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## Appeal Decision

Site visit made on 8 May 2018

**by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 4 June 2018**

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**Appeal Ref: APP/X5210/W/17/3192104**

**Flat 14, Atlantic House, 128 Albert Street, London NW1 7NE**

- 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 Nicholas Ayre against the decision of the Council of the London Borough of Camden.
  - The application Ref 2017/2415/P, dated 27 April 2017, was refused by notice dated 2 August 2017.
  - The development proposed is extension of existing roof terrace into the existing roof space.
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### Decision

1. The appeal is allowed and planning permission is granted for extension of existing roof terrace into the existing roof space at Flat 14, Atlantic House, 128 Albert Street, London NW1 7NE in accordance with the terms of the application, Ref 2017/2415/P, dated 27 April 2017, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan (unnumbered), 197-EX-01\_Rev.00, 197-EX-02\_Rev.00, 197-EX-03\_Rev.01, 197-PL-01\_Rev.00, 197-PL-02\_Rev.00, 197-PL-03\_Rev.00, 197-PL-04\_Rev.00 & 197-DA-170426\_Rev.A.
  - 3) No development shall take place until details of the finish of the balustrade (including the privacy screen and cheeks) have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved details.
  - 4) The use of the extended terrace shall not commence until the balustrade/screen, as shown on the approved drawings, has been constructed. The screen shall be permanently retained thereafter.

### Procedural Matter

2. The description of the development provided on the planning application form has been replaced by an amended version on the decision notice and in subsequent appeal documents, including the appeal form. I consider the

description as given on the appeal form to be usefully more representative of the proposal and I have therefore used it within this decision.

### **Main Issue**

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the host building, with due regard to its location in the Camden Town Conservation Area.

### **Reasons**

4. The appeal property is a flat located within the substantial building of Atlantic House. The site is within the Camden Town Conservation Area (CA), and the CA Appraisal<sup>1</sup> states that the CA contains areas of distinctly different character including a busy commercial and retail area as well as a quieter more formal residential area. The appeal site is located within the commercial area. The front façade of Atlantic House and neighbouring buildings as well as the public realm of Albert Street make a positive contribution to the CA and its importance as a designated heritage asset.
5. However, the appellant highlights that the rear of Atlantic House has undergone numerous alterations and is not readily visible from the public realm, although the appeal site is visible from nearby properties. I saw that the rear roof of the host building is of an obviously modern appearance and has a simple angular character with some variation in the arrangement of roof slopes, balconies and fenestration. I also saw that the roof balcony of a neighbouring property does not project as close to the eaves of the rear roof slope as would result from the appeal proposal. However, the roof containing the neighbouring balcony was set back from that of the appeal site and was also of a differing slope and arrangement. Indeed, there is no overall rhythm or consistency of design of the rear roof slope of the host building and there is also a significant variation in the wider roofscape to the rear of the site.
6. Although the proposal would increase the size of the existing rear balcony, I do not consider that this would be to a degree where it would appear as an incongruous or overdominant feature within this roofscape. Similarly, whilst the proposal includes a privacy screen and side 'cheeks' which would project above the roofslope, I consider that due to their limited scale and extent that they would not appear as obtrusive features. I also note that the appellant indicates that the finish of the balustrade (which includes the privacy screen and cheeks) can be manipulated to reduce visual impact.
7. Within the context of the modern roofscape of the rear of the host building and the wider variety in the roofscape of the area, the proposal would not appear as an incongruous or obtrusive addition to the building. On that basis, I conclude that the proposal would not harm the character and appearance of the host building and would preserve the character of the CA. The proposal would therefore not conflict with Policies D1 and D2 of the Camden Local Plan 2017 (LP) which seek to ensure high quality design in development which respects local context and character as well as preserving or enhancing the historic environment including conservation areas.

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<sup>1</sup> Camden Town Conservation Area Appraisal and Management Strategy 2007

### **Conditions**

8. The Council has suggested a number of planning conditions which I have considered against the advice in the Planning Practice Guidance and retained Annex A (model conditions) of former Circular 11/95: Use of Conditions in Planning Permission. As a result, I have amended some of them for clarity. I have also had regard to the appellant's comments in relation to the finish of the balustrade as well as the comments of the Camden Town Conservation Area Advisory Committee.
9. In addition to the standard 3 year time limitation for commencement, I have imposed a condition requiring the development to be carried out in accordance with the submitted plans in the interests of good planning and certainty. A condition in relation to the approval of the finish of the balustrade and privacy screen prior to the commencement of development is appropriate in the interests of character and appearance. A condition relating to the provision of the screen around the balcony before the development is brought into use is also appropriate in the interests of the living conditions of nearby residents.

### **Conclusion**

10. For the reasons given above, and taking account of all material planning considerations, I conclude that the appeal should be allowed.

*David Cross*

INSPECTOR