



## Appeal Decision

Site visit made on 10 May 2021

by **Joanna Gilbert MA(Hons) MTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 May 2021

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**Appeal Ref: APP/X5210/W/20/3262920**

**Ariel House, 74A Charlotte Street, London W1T 4QJ.**

- 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 LF Canlife UK Property ACS c/o Canada Life European Real Estate against the decision of the Council of the London Borough of Camden.
  - The application Ref 2020/1895/P, dated 30 April 2020, was refused by notice dated 6 August 2020.
  - The development proposed is conversion of rear ground floor undercroft car park to offices B1(a) (with cycle store) including rear access and creation of additional entrance to front elevation involving alterations to front and rear ground floor elevations.
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### Decision

1. The appeal is allowed and planning permission is granted for conversion of rear ground floor undercroft car park to offices B1(a) (with cycle store) including rear access and creation of additional entrance to front elevation involving alterations to front and rear ground floor elevations at Ariel House, 74A Charlotte Street, London W1T 4QJ in accordance with the terms of the application, Ref 2020/1895/P, dated 30 April 2020, subject to the three following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 74A Charlotte Street Site Location Plan DWD01; 1381 P003C; 1381 P051C; 1381 P101F; 1381 P151E; 1381 P155D.
  - 3) All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application. The development shall be maintained as such thereafter.

### Procedural Matters

2. The application form refers to a rear access, while the Council's decision notice and the appeal form refer to a rear extension. The appellant has confirmed that the application form is correct. I have completed the banner heading accordingly.
3. Planning permission Ref 2020/0898/P was granted on 6 May 2020 for conversion of rear ground floor undercroft car park to Class B1 offices (with

cycle store) including rear access and additional entrance to front elevation, plus alterations to front and rear ground floor elevations. This originally included the proposed ground floor extension, but this was removed. In all other respects, the Council has confirmed that the planning permission Ref 2020/0898/P and this appeal are identical. As such, my assessment focusses on the proposed ground floor rear extension only.

### **Main Issue**

4. The main issue in this appeal is whether the proposed development would preserve or enhance the character or appearance of the Charlotte Street Conservation Area.

### **Reasons**

5. The appeal site at Ariel House is a large, modern, seven-storey office building which faces Charlotte Street. The building reduces in height to three storeys at the rear facing Charlotte Mews. At ground floor level within the mews, Ariel House has a high boundary brick wall which protrudes from the main rear elevation. The angled brick wall has tall metal gates for access to the existing undercroft. From outside the site, the undercroft appears as a dark void. The wall adjoins a wider, clumsy protrusion at the rear of 2 - 3 Chitty Street which narrows and oversails the entrance to the mews. Adjacent to the wall, the historic kerbing and cobbles are aligned to form a pavement.
6. Charlotte Mews is accessed via narrow entrances from Chitty Street and Tottenham Street. After entering the mews from either side street, the street widens. The mews retains its cobbled street surface with setts and a small area of York stone paving, and serves a range of commercial uses. Along the mews, the buildings facing the cobbled street vary in age and height, but have a generally consistent building line. The only exception to this building line is the appeal property, which projects further at ground floor level, and the aforementioned projection at 2 – 3 Chitty Street.
7. In addition to alterations to Ariel House's Charlotte Street frontage to provide a further entrance and the insertion of offices within the undercroft car park adjoining the mews, the proposed development would include a ground floor extension of approximately 1.2 metres in depth from the rear of the building.
8. The site lies within the Charlotte Street Conservation Area, forming part of a later extension to the conservation area in 1999. In determining this appeal, I have a duty to pay special attention to the desirability of preserving or enhancing the conservation area's character or appearance. The National Planning Policy Framework (the Framework) confirms that heritage assets are an irreplaceable resource to be conserved in a manner appropriate to their significance, and advises that any harm which is less than substantial would not only require clear and convincing justification, but must also be weighed against any public benefits of the proposed development.
9. Dating from the 1750s onwards, the conservation area is characterised by a densely developed network of narrow streets flanked by tall terraced properties. Although there is a range of building types, uses and ages of development across the conservation area, there remains a strong grid pattern of streets fronted by terraced buildings with some mews development and service streets to the rear within the larger blocks of streets.

10. The Charlotte Street Conservation Area Appraisal and Management Plan (2008) (the appraisal) refers to the Charlotte Mews, amongst others, as being characterised by its narrow entrances and shared cobbled surfaces. Furthermore, the interest of the mews is retained in more humble commercial buildings. The appraisal states that many of the original two storey mews properties were replaced with three storey workshop development in the 19<sup>th</sup> century with features such as hoists and large windows for lighting. The appeal site is not identified within the appraisal as being either positive or a detractor.
11. The existing boundary wall is not within the consistent building line along the rest of the mews, with the existing building's brick piers indicating the main building line of the mews. The appellant has drawn my attention to historic mapping to explain this anomaly. Although it is thought to have replaced earlier townhouses, the previous building on the appeal site was the church of St John the Evangelist. Built in 1846, the church was damaged by bombing in World War II and was subsequently redeveloped. However, based on 1874 mapping, the building line projected into the mews. This building line was later replicated by the replacement buildings and the boundary wall.
12. While the existing wall certainly alters and narrows the building line at ground floor level along the mews, given the historic building line of the church, it is not this in itself which I find harmful to the conservation area. Instead, it is the strangely angled corners, the height and general blankness of the wall and the resulting void, and the lack of legibility at ground floor level, which lead me to consider that the existing wall is a negative feature in the conservation area.
13. The proposed development would replace a blank wall, dark void and gates with a brick extension with large glazed windows and doors and a metal gate to the cycle storage area. Although it would be taller and have a greater bulk and mass than the existing wall, it would remove the blank wall and dark void created by the wall and undercroft. Additionally, it would not alter the historic building line or the present narrowing of the mews, and it would mask the clumsy projection at the ground floor rear of 2 – 3 Chitty Street. Furthermore, it would introduce large window openings to this end of the mews, as occurred when workshops were introduced in the 19<sup>th</sup> century. As such, I find that it would represent a neutral development within the conservation area.
14. Factoring in the removal of the existing wall to allow the proposed development to take place, the proposed development would represent an improvement and would preserve the character and appearance of the conservation area. As I have not found any harm, it is not necessary for me to carry out a balancing exercise in terms of paragraph 196 of the Framework.
15. I recognise that there is an alternative approved scheme and that a projecting ground floor element is an unusual feature locally. However, this decision is based on the evidence before me in this particular instance. As such, I see no reason why it should provide precedent for development in other mews.
16. I conclude that the proposed development would preserve the character and appearance of the Charlotte Street Conservation Area. Accordingly, it would not conflict with Policies D1 and D2 of the London Borough of Camden Local Plan 2017. These policies seek, amongst other things, to ensure developments complement local character and distinctiveness and preserve or enhance the significance of the historic environment. Although the Council mentions the

Camden Planning Guidance No 1: Design (2021), I have not been referred to any specific paragraphs.

**Conditions**

17. The conditions set out above are based on those put forward by the Council. I have amended the wording where relevant in order to comply with the Planning Practice Guidance. In the interests of clarity and certainty, it is necessary to impose time limit and plans conditions. The materials condition is required in the interests of the character and appearance of the conservation area.

**Conclusion**

18. For the reasons set out above, the appeal is allowed.

*Joanna Gilbert*

INSPECTOR