
Appeal Decision

Site visit made on 9 October 2024

by S Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2024

Appeal Ref: APP/X5210/W/24/3344559
13-16 Guildford Street, London WC1N 1DX

- 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 Capital Venture Ltd against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2020/3500/P.
 - The development proposed is opening up of lower ground floor lightwell and retention of existing railings at ground floor level.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It has been confirmed that part of the pavement area immediately outside the building is in the appellant's ownership. Although the Council consider this wasn't the case at the time the planning application was considered, the matter is not disputed.
3. The site lies within the Bloomsbury Conservation Area. Accordingly, I have had regard to s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Main Issue

4. The main issues in this case are:
 - whether the proposal would preserve or enhance the character or appearance of the Bloomsbury Conservation Area, and
 - the effect of the proposal on pedestrian safety.

Reasons

Character and Appearance

5. 13-16 Guildford Street is a modern 4 storey building with a basement, located at the junction of Guildford Street with Millman Street. The ground floor and basement areas of the building are currently in use as offices and the upper floors as residential flats.

6. The Bloomsbury Conservation Area is a busy area characterised by its original street layouts which, the Conservation Area Appraisal¹ notes, 'employed the concept of formal landscaped squares and an interrelated grid of streets to create an attractive residential environment'. There is a range of building typology across the Conservation Area, the most predominant type being the terraced house. Their architectural style generally reflect the age of the property. Blocks of flats and large institutional buildings, including the Great Ormond Street Hospital, are also present near the site. The appeal building, which is thought to date from the 1960's, is a modern building noted in the appraisal as being a negative element in the Conservation Area.
7. There is some confusion between the parties as to the exact nature of the proposal and, as I will turn to below, the plans are unclear. From all I have seen and read, it seems to me that the proposal seeks to remove part of the pavement, including the glass blocks within it, to the front and side of the building, to create a lightwell. This will require a new frontage to the building at basement level.
8. Lightwells are a characteristic feature of the Conservation Area and I noted many of them in front of buildings, both traditional and modern, along Guildford Street. Indeed, the Conservation Area Appraisal notes that 'there is a notable character created by the consistent use of cast iron railings along frontages to separate the pavement from the basement lightwell'. Accordingly, it seems to me that the principle of opening up an area of ground in front of the appeal building to provide a lightwell is well established.
9. However, the plans submitted with the application are limited in terms of their detail. Existing and proposed plans are not clearly labelled and what appears to be the proposed plan seems to indicate the provision of pavement lights². The section also appears to show the lightwell covered. There are no details of the escape stairs or the finish of the retaining wall. More significantly, there is little detail of the proposed building frontage at basement level, including the material and colour of the frame to the glazing panels, and nothing to indicate how it would relate to the fenestration pattern of the upper floors. Given the frontage would be visible from the public realm, the determination of these matters is crucial to the acceptability or otherwise of the scheme.
10. I have considered whether such matters could be dealt with by condition. However, on the basis of the information before me I cannot be certain that the external alterations to the building would preserve or enhance the character or appearance of the Conservation Area and therefore I am not satisfied that the proposal would meet the weighty statutory requirements of the Act.
11. The railings, which currently enclose the area of pavement lights, are of a simple design, painted black. I have noted objectors' comments that the railings are a poor, cheaper imitation of some of the more classical cast iron railings present locally. However, railings of a similar design can be found elsewhere along Guildford Street, particularly outside modern buildings. Accordingly, the design of the railings is not inappropriate. However, the railings have not been constructed on a kerb or plinth, as is traditional in the area, but rather are fixed directly to the pavement. To my mind this causes the

¹ Bloomsbury Conservation Area Appraisal and Management Strategy 2011

² As shown on drawing No 554/11

railings to appear insubstantial. The matter would be rectified if the proposal were to be constructed in accordance with the submitted drawings.

12. Without the approval or construction of a lightwell, it seems to me the railings lack purpose. There is no evidence that they are needed for another functional reason, for example to protect the glass blocks. Accordingly, the railings as they currently exist, appear as an anomaly in the street scene.
13. On the basis of the limited information before me, I am not satisfied that the proposal would comply with the requirements of Policies D1 and D2 of the London Borough of Camden Local Plan 2017 (the Local Plan) which require development to, amongst other things, respect local character and context, comprise details and materials that are of high quality, complement local character, integrate well with the surrounding streets and preserve, or where possible enhance the character or appearance of the area.
14. Furthermore, for the same reasons I am unable to determine whether the proposal meets the policies of the National Planning Policy Framework which require that great weight is given to a heritage asset's conservation.

Pedestrian safety

15. The railings encroach over what was a wide area of pavement, which, as set out above, is in private ownership. Accordingly, the width of the pavement has been narrowed for a short length on both streets. The area available to pedestrians has been reduced to, the drawings indicate, between 2.2 and 3.2m wide.
16. There is nothing before me to indicate the level of pedestrian footfall or what the Council considers would be an appropriate pavement width. At the time of my visit, late morning on a weekday, pedestrian footfall was moderate, but nevertheless, pedestrians could easily pass the railings despite the presence of a street tree. I would expect pedestrian footfall to increase during the rush hour although there would be no particular reason why pedestrians would linger or congregate outside the site and as such cause further obstruction.
17. The width of the pavement varies along the length of Guildford Street and there are instances where street trees narrow the available space. However, there is no evidence that the pavement does not function as it should or that the narrower areas cause a danger to pedestrians or road users including disabled people or those with prams. Similarly, although the railings have been in place for a number of years there is no evidence that they have caused undue congestion or a danger to pedestrian safety.
18. Given that the lightwell would be contained within the railings it follows that the lightwell would not be a danger to pedestrian safety.
19. On that basis the proposal complies with Local Plan Policy T1 which seeks to ensure that development is easy and safe to walk through and provide high quality pavements that are wide enough for the number of people expected to use them.

Other matters

20. I noted at my site visit that the basement area, which provides office space for a number of people, has very little natural light. The existing pavement lights

allow very little light to penetrate into the space and as such, the office is reliant on artificial lighting. Accordingly, the provision of the lightwell and window openings is a benefit of the scheme, particularly to the wellbeing of the office workers.

21. However, the same benefits would arise from an acceptable proposal where all details were considered acceptable. Accordingly, the benefit does not justify the proposal before me.

Conclusion

22. For the reasons set out above, and taking all other matters raised into account, the appeal is dismissed.

S Ashworth

INSPECTOR