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# Appeal Decision

Site visit made on 16 June 2014

**by Claire Victory BA (Hons) BPI MRTPI**

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

**Decision date: 16 July 2014**

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**Appeal Ref: APP/X5210/A/13/2209988**  
**10, 11 and 12 Charlotte Place, London, W1T 1SH**

- 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 Acemark Properties Limited against the decision of the Council of the London Borough of Camden.
  - The application Ref 2013/4501/P, dated 30 July 2013, was refused by notice dated 24 September 2013.
  - The development proposed is described in the application form as "mansard roof extension to numbers 10, 11, 12 Charlotte Place to create 3 x 1 bed maisonettes".
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## Decision

1. The appeal is dismissed.

## Procedural Matters

2. The site address was given on the application form as "10 Charlotte Place", but the Council's Decision Notice and appellant in their appeal form have referred to the property as "10, 11 and 12 Charlotte Place", and Numbers 10, 11 and 12 fall within the red line on the site plan. I have therefore amended the site address to also refer to Nos 11 and 12.
3. I have had regard to the Government's planning practice guidance, published on 6 March 2014, but in the light of the facts of the case this has not altered my conclusion.

## Main Issues

4. The main issues in this appeal are the effect of the development on the character and appearance of the host properties and surrounding area, and whether the development would preserve or enhance the character or appearance of the Charlotte Street Conservation Area.

## Reasons

5. The appeal properties form part of a predominantly four storey terrace block, with commercial uses at ground floor level. Charlotte Place is a short, relatively narrow, pedestrianised side street, located between Goodge Street and Rathbone Street. Although there are some exceptions, most of the properties on either side of Charlotte Place do not have roof extensions, and as a result the terrace has a largely unaltered parapet roofline.

6. The appeal proposal would involve a single storey mansard roof extension to 10, 11 and 12 Charlotte Place to form three one bedroom maisonettes, and the replacement of casement windows with painted timber sash windows at No 10.
7. The properties subject of this appeal lie within the Charlotte Street Conservation Area. As such I have had regard to the duty to pay special attention to the desirability of preserving or enhancing its character or appearance. The Council's Charlotte Street Conservation Area Appraisal and Management Plan (2008) defines the heritage significance of the conservation area. This lies largely in the fine grain of urban development and lack of open space created by the densely developed grid pattern of streets. The lower building heights and more informal character of smaller streets such as Charlotte Place are juxtaposed with the grander, more formal streets such as Charlotte Street and Goodge Street, which have generally taller building heights. The appraisal also notes that roof forms in the area are commonly defined by a parapet wall which creates a strong and often consistent roof line.
8. The Council's Camden Planning Guidance 1 Supplementary Planning Guidance (CPG1) advises that mansard roofs can be appropriate for Georgian or Victorian dwellings where they are the established roof form in a group of buildings or townscape, and the appellant has cited examples at No 53 Goodge Street and 14 Charlotte Place as buildings in the vicinity with mansard roofs. While No 53 Goodge Street has a mansard extension and is taller than Nos 10-12, this reflects its position as a corner property, and its relationship to other buildings along the Goodge Street frontage, of a similar height. The Council have also noted that No 53 is not identified in the Charlotte Street Conservation Area Appraisal and Management Plan (2008) as a contributory building to the conservation area, unlike the appeal properties.
9. With regard to No 14 Charlotte Place, it was extended prior to the designation of the conservation area in 1973, and with the inclusion of the mansard roof extension, is still lower in height than the existing parapet roofline of Nos 10-12 Charlotte Place. I consider that the group of appeal dwellings form a group of buildings with their own character, distinct from the aforementioned properties, with the parapet roofline making a positive contribution to the Conservation Area. The development would interrupt the unbroken roofline of this group of buildings, and would therefore harm the architectural integrity of the group and alter the townscape character of the area, contrary to CPG1.
10. The appellant argues that the development would not be seen from Charlotte Place, and should be viewed in the wider context of surrounding streets. I acknowledge that the overall size of the scheme has been reduced from a previous application, with the exclusion of No 13 from the design and the reduction in the height of the roof extension, and that the development would not easily be seen at street level within Charlotte Place. However, the mansard roof, and the raised chimneys would be visible from the public realm within Rathbone Street and Goodge Street and from the upper floors of surrounding buildings. The lower building heights of most properties in Charlotte Place, including Nos 10-12, along with the narrow pedestrianised street, offer a pleasing contrast to the generally taller buildings on Rathbone Street and Goodge Street, and reflect its more informal character in comparison to these busier thoroughfares. This juxtaposition contributes to the heritage significance of the conservation area. If the appeal were allowed, the height of Nos 10-12 would become more akin to the prevailing heights of buildings

