
Appeal Decision

Site visit made on 20 June 2017

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6th July 2017

Appeal Ref: APP/X5210/D/17/3175092

1 Regent's Park Terrace, London NW1 7EE

- 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 Dr Katherine Miszkiel against the decision of the Council of the London Borough of Camden.
 - The application Ref 2017/0396/P, dated 27 January 2017, was refused by notice dated 6 March 2017.
 - The development proposed is increase in height of existing boundary wall from 35.25 to 35.75 (by reinstating the wall to the 1906 original height).
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Decision

1. The appeal is allowed and planning permission is granted for 'increase in height of existing boundary wall' in accordance with planning application Ref 2017/0396/P, dated 27 January 2017, subject to the planning conditions set out in Annex A to my decision.

Procedural Matter

2. I note that the Council's description of development on its decision notice differs from that in the banner heading above, which is taken from the appellant's application form. I have used the Council's description of development in my formal decision, as it more accurately describes the development that is sought.

Main Issues

3. The appeal site is part of a grade II listed terrace and situated within the Primrose Hill Conservation Area (PHCA). The main issues therefore are:
 - whether the proposed development would preserve the special architectural or historic interest of the grade II listed building and its setting; and
 - whether it would preserve or enhance the character or appearance of the PHCA.

Reasons

4. The appeal site includes the property at the end of a grade II listed terrace, which includes Nos 1-21 Regent's Park Terrace. Together, they form a generally symmetrical facade with slightly projecting end houses. Properties are 4 storeys with basements and Classical detailing. Most of the terrace has light wells at the front enclosed by traditional railings.

5. No. 1 differs in that regard with its entrance on the return facing Gloucester Crescent and having a low level wall which encloses its front and side gardens. That wall allows views into the gardens. That provides greenery and a sense of informality, which contrasts with the rigid symmetry of the front elevation of the listed terrace. The views of the gardens over the low level wall significantly contribute to the setting of the listed building and its significance as a heritage asset. This is the case even if that wall was previously higher.
6. The character and appearance of the PHCA includes mainly residential development, in a planned layout of formal terraces, streets and crescents. The gardens and trees within that planned layout significantly contribute to the spacious, green and leafy character and appearance of the PHCA. The listed terrace and the front and side gardens at the appeal site contribute to that character and appearance, including the views from Oval Road into Gloucester Crescent and Regents Park Terrace. This assessment generally accords with that at pages 22-23 and 24-28 of the Camden Conservation Area Statement Primrose Hill No 5 (2001).
7. The proposed development would increase the height of the wall surrounding the front and side gardens. However, it would be similar in height to the railings that enclose the rest of the listed building, and in this regard would relate appropriately to the listed building and blend in. As the planting behind is high level and the increase in height of the wall small, it would not materially erode views of the greenery and the gardens beyond and their contribution to the sense of informality that contributes to the setting of the listed building and the views identified within the Conservation Area. For the same reasons, it would not appear harmfully solid or harsh at the entrance to the terrace. Further, its detailed design, which would include bricks to match the existing wall, above the coping stone, would read as a later alteration to that wall and would inform an understanding of its history. It's stepped design fronting Gloucester Crescent steps with the slope of that street and as other properties in the street have the same feature it would sit comfortably in the street scene. As there would be some visual separation between the proposed stepped wall and those nearby, it would not appear harmfully tall in relation to them. For all these reasons it would also generally preserve the character and appearance of the PHCA.
8. I conclude that the proposed increased height of the wall would preserve the special architectural or historic interest of the grade II listed building and its setting and the character or appearance of the PHCA. For these reasons, it would generally accord with the Camden Core Strategy 2010-2025 Local Development Framework Policy CS14 and Camden Development Policies 2010-2025 Local Development Framework Policies DP24 and DP25. Those policies generally seek to promote high quality places and conserve Camden's heritage. It would also generally accord with Policies D1 and D2 of the Camden Local Plan Submission Draft (2016), which, as it is at an advanced stage of preparation, I accord significant weight.

Conclusion

9. For the above reasons, and taking all other matters raised into consideration, I conclude that the appeal should be allowed, subject to the planning conditions set out in Annex A to my decision. *R Barrett* INSPECTOR

LIST OF PLANNING CONDITIONS

Annex A

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby approved shall be carried out in accordance with approved plans 1107-OS-101; 1107-GW-26OR; 1107-GW-26GC .
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing wall.