



Appeal Decision

Site visit made on 1 April 2019

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 April 2019

Appeal Ref: APP/X5210/W/18/3207488

34 Eversholt Street, Camden, London NW1 1DA

- 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 P Nandwani against the decision of the Council of the London Borough of Camden.
 - The application Ref 2017/4304/P, dated 24 July 2017, was refused by notice dated 19 January 2018.
 - The development proposed is a third floor extension to existing building to accommodate further 2 self-contained residential units.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The appellant provided an amended plan, making revisions to the proposed mansard roof, at final comments stage. Whilst this was in response to the Council's suggestion that such an amendment could alleviate their concerns, I cannot accept it at this stage in the appeal process.
3. The Planning Inspectorate's Procedural Guide: Planning appeals – England sets out at Annex M that the appeal process should not be used to evolve a scheme and that it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought.
4. Whilst I recognise that the amendment seeks to revert to a scheme for the mansard roof that has been previously granted permission by the Council, the timing of the amendment means that the Council have been deprived of the opportunity to comment upon it and confirm whether their concerns in that regard have been addressed. Furthermore, any interested parties that may have considered the plans at application and appeal stage may be similarly disadvantaged. Therefore, I have decided the appeal on the basis of the proposal as set out in the application.
5. A planning obligation has been provided in attempt to address 4 of the 5 reasons for refusal concerning car free housing, affordable housing, potential damage to the highway and construction management. I shall return to this later in my decision but, in light of the obligation, I consider that these matters do not form main issues in the appeal.

Main Issue

6. With regard to the above, the main issue is the effect on the character and appearance of the area.

Reasons

7. Nos. 34-38 Eversholt Street form part of a terrace. There is strong uniformity in these buildings which are locally listed as non-designated heritage assets. A further section of the building extends back from the Eversholt Street frontage along Doric Way. That section has a markedly different design to the Eversholt Street part and does not read as part of the terrace of buildings to the front.
8. The roof of the Eversholt Street section has railings along the line of the front parapet. There is also a high angled parapet to the side elevation fronting Doric Way that rises up to conceal a projecting stair core. The roof of the appeal site, therefore, differs from the rest of the terrace and is somewhat incongruous.
9. Nevertheless, the addition of a mansard roof, even of traditional design, that projects forward of this parapet would be more dominant and add a further discordant feature to the roofline. Whilst it would be set back from the front, offer an opportunity to remove the railings and further mask the stair core, it would be incongruous with the existing architectural features on the building and terrace as a whole. I note that the projection would only be slightly greater than that previously allowed by the Council¹ and that that the differences are relatively minor. However, those differences would increase the prominence and such would be detrimental to the character and appearance of the area and the non-designated heritage asset.
10. Turning to the part of the building fronting Doric Way, the proposed roof top additions would have a flat roof construction, similar to these existing parts of the building. The proposed roofline would also step down following the pattern established by the existing buildings. The extensions would be set back significantly from the front elevation reducing their visibility from Doric Way, but they would nevertheless be visible from Eversholt Street.
11. The angled parapet that rises from Eversholt Street along the side of the building currently ends abruptly at the junction with the lower section fronting Doric Way, where there is a significant change in height. The parts of the appeal site that adjoin this, fronting Doric Way, are composed of different building heights that are somewhat ad-hoc in their appearance. They appear as a different building to that part fronting Eversholt Street. Thus, I find that, as a principle, additional height on the scale proposed, which would remain below that of the angled parapet, would not harm the setting of the Eversholt Street terrace.
12. However, the decision to echo the treatment of the main elevation whilst setting the extension significantly back from the front would result in an addition that appeared to be neither part of the elevation nor distinctly different from it. Whilst the existing building could be read independently to the proposed additions, they would not read as a coherent part of the building. As such, and whether or not the set back is based on advice from the Council's

¹ LPA Ref 2015/4296/P

planning officer, the proposal would appear as a crudely designed addition that was incongruous and awkward when seen alongside the existing building.

13. The Camden Planning Guidance: Design 2015² indicates, in part, that roof extensions and additional storeys are likely to be acceptable where the extension is architecturally sympathetic to the existing building. This would not be the case here as, for the reasons given above, the proposal would harm the character and appearance of the building and, given that it would be most visible in views from Eversholt Street, would also harm the setting of the non-designated heritage assets.
14. I note that high buildings in the area, and the very bulky form of Euston Station opposite the appeal site have a significant effect on the character of the area and setting of the Eversholt Street buildings. However, the locally listed terrace has a clear architectural form, similar to others in the area and the presence of these other bulky buildings does not detract from their individual appearance or significance as a coherent group.
15. For the reasons given above, I find that the proposed extensions would harm the character and appearance of the area, and the setting of the non-designated heritage assets. Such would be in conflict with those parts of Policies D1 and D2 of the Camden Local Plan 2017 (LP) which seek to ensure that proposals respect local context and character and protect heritage assets.

Other matters

16. The proposal would deliver additional housing in a highly accessible area. I note the appellant's suggestions that a number of the buildings on Eversholt Street have a run-down appearance and that the area is considered to be deprived. The London Plan, LP and National Planning Policy Framework may seek to increase residential density in such locations, and encourage the development of small windfall sites, but these documents must be considered as a whole, alongside other policies that seek to safeguard the character and appearance of the area.
17. In this context, the development of the site would be a benefit, as would the contribution to affordable housing detailed in the submitted planning obligation. However, whilst I note the appellant's suggestion that the proposal represents the minimum viable solution to deliver the development, there is no substantive evidence to support this position. Overall, the benefits arising from this relatively small development would be limited and so, I attach them only moderate weight.
18. In addition to the affordable housing contribution, the submitted planning obligation otherwise seeks to mitigate perceived adverse impacts of the development. As I am dismissing the appeal, these impacts will not arise and so the other obligations proposed are neutral in the planning balance. I note that there were no objections from the technical consultees to the application and that the Council found that there would not be a material effect on the living conditions of nearby residents. These matters are also neutral.

² Updated March 2018

Conclusion

19. Balanced against the harm that would occur to the character and appearance of the area and the less than substantial harm that would occur to the significance of the non-designated heritage assets, the moderate weight that I have afforded to the various other matters does not outweigh the harm.
20. For the reasons given above, I conclude that the appeal should be dismissed.

M Bale

INSPECTOR