



Appeal Decision

Site visit made on 1 October 2019

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2019

Appeal Ref: APP/X5210/W/19/3230955

35 Conway Street, London W1T 6BW

- 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 John Jones against the decision of the Council of the London Borough of Camden.
 - The application Ref 2018/3634/P, dated 31 July 2018, was refused by notice dated 19 December 2018.
 - The development proposed is demolition of two roof sections and erection of mansard roof extension with grey slate roof and wooden split pane fenestration together with precise restoration of embossed gold signage of Dairy, insertion of period wooden windows to replace steel ones and provision of blue and white tiles strip to match entrance of No. 35 to pavement entrance of Dairy.
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Decision

1. The appeal is dismissed.

Reasons

2. The principal element of the proposed development is the erection of a mansard roof extension to the four storey plus basement terraced property, which is a Grade II listed building located at the junction of Conway Street and Warren Street. The property is located in the Fitzroy Conservation Area. The roof extension is intended to be subdivided into two apartments.
3. The main issues are; first, whether the mansard roof extension would provide adequate living conditions for the intended residents of the two apartments; and second, the effect of the mansard roof extension on the architectural and historic interest of the listed building and on the appearance of the Fitzroy Conservation Area (FCA).

The first issue – living conditions

4. The proposed mansard roof extension is shown on application drawing no. CP/01/03 'Proposed Sections and Plans' and application drawing no. CP/01/04 'Proposed Elevations'. The sections on drawing no. CP/01/03 show the roof structure of the existing building to be 533mm thick – this structure is, as noted at the site visit, two separate timber structures with a shallow void between, the lower one being the ceiling structure to the third floor of the building and the upper one being that which supports the two roof sections that would be demolished.
5. There is no indication that the composite roof structure would not be retained and sections indicate that the proposed apartments would have a floor to

ceiling height of about 1.7 - 1.8 metres. This would be wholly inadequate – a standard floor to ceiling height in modern houses is 2.3 metres, which is the floor to ceiling height in the third floor of the building. Even if the composite roof structure was to be removed and replaced by a floor 300mm thick, which is the thickness of other floors in the building, the floor to ceiling height in the apartments would be only 1.95 - 2.05 metres. This would be inadequate.

6. The apartments would each be about 23 square metres. But no account has been taken of the need to line the party wall to the neighbouring property on Conway Street and this would reduce the floor area of each apartment. The drawings, in fact, do not show there to be any structure against the chimney breasts that rise above the party wall. Usable floor space in each apartment would also be reduced by sloping walls on two sides. There is no indication of what facilities would be in the apartments, to match the facilities found in existing en-suite bedrooms in the building, and no indication of whether there are communal facilities elsewhere in the building.

7. The Appellant has suggested that the apartments could be combined, but the single apartment would still have below standard headroom and, in any event, such a possibility must first be properly designed and considered by the Council.

8. Each apartment would be no larger than a normal double bedroom and would have below standard headroom, even if the structure was to be altered. Intended residents of the proposed apartments would, for the aforementioned reasons, have inadequate living conditions. The proposed development thus conflicts with the thrust of policies H6 and A1 of the Camden Local Plan 2017.

The second issue – the listed building and the FCA

9. To provide adequate headroom in the apartments the roof of the proposed mansard structure would almost certainly have to be higher. The impact of the development on the listed building and the FCA has, however, been considered with regard to the proposed development shown on the application drawings.

10. The appeal property was built about 1793 though the top two storeys were rebuilt in the mid 20th century and the rare tiled Welsh dairy shopfront was added about 1916. It is possible to detect the extent of rebuilding works, by the colour of brickwork, but the works faithfully recreated the original building. It has two windows openings at each upper floor level on the Conway Street frontage and one window opening at each floor level on the Warren Street frontage, plus a small window at second floor level. It has a straight parapet above both frontages behind which are two shallow pitched structures that assist rainwater drainage. The removal of these two structures, given their location, is inconsequential.

11. The tiled decorative shopfront provides architectural interest at street level. Otherwise the building has a plain and restrained appearance, above the shopfront and adjoining channelled stucco on the Warren Street frontage, up to the plain parapet. The upper floors of the building are not, as the Appellant suggest, an eyesore. The proposed slate clad mansard structure would sit above the plain brickwork frontages. It would be a clumsy and inappropriate addition to the building that would harm its intrinsic architectural and historic interest. The aforementioned chimneys are significant features of the listed building and the unresolved and awkward relationship of the mansard structure to these features would cause further harm to the architectural and historic interest of the building.

12. The building, given its corner location, is a prominent feature of the FCA in views south-eastwards along Conway Street from its junction with Euston Road and westwards along Warren Street between Fitzroy Street and Conway Street. The proposed mansard structure would be a prominent and intrusive feature on the appeal building in these street views. In the views along Warren Street the awkward and unresolved relationship of the mansard structure to the chimney breasts would be particularly apparent. The mansard roof structures some distance away along Conway Street do not set any sort of precedent for a similar development in this corner location. For these reasons the proposed mansard structure would harm the appearance of the FCA.

13. The proposed mansard roof extension would harm the architectural and historic interest of the listed building and the appearance of the Fitzroy Conservation Area. The proposed development thus conflicts with policies D1 and D2 of the Camden Local Plan 2017.

14. The harm caused to the heritage assets would be less than substantial and paragraph 196 of the National Planning Policy Framework (NPPF) is therefore engaged. This paragraph states that less than substantial harm should be weighed against the public benefits of the proposed development. The Appellant maintains that the proposed development would provide much needed housing for 'blue collar' working people, and has implied that revenue gained would be invested in the restoration of the building. The development would not provide adequate living conditions and neither of these factors, nor any others mentioned by the Appellant, outweigh the harm that the development would cause.

Other matters

15. The Council welcomes the replacement of the existing metal windows on both frontages. However, there is insufficient information on the detailed design of the proposed replacement windows to determine whether they would respect and preserve the architectural and historic interest of the listed building. The repair of the shopfront could be achieved without the grant of planning permission though the works may require the grant of listed building consent.

Conclusion

16. The proposed mansard roof extension would provide inadequate living conditions for the intended residents of the two apartments and would harm the architectural and historic interest of the listed building and the appearance of the Fitzroy Conservation Area. Planning permission must therefore be withheld.

John Braithwaite

Inspector