

# Appeal Decision

Site visit made on 17 July 2017

**by Mike Worden BA (Hons) DipTP MRTPI**

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

**Decision date: 17<sup>th</sup> August 2017**

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**Appeal Ref: APP/X5210/W/3173308**

**Flat 4, 38 Grays Inn Road, London WC1X 8JP**

- 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 Jonathan Richards against the decision of the Council of the London Borough of Camden.
  - The application Ref 2016/6387/P, dated 22 November 2016, was refused by notice dated 13 January 2017.
  - The development proposed is roof terrace extension and raising the chimney stack adjacent to the proposal to the full height of the roof.
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## Decision

1. The appeal is dismissed.

## Procedural Matter

2. The Council adopted the Camden Local Plan on 3 July 2017. This plan replaces the London Borough of Camden Local Development Framework Core Strategy and the London Borough of Camden Local Development Framework Development Policies.

## Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

## Reasons

4. The appeal property is a top floor flat that lies at one end of a late 19<sup>th</sup> century five storey block. The block has commercial uses on the ground floor fronting the busy Grays Inn Road, and the remainder is residential. The building is one of two similar blocks on the eastern side of Grays Inn Road and is locally listed. Across Grays Inn Road lie the buildings of Grays Inn Square, some of which are statutorily listed and sit within the Bloomsbury Conservation Area. On the opposite side from Grays Inn Road there is a mix of housing, a school, offices and a large church, St Albans.
5. The proposed development is to erect a square terrace room box on the roof of the building above the flat and to create a two roof terraces, one to the front and one to the rear. The sides of the terrace room would be a mix of glazing and solid panels. The roof terraces would have balustrades for safety reasons. Access to the terrace room would be from inside the flat.
6. The roof of the block does not have any significant structures on it other than chimney pots, a box which appears to be a weather screen and safety rails.

The proposed development would place a new structure at one end of the block. Since it would sit right on the edge it would be visible from the street, from the pavement on the opposite side of Grays Inn Road, and from Brookes Court, the pedestrian street which runs alongside the side of the block. It would also be visible, from the St Albans Church side, particularly from Brookes Court where it links between Dorrington Street and Grays Inn Road. From my site visit I observed that this was a particularly well used pedestrian route.

7. The terrace room would introduce additional height to a 5 storey building and would unbalance the block, sitting at one end. As well as the terrace room the proposed balustrades would be extremely prominent on the roofline as they would sit along the edges.
8. The building is not listed nor within a conservation area. Nevertheless it is locally listed and contributes to the character of this part of Grays Inn Road and the Brookes Court area. It lies in a small gap between two conservation areas and close to a number of important listed buildings. In this area, the proposed development would not harm the strategic views listed in Policy D1 of the Camden Local Plan 2017 which seeks to promote good design, but I consider that it would have a harmful impact on local views.
9. The adjacent block, at 48 Grays Inn Road, has been the subject of a glazed roof extension. However, I consider that the design is different from the proposed development as it forms an integral part of a glazed corner extension which runs from the first floor. It is also not so prominent from the rear as the appeal building as there is a 5 storey building immediately behind it. I do not have the details of that case before me other than references in the Council's statement that the design policies prevailing at the time of its approval in 2005 were different to those currently in force. The Council has also provided evidence of more recent decisions in this regard. In any case I have determined this appeal on its own merits and on the basis of the evidence before me.
10. For the reasons above I therefore conclude that the proposed development would be harmful to the character and appearance of the area and would be contrary to Camden Local Plan 2017 Policy A1 which, amongst other things, requires the proposal to balance the needs of development with the needs and characteristics of local areas, and Policy D1 which seek to secure high quality design. It would also be contrary to Policy D2 which seeks to preserve Camden's heritage assets including those on the local list.
11. I also consider that the proposed development would be contrary to the Camden Planning Guidance 1- Design 2015 Supplementary Planning Document which seeks to promote good design in the borough and provides specific guidance on roof terraces and extensions.
12. Having regard to paragraph 132 of the National Planning Policy Framework, I consider that the proposed development would not be harmful to the setting of either the Bloomsbury Conservation Area or the Hatton Garden Conservation Area. Nonetheless, this does not alter the decision that I have reached

## **Conclusion**

13. For the reasons given above I conclude that the appeal should be dismissed.

*Mike Worden*

INSPECTOR