



Appeal Decision

Site visit made on 9 February 2005

by **W.G. Pryce** MSc DipArch RIBA MRTPI

an Inspector appointed by the First Secretary of State

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Date

22 FEB 2005

Appeal A: APP/X5210/E/04/1155420
45 Argyle Square, London WC1H 8AL

L14/28/E

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr J Carruana against the decision of London Borough of Camden Council.
- The application ref: 2004/0422/L, dated 20 January 2004, was refused by notice dated 2 April 2004.
- The works proposed are the demolition and reconstruction of the back addition.

Appeal B: APP/X5210/A/04/1153999
45 Argyle Square, London WC1H 8AL

- 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 J Carruana against the decision of London Borough of Camden Council.
- The application ref: 2003/3234/P, dated 20 January 2004, was refused by notice dated 2 April 2004.
- The development proposed is the demolition and reconstruction of the back addition.

Decision

1. For the reasons given below I dismiss these appeals.

Reasons for the Decision

2. The property that is the subject of these appeals is a traditional four-storey terraced house overlooking Argyle Square within the Bloomsbury Conservation Area (West). It is a Grade II listed building and is now in use as a hotel.
 3. Despite the fact that there is an existing and somewhat unsightly rear extension at the back of No.45, the rear elevation of the remainder of the terrace appears to have largely retained its original form with a relatively continuous rear wall interspersed with projecting closet wings which generally appear to occupy approximately half the width of the houses at ground and first floor level.
 4. With regard to the rear of the property fronting onto Argyle Street and to the south-west of the appeal site, I recognise that there are two large and particularly unfortunate rear wings projecting out to within one or two metres of the boundary wall behind Nos.29 and 31 Argyle Street. However, judging from the design and size of these extensions, it would seem that these structures probably pre-date the Unitary Development Plan of the London Borough of Camden (UDP) and the greater concern that currently exists at national and local level for preserving listed buildings and the character and appearance
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of conservation areas.

5. In relation to this proposed development, I am concerned that whilst the projection at ground floor would be reduced, infilling across the full width of the site at that level and thereby abutting the rear wing of No.44, would result in the extension contrasting sharply with the established pattern and size of the traditional closet wings. In addition to this I am concerned that extending the projecting wing at first floor level with a single-pitched roof over would only emphasize the unsympathetic form, scale and bulk of the new development compared with the traditional arrangements.
6. The UDP policies EN22, EN31 and EN38 are designed to safeguard the historic environment and these policies accord with the national guidance set out in Planning Policy Guidance Note 15 – Planning and the Historic Environment and the duties imposed under Planning (Listed Buildings and Conservation Areas) Act 1990. In this case, the policies are also supplemented by the Council's Draft Conservation Area Statement (CAS) and whilst I am not clear as to the status of that document, it adds some weight to my considerations of these appeals.
7. The general constraints relating to rear extensions are clearly set out in policies BL16 - BL22 of the CAS and whilst I acknowledge the damaging impact of the existing extension on its immediate environment, it is my view that due to the height and the size of the first floor and the width of the extension at ground floor level, this proposal would not result in any significant overall improvement. I consider the new proposal would be harmful to the character and appearance of the listed building and its setting within the conservation area and as a consequence, I have concluded the proposal would be in conflict with the local and national policies to protect the historic environment.
8. In considering this case, I am also mindful of the impact of the proposal on the amenities of nearby residents. Whilst it appears that Nos.29 and 31 Argyle Street are in use as hotels and therefore the rear windows of those rooms closet to the boundary are unlikely to be used during the day or as permanent living accommodation, the side windows of No.47 Argyle Square would look out onto the side and highest part of the new extension. I appreciate that the view would be screened to a large extent by the existing rear wing at the back of No.46 and that the amount of existing development adjacent to this property severely compromises the outlook, sunlight and daylight to both the basement and ground floor of that property. However I am concerned that due to the increased height and projection of the proposal at first floor level, the overall effect would be to exacerbate that situation further and that would be harmful to the residents of No.47 and as a consequence in conflict with policy EN19 of the UDP.



INSPECTOR