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Dear Sir/Madam,

www.camden.gov.uk/planning

Appeal site: 148 Gloucester Avenue, London, NW1 8JA

Appeal by: Habispace Ltd, on behalf of Mr Simon Neave

Proposal: Erection of roof enclosure and associated works to roof.

I refer to the above appeal against the Council's refusal to grant planning permission. The Council's case is largely set out in the Officer's delegated report. The report details the application site and surroundings, the site history and an assessment of the proposal. A copy of the report was sent with the questionnaire.

In addition to the information sent with the questionnaire, I would be pleased if the Inspector could take into account the following information and comments before deciding the appeal.

1. Summary

- 1.1.** The application site relates to a three storey terraced building plus basement and mansard roof extension: see Appendix 2 below for photographs. It is located at the top of Gloucester Avenue at the junction with King Henry's Road and Regent's Park Road. It backs on to the train lines. The building is occupied by a retail (Class E) unit at ground floor level with separate residential access to lower ground and upper floor flats. The proposal relates to the maisonette at first, second and third floor level. The surrounding area is characterised by commercial units at ground floor levels with residential accommodation on upper floors. It adjoins The Pembroke Public House which is referred to as a Shopfront of Merit in the Primrose Hill conservation Area Statement.
- 1.2.** It is noted that there is currently an existing unauthorised structure at roof level made up of trellises, plywood sheathing and polycarbonate roof sheeting that appears to have been present for more than 4 years and therefore would be immune from enforcement action if this is the case.
- 1.3.** The drawings show the existing structure as 1.6m high in terms of the portion of flat roof which is closest to the front façade, and 1.7m where the roof is pitched further back. The proposed structure would have a flat roof at a consistent height of 2m, in line with the top of the chimney pots. While the existing structure is 1.5m in width, the proposed structure would be 2.9m including the roof overhang. While the existing drawings show the trellises at different heights, which does not correspond with what is seen in figures (a)- (f) in Appendix 2, the proposed trellis

would run along the perimeter of the site at a consistent height of 0.9m. In terms of the current structure, the section closest to the front facade as perceived from the street is only 1.5m wide, the wider section of the structure is set back by 1.1m and obscured by the trellises and therefore is not so clearly read from the street (see figures a, b and c). The proposed design would eliminate this set back and would impose a taller, 2.7m wide wall, where the existing in its place only extends for 1.5m.

- 1.4. The proposal is considered to exacerbate the negative impact of the structure and only increase its prominence.
- 1.5. The application site is located within the Primrose Hill Conservation Area and is identified as a positive contributor within the Primrose Hill Conservation Area Statement.
- 1.6. The planning application was refused for the following reason:

The development, by reason of its size, bulk, location, materials and detailed design, would be an incongruous and dominant addition which would harm the character and appearance of the host building, the wider terrace and the Primrose Hill conservation area contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden's Local Plan 2017.

2. Comments on appellant's grounds of appeal:

- 2.1. The appellant's grounds of appeal focus on the impact on the host building and Primrose Hill Conservation Area. These are summarised below following appraisal of the site.

Site appraisal

- 2.2. The application site is located within the Primrose Hill Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72 of The Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended).
- 2.3. Policy D1 of the Local Plan seeks to secure high quality design which respects local context and character; preserves or enhances the historic environment and heritage assets in accordance with Policy D2; comprises details and materials that are of high quality and complement the local character; and preserves strategic and local views. Policy D2 seeks to preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.
- 2.4. The appeal site is outlined in the conservation area statement as being a positive contributor to the conservation area, as is the wider terrace of which it is part, Nos 138-148 Gloucester Avenue. It stands to reason therefore that the appeal site has heritage value beyond that of a standalone building but also as a component of the wider terrace. No 148 is positioned where the row of more subordinate properties meet the larger mass of The Pembroke Castle public house at No 150. The Pembroke Castle is a positive contributor, and is also identified as a shopfront of merit. For these reasons it is considered important that roof level development at 148 Gloucester Avenue is resisted to preserve the contrasting scale of the different building typologies leading up to this junction.

- 2.5. As noted in the Officer's Report, the conservation area statement specifically identifies this terrace of properties as an inappropriate site for further roof level development, guideline PH19.