within the surrounding streets, and the intimate scale of Charlotte Place would be undermined. Thus the character and appearance of the conservation area would be harmed.

11. The appellant has also cited other similar extensions in the wider area in support of the appeal. The scheme at Nos 11-14 Windmill Street included the redevelopment and refurbishment of a modern building that the Council considered to be unattractive, and it is adjacent to a 14 storey building. In the case of schemes at 10, 14, 18, and 69 Charlotte Street, there is a prevalence of mansard roofs along this major street, and the Council have also stated the schemes were the result of previous permissions that had been renewed. Consequently I consider these examples are materially different to the proposal before me, and I have attached little weight to them in determining this appeal.
12. The Council have stated that the development conflicts with the maximum floor to ceiling height of 2.3m as set out in CPG1. The appellant has provided diagrams to show that the scheme would comply with the Mayor of London's Housing SPG, which requires a 2.5m floor to ceiling height for at least 60% of the floor area for schemes of this type, and to show that if a roof extension was constructed in accordance with the Mayor's SPG and incorporating a 70 degree angle advised in CPG1, it would result in a higher roof profile than the appeal scheme. That may be the case, but nevertheless, it does not alter my overall conclusions with regard to the main issues.
13. For all of these reasons I conclude the development would harm the character and appearance of the host properties and the surrounding area, and would not preserve the character and appearance of the Charlotte Street Conservation Area. Thus it would conflict with the design and heritage objectives of Core Strategy Policy CS14, which requires development of the highest standard of design that respects local context and character, Policies DP 24 and DP 25 of the Local Development Framework Development Management Policies Development Plan Document, which seek to protect the character and appearance of a locality, including conservation areas, through high quality design that respects local distinctiveness, and CPG1. These policies are consistent with the National Planning Policy Framework (the Framework) insofar as they seek to secure a high standard of design in new development, and give great weight to assets of heritage significance.
14. Due to the size and scale of the proposal in relation to the conservation area as a whole, I consider that the proposal would cause less than substantial harm. I have therefore weighed any public benefits associated with the proposal against the harm caused by the development, in accordance with paragraph 134 of the Framework. I accept that the replacement of upvc windows at No 10 with timber sash windows, and the use of traditional materials in the roof extension would improve the quality of the built fabric, make a positive contribution to the street scene, and be more sympathetic to the character and appearance of the Conservation Area. However, these improvements would have insufficient public benefit to outweigh the significant harm the proposed roof extension would cause to the character and appearance of the Charlotte Street Conservation Area. I conclude therefore that the proposed development would fail to accord with national policy.

### **Other Matters**

15. The Council also notes in its final comments on the appeal that the extension would result in a lack of reflected daylight and create a wind tunnel effect along Charlotte Place. These matters did not form part of the Council's original reasons for refusal and there is insufficient substantive evidence to support such assertions and the harm that is alleged. Such considerations do not affect my conclusion on the main issues.

### **Conclusion**

16. For the reasons set out above, and having due regard to all other matters raised, I conclude that the appeal should be dismissed.

*Claire Victory*

INSPECTOR