



## Appeal Decision

Site Visit made on 13 July 2021

**by A Caines BSc(Hons) MSc TP MRTPI**

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

**Decision date: 19<sup>th</sup> July 2021**

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**Appeal Ref: APP/X5210/W/21/3269211**

**30-32 Albany Street, London NW1 4EA**

- 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 Keith Tillman against the decision of the Council of the London Borough of Camden.
  - The application Ref 2020/3800/P, dated 19 August 2020, was refused by notice dated 28 October 2020.
  - The development proposed is enlargement of roof dormers and increased size of side extension.
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### Decision

1. The appeal is allowed and planning permission is granted for enlargement of roof dormers and increased size of side extension at 30-32 Albany Street, London NW1 4EA, in accordance with the terms of the application Ref 2020/3800/P, dated 19 August 2020, 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: 240 02-01D; 240 02-02E; 240 02-03D; 240 02-04D; 240 02-05D; 240 02-06D; 240 02-09F; 240 02-10D; 240 02-11E; 240 02-12A; 240 02-15C; 240 02-18.
  - 3) The materials to be used in the construction of the external surfaces of the development shall match those used in the existing building, unless otherwise specified in the approved plans.

### Applications for costs

2. An application for costs was made by Mr Keith Tillman against the Council of the London Borough of Camden. This application is the subject of a separate Decision.

### Preliminary Matter

3. At the time of my site visit the building was obscured by scaffolding. However, I was still able to sufficiently observe the relationship between the site and neighbouring buildings, and in conjunction with the application plans and documents, make a decision under the appeal on this basis.

### Main Issue

4. The main issue is whether the development would preserve or enhance the character or appearance of the Regents Park Conservation Area (CA), and

whether the setting of the Grade II listed building known as Walton House would be preserved.

### **Reasons**

5. According to the Regents Park Conservation Area Appraisal and Management Strategy, the CA covers the eastern segment of John Nash's early 19th century Regent's Park development, and comprises a unique planned composition of landscape and buildings that is of national and international importance.
6. The development closest to and facing the Park is of the highest architectural hierarchy. To their rear, including along Albany Street and Longford Street, are buildings of a variety of ages and appearances. In so far as it is relevant to this appeal, this part of the CA derives some of its significance from the rich historic and architectural quality of the buildings within it.
7. The appeal site is a purpose built public house of three stories, located on the corner of Albany Street and Longford Street. The appellant's Heritage Statement describes the distinctive building as a loose Queen Anne style with Art Nouveau motifs and detailing. The front elevations are finished in painted stucco at ground floor level and red brick with white faience detailing above. A tall corner turret elevates the building's landmark presence in the street scene. Through its age, architectural detailing, and prominence, the building makes a positive contribution to the significance of the CA, and can be regarded as a non-designated heritage asset.
8. The four-storey neighbouring building to the east, Walton House, is a Grade II listed building in the Free Arts-and Crafts influenced style, dating from around 1906. The significance/special interest of the listed building, in so far as it relates to this appeal, arises from the historic and aesthetic value of its external fabric, notably the richly detailed main façade to Longford Street, and to a lesser extent the side elevation to Little Albany Street. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, sets out a duty to have special regard to the desirability of preserving listed buildings or their settings. This is a matter of considerable importance and weight.
9. There is an extant planning permission on the site for a three-storey extension and three dormer windows at the side/east elevation (ref: 2017/4134/P). The appeal scheme seeks amendments to the size of both the extension and dormers, as detailed on the plans.
10. Although the proposed extension would have a greater forward projection and height than previously approved, the scale and proportions of the extension, being stepped down below eaves level and set back considerably from the front elevation, together with use of matching materials and fenestrations, would allow the proposal to achieve an appropriate degree of subordination to the host building and within the street scene. In addition, the minor increase in height would result in a better proportioned addition to the side of the building when viewed from the south. Overall, it would not be the prominent and dominant addition feared by the Council.
11. Whilst the extension would occupy more of the three-dimensional space between the buildings, it would not be any closer to the listed building, thus maintaining the same separation as previously accepted by the Council. Views of the west elevation of the listed building from the south and west would be

slightly reduced by bringing the extension further forward. However, this would only be experienced over a very short distance. Moreover, it is clear from the listing description and the appellant's Heritage Statement that the interest of the west elevation of the listed building is low. The south chimney breast represents the point at which the quality of materials and detailing on this elevation abruptly changes. The projection of the extension takes this into account and would ensure that the most important return detailing on the west elevation of the listed building would not be unacceptably obscured. Crucially, views of the principal front and east elevations that contribute most to the special interest of the listed building would be unaffected, as would the ability to read the listed building as a standalone structure.

12. The proposed side dormers would be wider than those previously approved, but not any higher. Nor would they come any closer to the front of the building. The change would be largely imperceptible from views along Albany Street and Longford Street where the dormers would be a discreet feature. The dormers would have greater visibility from within the enclosed courtyard of Little Albany Street. Even so, they would be appropriate in their design and use of materials, and would not appear bulky or dominant on the roof, despite their width.
13. Drawing these matters together, the proposals would not detract from the character or appearance of the host building, a non-designated heritage asset, and its contribution to the significance of the CA. Nor would the proposals erode the elements which contribute positively to the special interest and significance of the adjacent listed building.
14. I therefore conclude that the character and appearance of the CA, and the setting of Walton House, a Grade II listed building, would be preserved. The proposals also comply with Policies D1 and D2 of the London Borough of Camden Local Plan 2017 (LP). These policies seek high quality design which, amongst other things, respects local context and character, integrates well with surrounding streets and spaces, and preserves, and where appropriate enhances heritage assets. The proposal also complies with the provisions of the National Planning Policy Framework (The Framework) with regard to the need for high quality design and the protection of heritage assets.

### **Other Matters**

15. I have noted the comments from a neighbouring resident regarding noise and parking associated with the use of the pub, as well as disturbance from construction works. However, some of these concerns relate to existing matters and there is no indication from the Council and statutory consultees that the appeal scheme would make matters materially worse in these regards. Whilst ongoing disturbance from construction is inevitable, this effect would be of a temporary nature so does not justify withholding planning permission.
16. The appellant has raised concerns over the Council's handling of the planning application, but I have considered the appeal solely on its planning merits.

### **Conditions**

17. Although not suggested by the Council, I have imposed an approved plans condition to provide certainty. A condition requiring matching materials is necessary to ensure an appropriate appearance of the development. No further

conditions have been suggested, nor have I been presented with any reasons to justify the imposition of additional conditions.

**Conclusion**

18. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be allowed.

*A Caines*

INSPECTOR