Summary of grounds of appeal

- 2.6. Although the appellant highlights that a structure currently exists at roof level, it is of a make-shift, temporary appearance and although read from the street as significant visual clutter, it is not currently perceived as a permanent additional storey. If the current structure, appearing of a temporary nature, were to be replaced with something permanent, it would introduce yet another formal roof level storey to the building, of which there is already one. Currently properties Nos 142-148 all have similar roof extensions set back between heightened party walls. This is an established pattern of roof development along this stretch and the consistency at roof level of these four properties retains harmony along this part of the terrace. Although there is existing roof level development across the four properties, they are still perceived as united and subordinate to the height and mass of the adjoined public house - not competing in terms of scale. It is noted that the proposal seeks to formalise yet another storey to the building, thus establishing the property two storeys higher than the original building was designed to stand.
- 2.7. Also noted is that the drawings provided misrepresent the situation on site: the proposal is shown to match the height of the existing chimney pots on either side, however the chimney pot between No 148 and 146 is significantly lower in height than the one between The Pembroke Castle and No 148 which undoubtedly owes its greater height to its association with the public house.
- 2.8. While the existing structure appears significantly below the height of the chimney pot associated with the public house, as seen in figures (a), (b), (c), (d), (e), the proposed replacement structure will match the height of the chimney pot, having significantly more visual impact and standing significantly proud of the roof of The Pembroke Castle. The structure at this additional height would be considered to dominate and harm the host building.
- 2.9. Overall, the proposed increase in height on the existing situation, although less than a metre, is considered significant in terms of bulk on the roofline, and would have a negative impact on the host building, the terrace of which it is part and the wider Primrose Hill Conservation Area. In order to restrict any further harm, caused by the existing unauthorised structure, any replacement structure should be no larger than the current dimensions.
- 2.10. The appellant's statement in paragraph 1.5 claims there will be 'no visible difference from the street', and that the existing trellis erected in 2016 has the effect of making the structure 'invisible from the street'. However the council disagree- the rooftop clutter is widely visible from the surrounding public realm, as seen in Appendix 2 figures (a), (b) and (c). It is also noted, that the existing roof structure is visible from the junction and approach from both Regent's Park Road (see figure (b)) and in long views across the junction from King Henry's Road. Whereas the chimney pots associated to the pub are still articulated and seen in long views (as seen in figure (d)), this proposed larger structure will mean loss of their prominence and silhouette on the skyline. For this reason, it is important that any extensions to the building, particularly at roof level, respect and complement the surrounding buildings, and as a result, the wider conservation area.
- 2.11. In section 1.3 of their statement the appellant iterates that there 'are many examples of roof level structures' in the conservation area and has submitted a series of images in Appendix A to support this statement. The council disputes that there are many

relevant examples to support either the existing structure or proposal in question. Images 1 and 2 are of the appeal site and are therefore not assessed below.

- Image 3 provided by the Appellant shows a roof terrace out of context, it is situated to the rear of the terrace of properties in question, approximately two storeys lower and completely hidden from Gloucester Avenue and the junction, only visible from the bridge.
- Image 4 shows a roof extension opposite the appeal site, although it has an elevated rooflight this structure is not two storeys above the original parapet, but only one, and therefore relates to the established mansard level of roof development at the appeal site, not the level above.
- Image 5 is not addressed and has not been located, and image 6 similarly has not been located and is shown from an obscure rear view, rather than from the front where its impact on the public realm and impact on the principal façade may be assessed properly.
- Image 7 shows an incongruous roof addition behind an existing dormer, again, the location is not identified, but it does appear set back from the principal elevation and set in substantially from the chimney pots on either side.
- It is not clear what is being shown in image 8 but the chimney pots seem to stand proud of any roof development.
- Image 9 shows a box on the rear of the flat roof at No 120 Gloucester Avenue. This is considered to have absolutely no relevance to the appeal case, as seen in figure (f) the flat roof is behind the projection of the historic dormer, not a level above. It is right at the rear of the roof, does not compete with the height of the roof or chimney and is not visible at all from the street below.
- Image 10 of the appellant statement seems to refer to two final images. The first shows the corner building where Regents Park Road and King Henry's Road join. This is considered somewhat relevant to the appeal case. There are two matching box structures on the roofs of two side by side properties, above the storey of existing roof level development. They are considered to be set back considerably and of materials that match the host building and therefore are discrete. They are not highly glazed or modern in appearance, but with blank elevation are considered discrete and possibly for plant or roof access for maintenance purposes. There is no associated balustrading or trellis causing harmful visual clutter at high level. There is also a mansard projecting upwards from the rear at a similar level which supports their height and softens the effect of their mass at high level. The final image is a different angle of the same properties shown in Image 9, although it is the height of the balustrade or railing at No 118 that is more apparent. Again, this roof terrace is not two storeys above the height of the original building, but level with the dormer window and behind the pitched roof, it is not at all visible from Gloucester Avenue and is not a comparable precedent.

2.12. Overall, the Council still considers that the proposed roof level structure would fail to respect, but instead would cause harm to the character and appearance of the host building and surrounding views, to the detriment of the character and appearance of the host building, the street scene and the Primrose Hill Conservation Area. In line with NPPF guidance, the Council considers that the harm to the designated heritage asset (the

Primrose Hill Conservation Area) amounts to “less than substantial harm” and the Council does not consider there to be any public benefits associated with the proposal that would outweigh the harm caused and therefore there is no justification for the proposed development. The Inspector is kindly requested to dismiss the appeal on this basis.

3. Conclusion

- 3.1. Based on the information set out above, and having taken account of all the additional evidence and arguments made, the proposal is considered to be contrary to Policies D1 and D2 of the Camden Local Plan 2017.
- 3.2. The information submitted by the appellant in support of the appeal does not overcome or address the Council’s concerns. The proposal presents no benefits that would outweigh the harm identified.
- 3.3. For these reasons the Inspector is respectfully requested to dismiss the appeal. However, should the Inspector be minded to approve the appeal, suggested conditions are included in Appendix 1.
- 3.4. If any further clarification of the appeal submission is required please do not hesitate to contact Miriam Baptist on the above direct dial number or email address.

