



Appeal Decisions

Site visit made on 8 September 2025

by **A Parkin BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6th October 2025

Appeal A Ref: APP/X5210/W/25/3359622

12 & 13 Primrose Hill Studios, Fitzroy Road, London NW1 8TR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Rory and Barbara Campbell - Lange against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2024/3836/P.
 - The development proposed is described as 'Erect a single storey extension, rebuilding the southern and eastern boundary walls, insert a doorway and restore the masonry finish to the southern elevation of 12 Primrose Hill Studios.'
-

Appeal B Ref: APP/X5210/Y/24/3357933

12 & 13 Primrose Hill Studios, Fitzroy Road, London NW1 8TR

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Rory and Barbara Campbell - Lange against the Council of the London Borough of Camden.
 - The application Ref is 2024/4296/L.
 - The works proposed are described as 'Erect a single storey extension, rebuilding the southern and eastern boundary walls, insert a doorway and restore the masonry finish to the southern elevation of 12 Primrose Hill Studios.'
-

Appeal A: Decision

1. Appeal A is dismissed.

Appeal B: Decision

2. Appeal B is dismissed and listed building consent is refused.

Preliminary Matters

3. The appeal site forms part of a Grade II listed building¹ and is located in the vicinity of a number of other listed buildings within the Primrose Hill Conservation Area (PHCA). Consequently, I have had regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
4. The Council sought to amend the description of the proposal during the application process. However, this was not agreed by the appellant who

¹ Primrose Hill Studios (List Entry Number 1390876)

considered the description inaccurate. I have used the description of the proposal from the application form in the banner heading above.

5. The appeal forms list a different site address to that given on the application form and on the Council's decision notice refusing planning permission. From the submitted evidence I am satisfied that the address on the application form is correct, and I have used this in the banner heading above. I am also satisfied that despite the different address, the appeals concern the proposal that was the subject of applications for planning permission and listed building consent, as set out above.
6. With reference to the types of appeals made, the situation is somewhat complicated. For both the planning application and the listed building consent application, the appellant appealed against the Council's failure to determine the applications within the required timeframe.
7. However, whilst the Council had not made a decision on the listed building consent application at the time that appeal was made on 20 December 2024, the Council had refused planning permission for the proposal on 17 January 2025, before that appeal was made on 27 January 2025.
8. It is not immediately clear why the appellant did not make both appeals in December 2024, instead of waiting more than a month to submit the planning application appeal.
9. However, despite this I am satisfied that neither party has been significantly disadvantaged as a result. I have determined the listed building consent appeal (Appeal B) as it was made, and the planning application appeal (Appeal A) against the Council's refusal to grant planning permission. In either case, the substance of the parties' positions can be readily understood.
10. As set out above there are two appeals on this site for the same proposal, Appeal A and Appeal B. I have considered each appeal on its individual merits and with regard to relevant legislation, policy and guidance. However, to limit duplication I have dealt with the two appeals together, except where otherwise indicated.

Main Issues

11. Appeal A: The main issues are the effect of the proposal on:
 - The significance of designated heritage assets; and,
 - The living conditions of the occupiers of 12 and 13 Primrose Hill Studios, with particular regard to overlooking.
12. Appeal B: The main issue is the effect of the proposal on the significance of the Grade II listed building Primrose Hill Studios.

Reasons

Significance of designated heritage assets

13. The appeal concerns two distinct buildings that form part of a Grade II listed Mews development, Primrose Hill Studios, which was constructed to provide studio houses for artists, in the late 19th century.

