



Appeal Decision

Site visit made on 18 January 2023

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th March 2023

Appeal Ref: APP/X5210/W/22/3307387

35 Pratt Street, London NW1 0BG

- 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 H Ahmed against the decision of the Council of the London Borough of Camden.
 - The application Ref 2021/4677/P, dated 18 August 2021, was refused by notice dated 31 March 2022.
 - The development proposed is installation of a frameless tempered glass door.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development for which planning permission is sought has already been completed. The details I observed at my visit appeared to accord with those shown on the submitted plans. For the avoidance of doubt, I have determined the appeal in accordance with these details.
3. The submitted application form comprises an application for planning permission and consent to display advertisement(s). The description of development on the application form is "*Retrospective installation of a frameless tempered glass door and a non-illuminated hanging sign*". The Council's officer report considers 2 separate applications, as follows:
 - (1) 2021/4677/P – Installation of a frameless tempered glass door (retrospective); and
 - (2) 2022/0029/A – Display of 1x projecting sign (retrospective).
4. The appeal has been submitted only in relation to application (1), for which an individual decision notice was issued. Accordingly, I have used the description from this decision notice for the purposes of determining the appeal.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the area and the locally listed building.

Reasons

6. The appeal site is a former public house. It lies in a mixed-use area comprising residential, shops and other commercial uses. Formerly known as St Martin's Tavern, it is a locally listed building and accordingly is treated as a non-

designated heritage asset. The document, 'Camden's Local List', submitted as part of the Council's evidence, advises that the Local List contains elements of the historic environment that are not already designated but which nonetheless contribute to a sense of place, local distinctiveness and civic pride.

7. Whilst the building is understood not to have operated as a public house for some time, it retains various features that give a clear indication to its former use, including traditional signage depicting its name between the first and second floor levels. It also features traditional timber and glazed doors to the left and right sides of the front elevation when viewed from the street. These doors flank a central front projection at ground floor level.
8. The frameless tempered glass door to which the appeal relates has been installed to this central front projection. Historical imagery has been provided demonstrating this replaced traditional timber and glazed doors, similar to those still existing on the flanks of the front elevation.
9. Whilst the public house has not been operational for some time, the building has continued to operate in various guises. The retention of original features throughout this time has ensured the building has continued to make a positive contribution to the character of the area in recognition of its historic use. Though some key original features are retained, the development subject to the appeal appears as an incongruous addition on a uniquely prominent part of the building. As a result, the development significantly detracts from the character of the locally listed building and the wider area by way of its appearance, scale and materials, and the continued presence of some original features would not outweigh this overall harm.
10. I note a recent appeal was allowed at the site which included the removal of the traditional doors and a replacement frontage covering the area subject to the current appeal. However, this previous appeal related to a different development to that currently under consideration, and the main issues related only to the effects on public health and the living conditions of neighbouring occupiers. Furthermore, the approved replacement frontage was significantly different in appearance to that of the current appeal subject.
11. In connection with the previous appeal, I have been provided with details of the relevant listed buildings in proximity to the appeal site. Under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 I am required to consider the effects of the development on nearby listed buildings and their settings. In this case, the relevant listed buildings all lie to the rear of the site, on the opposite side of the building to the appeal proposals. Accordingly, the development would have no effect on the relevant listed buildings or their settings.
12. I have also considered the other appeal examples provided by the appellant regarding various developments in the nearby area. I note no significant comparable matters between these examples and the current appeal and have therefore given them very limited weight in my decision.
13. I acknowledge the adjacent shopping parade, which includes a variety of commercial frontages with development of varying bulk, scale and colour. Whilst the appellant submits that this draws the eye away from the development under consideration and reduces its impact, it does not negate the harm to the building and the wider area. I have not been provided any

evidence that the neighbouring buildings are afforded any special status for the purposes of decision-making, and therefore I give limited weight to the presence of any such nearby developments.

14. I note the emphasis within the National Planning Policy Framework (the 'Framework') to build a strong, competitive economy. I appreciate the development under consideration is related to a business that provides jobs and services to the local community, and therefore supports this objective. However, I am provided with no evidence as to why the development as built is intrinsically linked to the successful operation of this business. Furthermore, Paragraph 203 of the Framework requires a balanced judgement to be undertaken in cases affecting non-designated heritage assets, having regard to the scale of any harm or loss and the significance of the heritage asset. In this case, I have identified no public benefits arising through the development that would outweigh the harm created to the significance of the non-designated heritage asset through its appearance, scale and materials.
15. For the reasons above, I conclude the proposed development is harmful to the character and appearance of the area and the locally listed building and no public benefits would outweigh this harm, which conflicts with Policies D1 and D2 of the Camden Local Plan 2017. Together these policies seek, among other objectives, to secure high-quality design in development that respects local character, comprises details and materials that are of high quality and complement the local character, and ensures the effect of proposals on the significance of non-designated heritage assets will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset.

Conclusion

16. For the reasons above, I conclude that the appeal should be dismissed.

P Storey

INSPECTOR