



Appeal Decision

Site visit made on 5 September 2022

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 October 2022

Appeal Ref: APP/X5210/W/22/3294967

126 Boundary Road, London NW8 0RH

- 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 Faz Zavahir of Avatus Construction Ltd against the decision of The Council of the London Borough of Camden.
 - The application Ref 2021/2889/P, dated 14 June 2021, was refused by notice dated 10 November 2021.
 - The development proposed is the removal of existing shop front and insertion of new shopfront.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the existing building, surrounding area and the St John's Wood Conservation Area (CA).

Reasons

3. The appeal site is located within the St John's Wood CA. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas. The St John's Wood CA Appraisal and Management Strategy (2009) (CAAMS) sets out that the unique character of the CA is as a cohesive area, including parts within the City of Westminster, that established itself as the first example of suburban residential development in what has today become an area of inner London.
4. The CAAMS sets out that *'shops and small scale commercial businesses feature in part of the St John's Wood West area. Here the mid-Victorian terraces along the north-eastern end of Boundary Road form a focal point for goods and services'*. No 126 is a mid-terrace unit within this commercial area, consisting of mostly 3 to 4 storey terraces with some basements. The upper floors are largely a mixture of offices and residential, with the ground floors serving a mixture of commercial uses.
5. Whilst there are a variety of shopfronts in the vicinity, with examples of more modern shopfronts with varying materials and form, there are a number of traditional shopfronts which retain heritage features, with a consistency of frontage design. These contribute to the traditional Victorian form of the parade of stores and this part of Boundary Road largely being retained.

6. I saw on site that building work¹ is underway at No 126 and its existing frontage removed and under scaffolding. The submitted photographs show that the shopfront was a good example of the traditional form similar to adjoining premises. Indeed, No 126 is identified within the CAAMS as a shopfront of merit, due to its historic interest, retention of traditional elements and subsequent contribution to the character of the area.
7. Camden Local Plan (2017) (LP) Policy D3 sets out that *'where an original shopfront of architectural or historic value survives, in whole or in substantial part, there will be a presumption in favour of its retention.'*
8. The timber material and basic form of the shopfront would be retained, with two doors either side of the main central window which sits above a stallriser. However, the contemporary appearance of the shopfront would be devoid of the former traditional detailing, including stallriser and fan light detailing and scallops above the central window. In addition, the large single panel is void of the mullions previously present. The loss of these architectural embellishments and ornate details would detract from the historic context of the building and parade of stores.
9. I acknowledge that, as set out above, the numerous alterations to the nearby shopfronts means that the original character of the area has been eroded to a degree. However, I consider that it is important to the area's character to avoid additional alterations that would result in the further loss of historic interest.
10. Given the localised impact of the development the harm it would cause to the significance of the CA is considered to be less than substantial. Paragraph 202 of the National Planning Policy Framework (the Framework) makes it clear that in such circumstances, this harm should be weighed against the public benefits of the development.
11. The appellant sets out that the current building works include the replacement of uPVC windows on the upper levels with traditional timber framed sash windows and the refurbishment of the rendered front elevation. These works would improve the appearance of the upper floors; however, these benefits are not connected to the scheme before me. I therefore find that the sum of wider public benefits associated with the appeal scheme would not outweigh the less than substantial harm to the significance of the CA as a designated heritage asset, to which I attach great weight as required by paragraph 199 of the Framework.
12. For the above reasons, I therefore find that the proposed development would detract from the character and appearance of the existing building and surrounding area and would neither preserve nor enhance the character or appearance of the St John's Wood CA. The proposal therefore conflicts with those aims of LP Policies D2 and D3 which seek to ensure a high standard of design and development that preserves or enhances the character and appearance of the CA.

Conclusion

13. The proposal conflicts with the development plan taken as a whole and there are no material considerations which indicate that the proposal should be determined other than in accordance with the development plan. Accordingly,

¹ Previously approved applications include 2021/2888/P

for the reasons given above and having had regard to all other matters raised, the appeal is therefore dismissed.

B Phillips

INSPECTOR