14. The studios are constructed of stock bricks with red brick details and slate roofs, in variants of the Queen Anne style, many of which retain large north-facing rooflights. The studios are 2-storeys in height and are arranged around a rectangular-shaped, landscaped courtyard, which is accessed via an alley from Fitzroy Road to the west.
15. 12 Primrose Hill Studios is a former studio house that is accessed from the main courtyard. It retains its rooflights and much of the original studio space, although a mezzanine level has been introduced, which reduces the volume and alters the character of this space somewhat.
16. At the southern end of the courtyard is No 13, known as the Lodge, which is somewhat different to the studios in both original function and appearance. It is said to have been constructed as servants quarters for the studios and unlike the studios, which are accessed from the main rectangular courtyard, it is accessed from a small courtyard to its southeast, also formed by the south elevation of No 12, by tall boundary walls by Kingstown Street and with an arched pedestrian gateway through to the main courtyard.
17. The small courtyard is originally thought to have been a service yard for No 13, where the servants would store coal and waste associated with the studios, and with a single vehicular access to Kingstown Street. More recently the small courtyard contained garages, with three gated openings in the southern wall by Kingstown Street; the garages have since been demolished.
18. The significance of this designated heritage asset, insofar as it relates to Appeal A, stems from its historical development and function, together with the associated design, layout and materials of the Mews, and its visual and functional relationship with the surrounding area.
19. The PHCA is now a predominantly residential area, containing elegant terraces, larger Italianate villas, together with in-fill developments, some due to bomb damage from the second world war. The PHCA is located by the railway line to Euston Station and to the north of Primrose Hill and Regent's Park, with the Regent's canal passing through the eastern part of the area.
20. The significance of this designated heritage asset, insofar as it relates to Appeal A, stems from its historical development over time, together with the buildings, streets and spaces to be found there.
21. Nos 12 and 13 are both owned by the appellant. The proposal is said to be needed to allow the appellant's family of five to remain together by occupying the two dwellings and the small courtyard between. The appellant's family are said to occupy No 12 at present, but both buildings were empty and largely devoid of fittings at the time of my site visit. Furthermore, the existing layout drawings do not fully show the situation I observed on site, including in terms of kitchen and bathroom fittings and I do not consider either building to be in a habitable condition.
22. The proposal would entail internal works to both properties, as well as the creation of a distinctive concrete and glass, single-storey, flat-roofed extension to No 12, which would be constructed to the immediate south in the small courtyard. This would be used as a kitchen - dining room, with a jib door connecting the extension

- to No 12 through its southern elevation wall, and with a further doorway in the southern boundary wall from the extension to Kingstown Street.
23. The small courtyard would become a shared space for the occupiers of Nos 12 and 13, including space for the parking of a vehicle. For the occupiers of No 12, access to the small courtyard would be through the glazed doorways in the western elevation of the proposed extension, whilst the existing entrance to No 13 would be maintained, alongside the gated pedestrian access between the courtyards.
 24. The southern elevation wall of No 12 would be repaired, whilst the external boundary walls to the courtyard would be demolished and re-built to a greater height using stock bricks. The southern elevation boundary wall would be altered to include not only the pedestrian access to the kitchen extension, but a gated vehicular access at the western end.
 25. There is evidence the small courtyard contained a building in the late 19th and early 20th centuries, in a similar position to the proposed extension. However, from the limited evidence, this seems to be separate from No 12, and is likely to be an outbuilding within the service yard of No 13.
 26. The proposed extension would result in the loss of part of the historic fabric of No 12, through the creation of a doorway opening in the southern elevation wall. It would also alter the character and appearance of the double height studio room somewhat, notwithstanding the proposed jib door to the extension, and would detract from the planform layout of No 12.
 27. Furthermore, the proposed extension would encroach into the small courtyard, an area with no demonstrable connection to No 12, other than as part of the overall Mews development. This would be an unsympathetic change to the historical layout of this part of the Mews development, creating a shared space from what was historically a largely private space associated with No 13.
 28. The demolition and re-building of the external boundary walls, which are said to date from the 1950s, would enable the extension to be constructed, and it would occupy almost all of the space allowed by the increased height.
 29. The proposed height of the boundary walls would match other sections of boundary wall on the eastern side of Primrose Hill Studios. However, the visual and historical context of the appeal site is somewhat different and no compelling evidence has been provided that this scale would match the height of the original external boundary walls at the appeal site. In my view, the height of the southern boundary wall would make it an over dominant and incongruous feature, which would obscure parts of the listed building that are currently visible from the public realm.
 30. The height of the proposed extension would be significantly greater than the ground floor level within No 13, and setting aside the double-height studio space, the ground floor level in No 12. Set within the small courtyard and notwithstanding its glazed frontage, the scale and massing of the proposed extension would be disproportionate.
 31. In addition to the loss of historic fabric in the southern wall of No 12, I consider the design, scale, position and materials of the proposed extension and associated

