

Date: 5 March 2021

Ref: M20035

LB CAMDEN: FLAT 9, 52-54 GRAY'S INN ROAD, LONDON WC1X 8LT

APPEAL UNDER S78 OF THE TOWN AND COUNTRY PLANNING ACT 1990.

GROUND OFS OF APPEAL

- 1.1 This appeal has been lodged in response to the Council's failure to determine a planning application for development at the above address comprising the erection of a front infill roof extension at 5th floor level and a mansard roof extension at 6th floor level with a rear roof terrace and front rooflights.

2.0 PROCEDUARL MATTERS

- 2.1 The planning application was submitted using just the name of the appellant's company name, IC Construction. We therefore include at Appendix 2 an e-mail from a director of IC Construction confirming the appeal can go forward in his name.

3.0 MAIN ISSUES

- 3.1 In an e-mail to the appellant's agent of 24 November 2020 the case officer states:

The consultation period has finished and we have received no comments on the scheme from the public or local groups.

However, I have discussed the scheme with colleagues in planning and conservation, and unfortunately the consensus is that the scheme is unacceptable in principle.

The host building is locally listed and is part of a group of locally listed buildings with Nos. 38-54 Gray's Inn Road, which have a uniform appearance. The building already benefits from a roof extension. The proposal to erect another roof extension above the existing would result in high level bulk, which would be incongruous and highly visible when viewed from the rear, and would cause harm to the locally listed building and the group of locally listed building of which it forms a part. As the scheme is for the extension of an existing flat, the public benefits of the proposed development would not outweigh the harm, and the scheme is therefore contrary to policies D1 and D2 of the Camden Local Plan.

Please confirm whether you would like me to proceed with refusing the application or if you would prefer to withdraw the application before determination.

- 3.2 As of early March 2021 the application still has not been determined. It appears though that, had the Council had the time/resources to process the application, it would have been refused it on the grounds above. There has been no suggestion that the proposal is unacceptable in any other respects.
- 3.3 We believe the main and only issue in this case is therefore the effect of the proposal on the character and appearance of the locally listed host building.

4.0 REASONS FOR ALLOWING THE APPEAL

- 4.1 52-54 Gray's Inn Road, together with Nos 48 and 50, form a handsome late Victorian building, which is mirrored by Nos 40-46 to the southern side of Baldwin's Gardens. The building to the north is of late 20th century construction and taller than Nos 48-55 with set back upper levels. A roof extension has been added to the rear part of the corner property (No.48) and an extra floor added to the appeal property following a grant of planning permission in 2006 (ref: 2005/4346/P). The appeal property is a "non-designated heritage asset".
- 4.2 It will be clear from the site visit that the top floor of the appeal property is barely visible from the street, if at all, and the same will be the case for the proposal. Photographs 1, 2 and 3 (attached at Appendix 1) show the views from the street and the view from the terrace at the front of the existing top floor. The latter looks out over rooftops and mature trees. The Council states in its e-mail of November 2020 that the proposal would be "highly visible when viewed from the rear". This implies that the Council recognises that the front of the proposal would not be highly visible and there is no harm in respect of the effect of the proposal on the front elevation of the locally listed building.
- 4.3 The Council alleges that the proposal *"would result in high level bulk, which would be incongruous and highly visible when viewed from the rear, and would cause harm to the locally listed building and the group of locally listed building of which it forms a part"*. The rear of the proposal would be visible from a side road, Baldwin's Gardens. As can be seen from photograph 4, the proposal would be seen in the context of a very simple and utilitarian back elevation and the taller back elevation of the adjoining building. Rather than being incongruous, the proposal would simply mirror and respond to its immediate

surroundings and the additional bulk would not therefore cause harm to the appearance of the host building or its surroundings.

- 4.4 For the reasons above the appeal proposal would preserve the appearance the appeal property, the locally listed group and the street scene. It therefore accords with policies D1 and D2 of the Camden Local Plan. The appeal should be allowed and planning permission granted.

APPENDIX 1: Photographs



1. Street elevation



2. Street elevation



3. View from the top floor



4. View from Baldwin Grove – appeal site identified by arrow