Kind regards

Miriam Baptist
Planning Officer
Regeneration and Planning
Supporting Communities

Appendix 1 – Suggested Planning Conditions

1. The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 1909AL01-P, 1909AL02-P Rev A, 1909AL03-P Rev A, 1909AL04-P Rev A; Design and Access dated January 2022 prepared by Habispace Ltd.

Reason: For the avoidance of doubt and in the interest of proper planning.

3. All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Policies D1 and D2 of the Camden Local Plan 2017.

Appendix 2 – Council’s photographs dated 10.01.2023



Figure (a): View of existing roof structure and trellises from Gloucester Avenue below



Figure (b): View towards appeal site from Regent's Park Road



Figure (c): Closer view towards appeal site from Regent's Park Road



Figure (d): View towards appeal site from King Henry's Road



Figure (e): Closer view towards appeal site from King Henry's Road

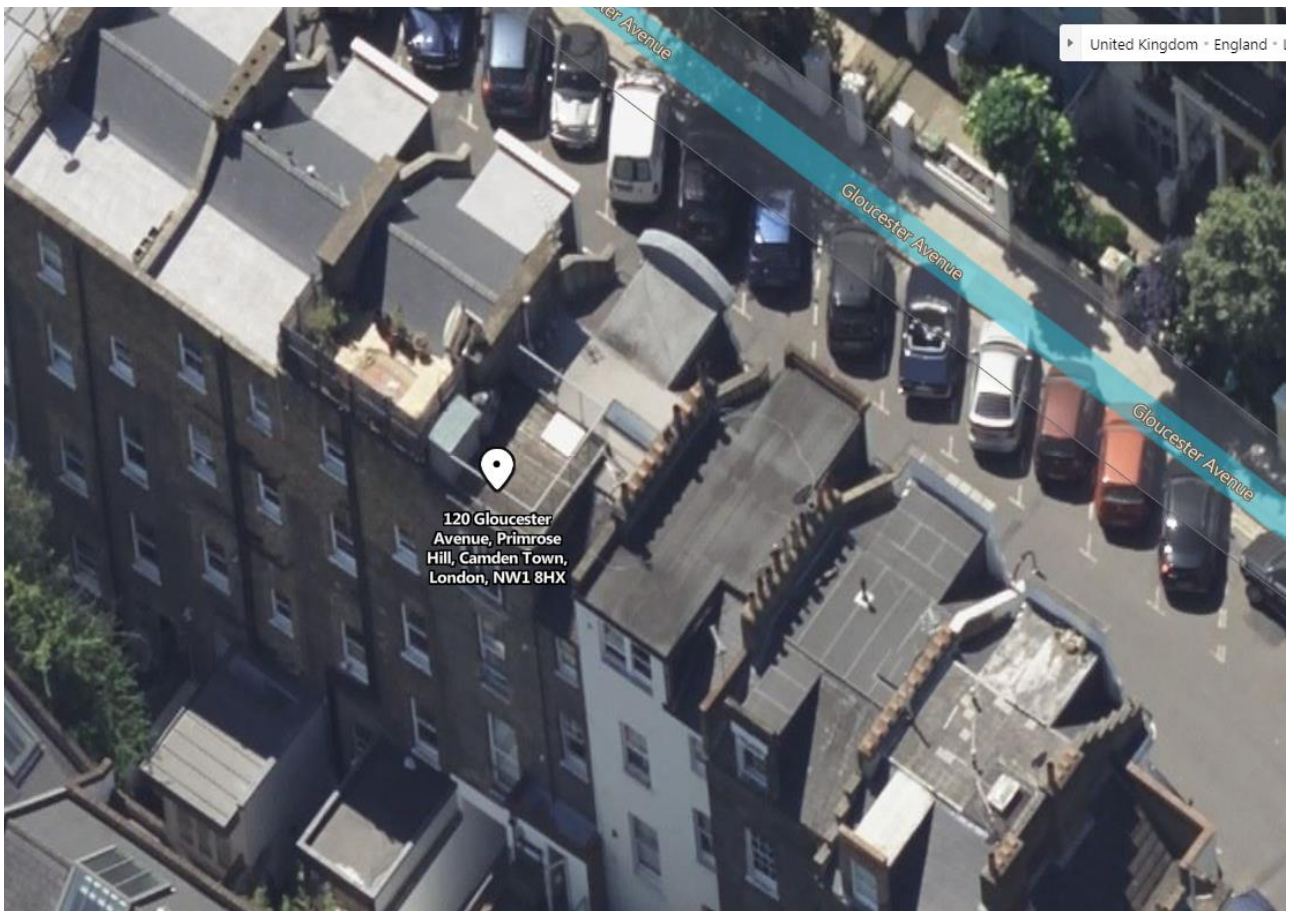


Figure (f): Aerial view from Bing showing box highlighted by appellant statement in Image 9