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## Appeal Decision

Site visit made on 24 September 2018

**by Joanna Reid BA(Hons) BArch(Hons) RIBA**

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

**Decision date: 11 October 2018**

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**Appeal Ref: APP/X5210/Y/18/3200837**  
**36-37 Chester Terrace, London NW1 4ND**

- 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 Julius and Mrs Belma Gaudio against the decision of the Council of the London Borough of Camden.
  - The application Ref 2017/6614/L, dated 28 November 2017, was refused by notice dated 8 March 2018.
  - The works proposed are "enlargement of ground floor opening with addition of columns and thickening of wall".
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### Decision

1. The appeal is dismissed.

### Preliminary matter and main issue

2. The appeal building at Nos 36 and 37 Chester Terrace is part of 'Numbers 1-42 and attached railings and linking arches' (the listed building), which is listed in Grade I with group value. With this in mind, the main issue is whether the proposed works would preserve the special architectural or historic interest of the listed building.

### Reasons

3. The listed building includes a grand palace-style c1825 terrace of 37 houses and 5 semi-detached houses by John Nash. The appeal building is part of the main terrace. The historic character, classical architecture, and handsome appearance of the listed building are important to its special architectural interest and to its significance as a terrace of historic dwellings.
4. Whilst the front façade of the listed building has an overall palatial character, the 2 terraced dwellings that are now the appeal building are likely to have each had a broadly uniform footprint and a similar internal layout when first built. However, as Chester Terrace had fallen into disrepair during the first half of the C20, almost all but the front elevations and the party walls were demolished and rebuilt in the 1960s, under the charge of Louis de Soissons. The appellants' evidence shows that the ground floor rebuilding works at the appeal dwelling largely respected the historic plan forms of the 2 dwellings, which are important to the character and special interest of this part of the heritage asset. As those works were carried out before the building was listed in 1974, they are part of the listed building, which it is desirable to preserve.

5. In about 2009, the Council granted permission and consent for the 2 dwellings at Nos 36 and 37 Chester Terrace to become one dwelling. The works included openings in the party wall between Nos 36 and 37 that have not overly diminished the positive contribution of the 2 former dwellings to the overall composition of the terrace. The staircase and part of the wall between the hall and the ground floor rooms have now gone at No 36, but the staircase and the wall between the now combined entrance lobby and staircase hall and the front reception room at No 37, which are important to the plan form of the terraced house, have largely endured. The historic character of the plan form at No 37 is important to the significance of the heritage asset, especially so, when the staircase and part of the ground floor plan form at No 36 has gone.
6. The present wall between the hall and the ground floor front reception room at No 37 includes a large opening. Even so, there is sufficient wall above and either side of the opening to define the division between the hall and the front reception room to preserve the character of the historic dwelling. Whilst a lift had been installed beyond that opening it does not disrupt the appreciation of the sense of space within the hall. Thus, walking through the elegant front door into the hall, the function and hierarchy in the rooms that is important to the historic character of the dwelling remains largely intact. The thickness of the modern wall between the hall and the reception room is less than would be expected for the now lost historic wall, but because this shows that it is a later intervention, it sustains the authenticity of the heritage asset.
7. The proposal seeks to remove most of the modern wall to form a much taller and wider opening between the staircase hall and the front reception room. The wall would be increased in depth on the reception room side to form modest nibs to the front and back walls with a single column by each nib and a broader beam above at about the same level as the beam in the hall. The columns are intended to reassert the nineteenth century character of the building, but because the increased thickness of the remnants of the modern wall would more closely reflect the likely thickness of the now lost wall, its interpretation as a later intervention would be obscured.
8. The works would be broadly in line with the historic wall between the hall and the reception room. However, the considerable space between the columns and under the beam, the space around the columns, and the near unity of the 2 former rooms, would harmfully erode the historic character of the plan form. Because the scale and proportions of the openings in the front façade reflect the historic plan form, the works would harmfully diminish the significance of this part of the asset. Moreover, the hall and the reception room, and to some extent the rearmost part of the hall, which includes the staircase, would become more or less one much larger room. So, the elegant proportions of the historic reception room, and the quality of light in it, due to the general relationship of the windows to the side walls in that room, insofar as the wall between the hall and the reception room remains, would no longer be experienced.
9. As the historic photograph of 14 Chester Terrace appears to show a different part of that dwelling, it provides little support for the proposal. There is also little information about the other buildings elsewhere that were drawn to my attention, including Park Crescent West. So, I have dealt with the proposal before me on its merits and in accordance with its site specific circumstances, my statutory duty and relevant local and national policy and guidance.

10. In the terms of the *National Planning Policy Framework* (Framework), the proposal would cause 'less than substantial harm' to the significance of the listed building. However, almost no public benefits have been put to me, so they would not be enough to outweigh that less than substantial harm that the proposal would cause. Moreover, insufficient clear and convincing justification has been put to me to show that the proposal would be necessary to preserve the significance of the listed building as a terrace of historic dwellings.
11. Therefore, I consider that the proposed works would fail to preserve the special architectural interest of the listed building. They would also be contrary to Policy D2 of the *Camden Local Plan* which reflects the thrust of the statutory duty with regard to listed buildings, and the Framework which aims for heritage assets to be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
12. For the reasons given above and having regard to all other matters raised, the appeal fails.

*Joanna Reid*

INSPECTOR