



## Appeal Decision

Site visit made on 31 March 2015

**by Elizabeth Lawrence BTP MRTPI**

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

Decision date: 21 April 2015

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**Appeal Ref: APP/X5210/W/14/3001661**

**64 Charlotte Street & 32 Tottenham Street, LONDON, W1T 4QD.**

- 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 Roger Lass against the decision of the Council of the London Borough of Camden.
  - The application Ref 2014/5073/P dated 28 July 2014, was refused by notice dated 11 November 2014.
  - The development proposed is erection of mansard roof extension and the creation of a single residential unit in association with planning permission (2012/3537/P).
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### Preliminary matters

1. The Appellant has asked that consideration is also given to the scheme originally submitted to the Council as part of the Appeal application. This would be inappropriate as it is materially different to the Appeal scheme and was not formally determined by the Council.
2. At the time of the Appeal site visit the Appeal property was encased with scaffolding and sheeting and so was not fully visible. However, photographs and detailed drawings of the building were submitted with the Appeal documents and the form, size, location and setting of the building were readily visible. Accordingly, the screening of the building has not affected my ability to determine this Appeal.

### Decision

3. The appeal is dismissed.

### Main Issue

4. The main issue is the effect of the scheme on the character and appearance of the host building, the adjoining terraces and the Charlotte Street Conservation Area (CSCA).

### Reasons

5. The Appeal site is located within the CSCA which is characterised by a grid pattern of narrow streets flanked by four and five storey terraces located adjacent or close to the pavement. Many of the terraces were designed as houses and date back to the mid to late 17<sup>th</sup> Century, although the current
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- character is that of an intensely developed mixed residential and commercial area, which includes Georgian, Regency, Victorian and more modern buildings and terraces.
6. Together the Fitrovia Action Area Plan (FAAP) and the Charlotte Street Conservation Area Appraisal and Management Plan (CSCAAMP) seek to accommodate the future development needs of the area whilst protecting the intrinsic values of the CSCA.
  7. The National Planning Policy Framework (NPPF), states that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to its conservation. Any harm should require clear and convincing justification. Where a proposal would lead to less than significant harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
  8. Policy DP25 of the London Borough of Camden Local Development Framework Development Policies (Development Policies) seeks to ensure that new development preserves or enhances the character and appearance of conservation areas. Policy DP24 of the Development Policies and policy CS14 of the London Borough of Camden Local Development Framework Core Strategy (Core Strategy) seek to secure high quality design, having regard to its relationship to neighbouring properties, the quality of the proposed materials and the street scene. The London Plan similarly seeks to preserve the character and appearance of heritage assets and high quality design in general.
  9. The Appeal site comprises an early 19<sup>th</sup> Century end of terrace four storey property with stucco walls and a low parapet roof. The property is currently undergoing various alterations and restoration and whilst previously the building was fully commercial in use, the upper floors are currently being converted to flats. The building occupies a prominent position adjacent to the junctions of Charlotte Street and Tottenham Street and its prominence is enhanced by the proportions and detailing of its fenestration. Whilst not a listed building as indicated in the CSCAAMP the building makes a positive contribution to the character and appearance of the CSCA.
  10. To the north and east the Appeal building adjoins 2No. four storey brick faced Georgian terraces. Whilst the height and widths of these properties are similar to the Appeal building, they are brick faced and their fenestration and parapet details are more modest. As a consequence the Appeal building is more prominent and visually individual, whilst forming a complementary link between the two adjoining terraces. Elsewhere along Charlotte Street and Tottenham Street there are a variety of older and more modern buildings which vary in height and include a number of mansard roofs. This includes other buildings fronting the Charlotte Street and Tottenham Street junctions and the rows of terraced buildings to the north and east of the Appeal site.
  11. Camden Planning Guidance 1 – Design (SPG1) advises that additional storeys and roof alterations are likely to be acceptable where there is an established form of roof addition or alteration to a terrace or group. Alterations should be architecturally sympathetic to the age and character of the building and retain

the overall integrity of the roof form. Roof additions are unacceptable where groups of buildings have a largely unimpaired roof line.

12. The proposed mansard roof would be set back from the parapet fronting Charlotte Street by some 3.3 metres and by approximately 1.2 metres from the parapet fronting Tottenham Street. The internal floor to ceiling height of the Mansard roof would not exceed 2.3 metres and the roof would be both hipped away from the parapet and clad in slate. In these respects the proposed mansard roof would appear modest and subservient to the host building and the adjacent buildings and would comply with the advice set out in the SPG1.
13. Conversely, due to their combined number, bulk and projection from the mansard roof, the proposed windows would be unduly prominent and would totally dominate the proposed mansard roof. They would appear as a discordant feature on the building and would fail to conform to the principle of diminishing proportions of the existing windows in the host and adjacent properties.
14. It is acknowledged that due to its recessed position and modest height the proposed mansard extension would only be visible from limited viewpoints within Charlotte Street and Tottenham Street. However, in such views the proposed fenestration would appear bulky, incongruous and totally out of keeping with the host building and the roofs of the adjacent terraces. It would seriously detract from the character and appearance of the host building, the adjoining terraces and the street scene. The harm that would be caused to the significance of the CSCA therefore needs to be assessed against the public benefits that would result from the scheme.
15. The proposed extension would optimise the development potential of the site and would provide an additional flat within the building. It has the potential to provide an energy efficient additional home in a highly accessible location. In these respects the scheme would comply with policies CS1, CS6, CS11 & CS13 of the Core Strategy, policies DP6, DP17 & DP22 of the Development Policies, The London Plan and the NPPF.
16. Together these policies seek to concentrate new development in accessible urban locations, promote the most efficient use of land and energy and to maximise the supply of additional dwellings. However, collectively and together with the policies referred to above they also require high quality and inclusive design which reflects the identity of local surroundings and adds to the overall quality of an area.
17. In this instance the benefits that would result from the scheme would be strongly outweighed by the harm that would be caused to the character and appearance of the CSCA, the host building, the adjoining terrace, which are non-designated heritage assets.
18. I conclude that due to the level and nature of the proposed fenestration the proposed scheme would seriously and unacceptably harm the character and appearance of the host building, the adjoining terraces and the street scene. It would fail to preserve the character or appearance of the CSCA and there are no identified public benefits that would outweigh this harm. The scheme would therefore conflict with policies CS14 of the Core Strategy, policies DP24 & DP25

of the Development Policies, SPG1, the London Plan, the NPPF, the CSCAAMP and the FAAP.

**Other matters**

19. It is noted that the Council has requested and the Appellant has agreed to submit a Planning Obligation Pursuant to Section 106 of the Town and Country Planning Act 1990, although to-date no such agreement has been submitted. The agreement would address the car free nature of the development and a construction management plan. As my conclusion on the main issue represents a compelling reason for dismissing this Appeal, it is not necessary for me to consider the appropriateness or otherwise of the proposed Planning Obligation.

**Conclusion**

20. The conclusion on the main issue amounts to a compelling reason for dismissing this Appeal, which the imposition of condition could not satisfactorily address.

*Elizabeth Lawrence*

INSPECTOR