- works, would be out of keeping with the character and appearance of the Mews development overall and would erode the historical and functional separation of Nos 12 and 13 in particular. This would result in less than substantial harm, towards the lower end of the scale, to the significance of Primrose Hill Studios.
32. Primrose Hill Studios makes a positive contribution to the character and appearance of the PHCA and so the proposal would also cause less than substantial harm to the significance of the PHCA, again towards the lower end of the scale.
33. Any harm to a designated heritage asset attracts considerable weight². Where less than substantial harm is proposed to a designated heritage asset, this harm should be weighed against the public benefits of the proposal³. There would be some social and economic benefits associated with undertaking the proposed works, but the limited scale and duration of such works means they carry very limited weight.
34. There would be elements of restoration to the buildings, which would be a public benefit. However, much of this would be needed in order to make the buildings habitable, and so would need to be undertaken in any event.
35. Given their currently vacant state, the buildings would be returned to a productive residential use, which would be a public benefit. However, the appellant acknowledges there would be a net availability loss of dwellings, as the two dwellings would be occupied by a single family. I see no reason why the buildings could not be returned to productive use as fully separate properties, so any benefit in this regard would be very limited.
36. The appellant states that the proposal would not be publicly visible. Whilst I accept this would be true of the proposed extension, the southern external boundary wall would be visible from Kingstown Street, and in any event, this does not affect the harm that would be caused to the historical character of the listed building or the PHCA.
37. The appeal site has experienced considerable changes over the past 150 years or so. In recent times there have also been a significant number of applications for development and works at the appeal site, many of which have been approved. Only limited information regarding these other proposals/approvals is in the evidence before me, and I am not fully familiar with any of them.
38. The various assessments made in reaching those decisions show the planning judgement of the decision-maker / consultee in those cases and at that time. I have assessed the current proposal myself and reached my own planning judgement of its effects on the significance of designated heritage assets.
39. Repeated reference is made to a 2018 proposal⁴ that was approved by the Council in 2019. This approval is said to concern a first floor extension over an existing garage and a single storey ground floor link to No 13. According to the appellant the approved scheme would be more harmful than the proposed scheme, and these consents are said to be extant due to the demolition of the garage, which the Council has not disputed.

² Paragraph 212 of the National Planning Policy Framework December 2024 (the Framework)

³ Paragraph 215 of the Framework

⁴ LPA Ref. 2018/0191/P and 2018/1156/L

40. However, with reference to Figure 1 of the Council's officer report for the current appeal proposal, these approvals concern 13 Primrose Hill Studios, not No 12, and no direct access to the approved scheme from No 12 would be possible. The approved scheme is, therefore, very different in scope, as well as in design, scale and massing, to the proposed scheme.
41. I have no reason to dispute that the 2018 approval is extant. Consequently, this may be considered a fallback position to the current proposal, as the appellant indicates. However, I note the appellant did not submit the 2018 proposal and given the elapsed time since 2018 without built development commencing; given the expenses incurred in seeking consent for various alternative proposals subsequently; and given the significant differences between the approved scheme and the current proposal, I do not consider the appellant would progress the approved scheme, were the current appeals dismissed.
42. Even if I were to accept there is a greater than theoretical possibility of the approved scheme being implemented, the limited information provided regarding the approved scheme means I cannot be certain that it would result in more harm to the significance of designated heritage assets than the current proposal. Consequently, it has not been demonstrated that not implementing the 2018 scheme would be a public benefit of the proposal.
43. I note the comments made by Historic England, including in relation to the external walls as part of a consultation response on another proposal⁵. However, from the limited information before me, it is not clear whether this relates to the external walls of No 12, or to the external boundary walls. In any event, I consider the height of the proposed southern boundary wall would detract from the historic character and appearance of the listed building and the PHCA.
44. The appellant makes reference to various other properties in Primrose Hill Studios to support their position. However, I am not familiar with these properties, and in any event, each proposal should be determined on its individual merits.
45. The appellant has referred to difficulties experienced engaging with the Council's case officer to resolve issues during the application process, and apparently contradictory comments from the Council and the Primrose Hill Conservation Area Advisory Committee (PHCAAC). It is important for the Council and consultees to engage with an applicant and to be generally consistent in their approach.
46. The PHCAAC suggested the height of the proposed extension and southern external boundary wall should be reduced by some 300mm, which is something the appellant is prepared to accept.
47. However, Government guidance is very clear that the appeal process should not be used to evolve a scheme, and it is important that what is considered by the Inspector is the same as was considered by the Local Planning Authority⁶. In any event, I am not satisfied that such an amendment, together with any associated alterations to the proposed extension itself, would pass the substantive and procedural tests from *Holborn Studios Ltd v The Council of the London Borough of Hackney (2018)*.

