



Appeal Decision

Site visit made on 22 May 2006

by **Robin Bradbeer BA (Hons) MRTPI**

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

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Date: 13 June 2006

Appeal Ref: APP/X5210/A/06/2009131
23 John's Mews, London WC1N 2PA

- 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 James Beazer against the decision of the Council of the London Borough of Camden.
- The application ref. 2005/5340/P, dated 5 December 2005, was refused by notice dated 3 February 2006.
- The development proposed is mansard roof extension.

Decision

1. The appeal is dismissed

Reasons

2. The appeal property comprises a two storey building located on a corner site within the Bloomsbury Conservation Area. Since determining the appeal proposal, the Council has permitted under ref. 2005/5526/P an alternative mansard roof extension. Therefore, in considering this appeal I shall focus on the disputed material differences between the two schemes. These are the front terrace, the lantern and the additional height of the extension.
 3. The development plan includes the London Borough of Camden Unitary Development Plan (UDP) (2000). Policies EN1, EN13 and EN14, taken together, aim to protect and improve environmental quality and to encourage high quality design that respects the context. Policy EN31 seeks to ensure that development in conservation areas preserves or enhances their special character or appearance. Policies S2, B1, B2 and B7 in the emerging replacement UDP embrace similar aims.
 4. The Council has published two relevant Supplementary Planning Guidance (SPG) documents. SPG (2002) that elaborates UDP policy includes reference at section 2.8 to roofs and terraces. Since the UDP at paragraph 4.39 states that this document was produced in conjunction with the UDP I give it substantial weight. The Bloomsbury Conservation Area SPG outlines the history of the conservation area and sets out design principles that cover a range of topics including roof alteration and extension. However, I attach limited weight to this document since it has not been made clear whether it was prepared in consultation with the public as required by national guidance. In addition to the above documents, the appellant refers to the London Plan Draft SPG called *Sustainable Design and Construction*. Although the document has not been provided I understand that it includes reference to maximising opportunities for open space. Because of its draft status I attach limited weight to this SPG.
 5. In connection with appeals determined in 2005 for site redevelopment, the Inspector stated, "*I saw that nos. 11 to 23 are an attractive group of buildings in a street where there has been a significant amount of demolition and modern redevelopment of a different character. Whilst I noted that there have been some alterations to openings and to other original features of nos. 11 to 23, I consider that their distinctive and historic character remains essentially intact. There is regularity in their appearance with defined lines to the parapet and to the top of the first floor windows. Mansards are set back behind the parapet and do not, in my opinion appear prominent. ...As the end mews house prominently sited at the corner of John's Mews, I consider that no. 23 forms an integral and important building within the group. In my opinion, therefore, no. 23 makes a positive contribution to the character and appearance of the conservation area*". I agree with this analysis both of site context and of the role of this building in relation to the character and appearance of the conservation area.
 6. Although there are terraces in front of mansards elsewhere in this group, at nos. 11 and 17, neither of those properties occupy a position of such importance and prominence as the appeal property. I note also that neither of those terraces was permitted under the planning policies that prevail in this appeal. Because of the prominence of the appeal property I consider that the proposed terrace, due to both the reflective qualities of
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the perimeter glass balustrade and its use as a sitting out area, would look obtrusive in the street scene and harm the character and appearance of the conservation area. It would conflict with SPG that elaborates UDP design policies with particular reference to paragraphs 2.8.2e and 2.8.20c, which discourage roof alterations and extensions in circumstances where the building is exposed to important views from public spaces and indicate that it will not normally be appropriate to set back a mansard to provide a terrace.

7. Whilst I acknowledge that lanterns appear in the conservation area and note that there is a lantern at no. 11 John's Mews, nonetheless they do not represent a typical feature within this group of buildings. In spite of the appellant's assertion that the lantern would not be visible from the street, taking into account its height and the location of the property, I consider that it would likely to be seen in public views, particularly from the west and south. I agree with the Council that in such views it would appear as an unnecessarily fussy feature that would detract from the distinctive and historic character of the building.
8. There is disagreement between the parties concerning the height difference between the mansard the subject of this appeal and the permitted mansard, the appellant says +150mm and the Council says +300mm. I saw that the parapet of the property rises slightly above the level of that adjacent at no. 21 John's Mews and noted that part of the permitted mansard rises slightly above the top of the mansard at no. 21. Therefore, I consider that the additional height of the proposed mansard, whichever is the correct dimension, in combination with the proposed front terrace and lantern, would make the scheme unacceptably obtrusive and out of keeping with the context. It would neither preserve nor enhance the character and appearance of the Bloomsbury Conservation Area and would conflict with the relevant UDP policies and SPG referred to above.
9. The appellant argues that beyond this group of buildings other roof terraces have been permitted elsewhere in the conservation area, in some cases since the Council's SPG (2002) was published. Whatever the history of those sites, they do not set any precedent for the scheme before me since each proposal must be dealt with on its merits. Whilst I appreciate that the property has no outside amenity space I am satisfied that the harm that I have identified firmly outweighs the benefit of making such provision by means of the proposed terrace. Having regard to these considerations and all other matters raised I conclude that the appeal should be dismissed.



INSPECTOR