

## Appeal Decisions

Site visits made on 18 April and 22 August 2017

by **J J Evans BA (Hons) MA MRTPI**

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

Decision date: 13 September 2017

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### **Appeal A Ref: APP/X5210/W/17/3166510 50-52 Stanhope Street, London NW1 3EX**

- 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 Adrian Betham of Betham Associates Architects against the decision of the Council of the London Borough of Camden.
  - The application Ref 2016/2262/P, dated 21 April 2016, was refused by notice dated 16 June 2016.
  - The development proposed is described as "mansard roof extension to low buildings within existing streetscape to provide increased and enhanced residential accommodation, to rebuild the existing butterfly roofs hidden behind parapet walls on all sides and to enhance the listed buildings now overwhelmed by tall blank flank walls beyond."
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### **Appeal B Ref: APP/X5210/Y/16/3164314 50-52 Stanhope Street, London NW1 3EX**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
  - The appeal is made by Mr Adrian Betham of Betham Associates Architects against the decision of the Council of the London Borough of Camden.
  - The application Ref 2016/2332/L, dated 21 April 2016, was refused by notice dated 16 June 2016.
  - The works proposed are described as "mansard roof extension to low buildings within existing streetscape to provide increased and enhanced residential accommodation, to rebuild the existing butterfly roofs hidden behind parapet walls on all sides and to enhance the listed buildings now overwhelmed by tall blank flank walls beyond."
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### **Decision**

1. Appeal A: the appeal is dismissed.
2. Appeal B: the appeal is dismissed.

### **Procedural Matters**

3. 48, 50 and 52 Stanhope Street are grade II listed buildings. As required by Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
  4. As set out above, there are two appeals on the same site, one for planning permission and the other for listed building consent. They seek mansard roof extensions and internal alterations to 50 and 52 Stanhope Street. I have
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considered each proposal on its individual merits, although to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

5. The Council refused the applications under policies within the London Borough of Camden Local Development Framework Core Strategy (2010) (CS) and the London Borough of Camden Local Development Framework Development Policies (2010) (DFD). In July 2017 the Camden Local Plan (LP) was adopted. The Council have specified the LP policies relevant to the appeals and have confirmed that the policies in the CS and DFD have been superseded by those in the LP. The main parties were given an opportunity to comment on the implications of the LP, and I have had regard to the comments made. I am obliged to determine the appeal against the most up-to-date policy and have considered it on this basis, and am satisfied that natural justice would not be breached in this instance.

### **Main Issue**

6. The main issue is whether the proposed mansard roof extensions would preserve a listed building or its setting or any features of special architectural or historic interest which it possesses.

### **Reasons**

7. The appeal properties are part of a row of terraced buildings to the eastern side of Stanhope Street. Constructed in the early 1800s, 50 and 52 Stanhope Street are three storey houses with basements that are constructed from brick and stucco. These houses have butterfly roofs behind a front parapet, and have largely retained their historic forms both internally and externally. This and the elegant simplicity of the houses, including their repeated cellular plan forms, is part of the special interest of these listed buildings.
8. Next to No 52 is a modern infill building that has a similar height to the buildings either side of it, thereby continuing the parapet lines of the front roofscape. 48 Stanhope Street is also listed and due to its height and ornately flamboyant frontage, it makes a striking contrast to the simplicity of the appeal properties.
9. The provision of mansard roof extensions would create an additional floor to Nos 50 and 52, but in doing so these works would result in the loss of the butterfly roofs. I acknowledge that such roofs are not unique, but nevertheless they are a characteristic historic roof form that is purposefully designed so as to be concealed behind a parapet. These houses are an example of such an instance, and the precise, elegant forms and proportions of the buildings with their hidden roofs to the front elevation is an important aspect of their significance and special interest.
10. The large size and tall, bulky form of the mansard roofs would be an incongruous contrast to the formal elegance of the listed houses. The mansards would be clearly seen projecting above the parapet, visible from some distance along the street particularly in a northerly direction. From the rear the size of the extensions would significantly alter the roof form of the buildings, harmfully eroding the setting of both these listed buildings.
11. Moreover, despite being constructed of mostly traditional materials, the extensions would appear as obvious additions to the houses. The provision of an additional floor would partly screen the flank wall of No 48, but the side wall

- adjacent to No 54 would be unacceptably prominent and abruptly incongruous. Whilst No 54 is a modern infill, it has replicated the style and height of the buildings it sits between, thereby maintaining the line of the parapet roofscape with that of the two listed houses. Even though the existing parapets would be retained, the size and form of the proposed mansards would unacceptably disrupt the harmony of the roofscape of the terrace.
12. The appellant has pointed out that the Council's Design Planning Guidance refers to mansards being a traditional means of terminating buildings, and has drawn my attention to a property nearby. However, the proposed extensions would remove the historic roof form that is an integral element of the design and appearance of these London town houses, and as such the provision of the mansards would unacceptably harm their special interest. Whilst I have had regard to the other scheme referred to, I do not have the full planning details before me to ascertain if it forms a direct comparison to the appeal proposal. Furthermore, I am obliged to make my decision on the merits of this particular case in accordance with the requirements of the current development plan and all other material considerations.
  13. I share the concerns of the Council with regard to the loss of historic fabric. I saw at my site inspection that there are modern roof tiles present to No 52, and that some re-building works had occurred to the top floor of this house. However, it is not clear what and how much historic fabric, if any, would be lost by the proposal. The removal of a long gutter would bring some maintenance benefits, but this would not outweigh the harm I have found.
  14. The National Planning Policy Framework (the Framework) requires that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. The provision of mansard roofs would result in less than substantial harm due to the size of them relative to that of the buildings as a whole.
  15. The provision of a green roof and the incorporation of energy efficiency measures within the extensions would have environmental and biodiversity benefits, and there would be an increase in residential accommodation close to services and facilities. As such there would be some public benefits arising from the proposal, but they would be very limited and would not outweigh the substantial harm I have found.
  16. I have also had regard to the appellant considering the roof extensions would be the optimum viable use of the buildings. However, both properties are currently occupied for residential purposes and the provision of an additional floor would not alter this.
  17. The Framework requires that great weight is given to the conservation of heritage assets. Thus, for the reasons given the proposed mansard roof extensions would fail to preserve a listed building, its setting or any features of special architectural or historic interest which it possesses. This would be contrary to LP Policies D1 and D2 which require amongst other things, high quality design that respects local context and character, and preserves and enhances the historic environment and heritage assets, reflecting objectives of the Framework.

### **Other Matters**

18. In addition to the roof extensions, works to subdivide the front room of the first floor of No 52 have been proposed, and it was apparent from my site inspection that this had been undertaken. The house has largely retained its historic cellular plan form, and the subdivision would erode this quality. However, as I am dismissing the appeals for other reasons, this matter has not been decisive.
19. Local residents have raised a number of matters, including the erection of scaffolding and loss of privacy. The former matter is not directly connected with the planning considerations of the proposal before me, and following my findings on the main issue, I have no need to consider these concerns further.

### **Conclusion**

20. For the reasons given above and having considered all other matters raised, the appeals are dismissed.

*J J Evans*

INSPECTOR