⁵ LPA Ref. 2022/4547/L

⁶ Section 16 - Procedural Guide: Planning appeals – England

48. For these reasons, the proposal would detract from the significance of the listed building and from the significance of the PHCA. It would, insofar as relevant, conflict with Policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017 (CLP), and with the Framework.

Living Conditions - overlooking

49. Nos 12 and 13 are both owned by the appellant and the proposal would be for the appellant's family of five to occupy the two properties and avoid overcrowding. Were the two properties to be occupied in this way, I do not consider there would be any significantly harmful overlooking of either the proposed kitchen extension of No 12 from No 13 or from the shared courtyard, or of No 13 from the kitchen extension or from the shared courtyard.
50. However, the first floor windows of 34 Kingstown Street next door overlook the small courtyard, including the proposed extension. The glazed elevation of the extension would allow unobstructed views into the kitchen – diner, a habitable room, and it is likely this would adversely affect the living conditions of future occupiers, including through the perception of being overlooked.
51. Furthermore, the appellant emphasises that these are two separate buildings, with separate kitchens, bathrooms and bedrooms, separate utilities connections, separate postal addresses and are listed separately for council tax.
52. Were the two properties to be occupied separately by different families, the design and position of the proposed kitchen extension, and the design and position of the ground floor facing elevation of No 13, means there would be harmful reciprocal overlooking of these properties; there would also be harmful overlooking of the kitchen extension from the upper floor facing elevation of No 13 and, as previously mentioned, from the first floor windows of 34 Kingstown Street.
53. Furthermore, the small courtyard is historically part of No 13, linked to its function as servants' quarters for the artists' studios; there is no compelling evidence that the small courtyard was a communal space historically. Were Nos 12 and 13 to be occupied by separate families, there would be immediate and harmful reciprocal overlooking of the ground floor spaces in the proposed extension and at No 13 from the shared courtyard space.
54. The appellant has indicated that were the properties to be occupied by two different families then a communal lease agreement could be prepared for the benefit of the occupiers of both properties. The appellant seems to recognise that overlooking would be an issue in such circumstances with '...an obvious manifestation of such a lease, could be the condition for a wall or fence to be erected, subject to the LPA's consent...'
55. However, neither an indicative communal lease agreement nor details of a physical barrier are in the evidence before me. The height required to prevent harmful overlooking at ground floor level would need to be at least 1.7 metres and would need to be higher to prevent harmful overlooking from the upper floors of No 13, and from some of the first floor windows of 34 Kingstown Street, next door. This would almost certainly require listed building consent, which may not be granted, in which case there would be harmful overlooking.

56. I note the comments provided regarding the separation distances between the approved scheme and 34 Kingstown Street. However, I consider the proposal would still result in unacceptable overlooking of the extension, and of No 13 from the extension.
57. I also note the comments about separation distances between Mews properties more generally in London. However, only very limited information about these other properties is provided and I am not familiar with them. In any event, each proposal should be determined on its individual merits, which is what I have done in this case.
58. For these reasons, the proposal would adversely affect the living conditions of the future occupiers of Nos 12 and 13, with particular regard to overlooking. Consequently, it would conflict with Policy A1 (managing the impact of development) of the CLP and with the Framework.

Conclusion

59. For the reasons given above, I conclude that Appeal A is dismissed and that Appeal B is dismissed and listed building consent refused.

Andrew Parkin

INSPECTOR