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## Appeal Decisions

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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### **Two Appeals at Nos 1 to 17 Regent's Park Terrace, London NW1 7EE**

- The appeals are made by Mr Socrates Miltiadou of the Regent's Park Terrace Residents Association against the Council of the London Borough of Camden.
  - The development and works proposed are "Installation of four pairs of CCTV Security Cameras mounted on the underside of the balcony at Nos. 1, 6, 11 and 17 Regents Park Terrace, connected by a black cable duct running along the top of the balcony terrace from No. 1 to 17".
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#### **Appeal A Ref: APP/X5210/W/18/3197211**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
  - The application Ref 2017/3497/P is dated 17 June 2017.
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#### **Appeal B Ref: APP/X5210/Y/18/3197210**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
  - The application Ref 2017/3689/L is dated 17 June 2017.
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### **Appeals A and B: Decisions**

1. The appeals are dismissed and planning permission and listed building consent for "Installation of four pairs of CCTV Security Cameras mounted on the underside of the balcony at Nos. 1, 6, 11 and 17 Regents Park Terrace, connected by a black cable duct running along the top of the balcony terrace from No. 1 to 17" are refused.

### **Appeals A and B:**

#### **Preliminary matters and main issue**

2. The terrace at 'Numbers 1-22 and attached railings, 1-22 Regents Park Terrace' (the listed building) is listed in Grade II, and it is situated within the Primrose Hill Conservation Area.
3. Jurisdiction transferred from the Council to The Planning Inspectorate when it accepted Appeals A and B, so the Council's 'decision notices', dated 6 March 2018, are not relevant. From the Council's delegated report, in outline, its purported reasons for refusal relate to the effect of the proposal on the character, appearance and special interest of the listed building. The application form that accompanied the applications was amended by the Council at the applicant's agent's request on 7 September 2017, and that

amended wording is included in the banner heading above. The required notices advising the public of the presence of the closed circuit television cameras (cameras) would be subject to a separate application.

4. With this in mind, the main issues are whether the proposed development and works would preserve the special architectural or historic interest of the listed building or its setting or any features of special interest which it possesses.

### **Reasons**

5. The listed building is a broadly linear terrace of c1840-50 4-storey plus basement houses. The historic character, classical architecture, and uniform composition of its principal façade, including its first floor front balcony, are important to the special architectural interest of the listed building, and to its significance as a terrace of historic dwellings.
6. The London Borough of Camden *Primrose Hill Conservation Area Statement* describes Nos 1-21 Regent's Park Terrace as a rigidly designed symmetrical façade with slightly projecting end houses. The uninterrupted lines of the continuous cantilevered stone first floor balcony above the rusticated stucco ground and basement floors contributes positively to the special interest of the listed building, which it is desirable to preserve.
7. The proposal includes the installation of 4 pairs of cameras on the underside of the front balcony. The fairly compact cameras, which would be partly coloured to blend with their background, are intended to enhance security for the occupiers of the terrace.
8. However, due to the tall height of the ground floor and the height of the balcony above street level, the cameras would unacceptably interrupt the clean lines of the underside of the balcony, which are especially prominent in the views from the pavement in Regent's Park Terrace, and which are clearly visible from Oval Road. Due to their height above ground and basement levels and their proportions, the cameras would also be seen from the basement areas closest to them, and they would probably be seen through the ground floor windows and fanlight close by from inside the listed building. The associated cable duct would run along the upper side of the stone balcony between the railings and the building so it would also be seen in views through the windows of many of its front facing first floor rooms.
9. Due to their modern appearance and their alien forms and character, the cameras and the duct would be harmfully at odds with the historic character and architectural appearance of the listed building. Because their form and siting would detrimentally interrupt the uniform character and appearance of the underside of the balcony, and disrupt the uncluttered appearance of its upper side, the proposal would damage the significance of the heritage asset.
10. Furthermore, in order for the cable duct to be located on the upper side of the balcony, the set back siting of the cameras would require holes to be drilled through the balcony. Thus, aside from the consequences for the listed building if drilling were to cause wider damage to the cantilevered stone balcony, the proposal would cause a harmful loss of historic fabric.
11. The listed building and its leafy private front garden setting make a positive contribution to the character and the appearance of the Conservation Area, which contrasts with the more enclosed character further north in Oval Road.

Because the proposal would detract from the architectural composition of the listed building, it would fail to preserve or to enhance the historic character and architectural appearance of the Conservation Area, and its significance as an area of historic mainly residential townscape, part of which is within the setting of the listed building.

12. The appellants have suggested conditions to control the colour of the cameras and for part of the duct to be chased into the stucco, but they would not overcome the harm that the proposal would cause. The Metropolitan Police Camden Safer Neighbourhood ward team says that the proposal would assist in the prevention of crime and anti-social behaviour, and would allow residents to feel more secure and safe in their homes, but there is little evidence, such as police records of damage to the building, to show that the proposal would be necessary to preserve the asset. There is also little information about the other security installations that were drawn to my attention. So, I have dealt with the proposal before me on its merits and in accordance with my statutory duties, the site specific circumstances and relevant local and national policy and guidance.
13. In the terms of the *National Planning Policy Framework* (Framework), the proposal would cause 'less than substantial harm' to the significance of the heritage asset.
14. The public benefits including the possible reduction in crime and antisocial behaviour would not be enough to outweigh the less than substantial harm that the proposal would cause to the listed building. 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.
15. Therefore, I consider that the proposed development and works would fail to preserve the special architectural interest of the listed building. They would be contrary to Policy D1 of the *Camden Local Plan* (LP) which seeks high quality design, LP Policy D2 which reflects the thrust of the statutory duties with respect to listed buildings, and the Framework which aims to conserve heritage assets 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.
16. For the reasons given above and having regard to all other matters raised, the appeals fail.

*Joanna Reid*

INSPECTOR