Site visit made on 9 May 2017

by R A Exton Dip URP MRTPI

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

Decision date: 8th June 2017

Appeal Ref: APP/X5210/W/17/3168392
10A Belmont Street, London NW1 8HH

- 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 Mr Livio Venturi against the decision of the Council of the London Borough of Camden.
 - The application Ref 2016/6592/P, dated 1 December 2016, was refused by notice dated 16 January 2017.
 - The development proposed is construction of observatory at 8th floor level.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host building and the surrounding area.

Reasons

3. Whilst not the tallest or most dominant building in the locality, the host building does have a distinctive character and appearance arising from the combination of its horizontally orientated bulk, materials and detailing. This is reflected in its local listing. In the vicinity of the site views of the upper floors are prominent over lower buildings fronting Chalk Farm Road and through the spaces between taller buildings on Ferdinand Street. From more distant viewpoints, in particular looking back from further eastwards along Chalk Farm Road, it presents a bold silhouette to the skyline. There is a wide variation in styles and scales of other buildings in the locality.
 4. In this case, I do not consider that the effect on character and appearance stems from the increase in height of the building alone. As the appellant and my colleague in an earlier appeal decision notes, there are other much taller buildings in the vicinity. It is the effect on the distinctive character of the host building and in turn its effect on the wider area that is the main issue.
 5. At present the host building has a distinctive character and appearance derived from its monolithic style, regular pattern of fenestration and strong horizontal emphasis that reflects its original use as a piano factory. This has been slightly reduced, but not completely eroded, by the addition of the uppermost floors and associated canopies which are stepped in. The proposal would however change this. It would project approximately centrally from the highest level
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and, although relatively small, would significantly alter the appearance of the host building by introducing a more vertical emphasis. Rather than add interest, this would appear as an incongruous feature that would detract from the horizontal emphasis of the building. Despite sensitive materials and detailing, which would only be apparent from close distances, this would be harmful to the character and appearance of the host building. The proposal would be readily visible in silhouette from more distant viewpoints as I observed on my site visit. Its uncharacteristic nature would consequently also be harmful to the character and appearance of the surrounding area. This renders the proposal contrary to policy CS14 of the Camden Core Strategy 2010-2025 and policies DP24 and DP25 of the Camden Development Policies 2010-2025 which are consistent with the content of the National Planning Policy Framework (the Framework) in their aims of promoting high quality design and preserving and enhancing the character and appearance of the conservation area.

6. I note the appellant's view that policy DP25 should not apply as it does not specifically refer to non-designated heritage assets. Whilst the supporting text does not specifically refer to locally listed buildings as examples of "other heritage assets" this is because the council's local list was not drafted at the time the policy was adopted. The reference to "other heritage assets" in the policy itself uses the word "including" which indicates that the reference to Parks and Gardens and London Squares is not necessarily exhaustive. It is therefore reasonable to include locally listed buildings within the terms of the policy. In any event, I have assessed the proposal against the Framework and found it to be contrary to this and other policies in the development plan. Even if policy DP25 is not a relevant policy in this case it is not determinative.

Other Matters

7. The appellant draws comparison with additions to other buildings in the vicinity in support of the proposal. As I have identified above, there is a wide variation in the styles and scales of other buildings in the locality which means that they are not directly comparable to the appeal site. I have assessed this proposal on its own merits and none of the evidence relating to other developments has directed me to a different conclusion.

Conclusion

8. For the above reasons and having regard to all other matters raised I conclude that the appeal should be dismissed.

Richard Exton

INSPECTOR