



Appeal Decisions

Site visit made on 10 February 2026

by **G Robbie BA(Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 March 2026

Appeal A Ref: APP/X5210/W/25/3358644

Basement and Ground Floor, 20 Endell Street, Camden, London WC2H 9BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Baudry & Greene against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2023/3310/P.
 - The development proposed was described as '*Regularising of the shopfront*'.
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Appeal B Ref: APP/X5210/C/24/3358176

Basement and Ground Floor, 20 Endell Street, London WC2H 9BD

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr William Palmer (Baudry & Greene) against an enforcement notice issued by the Council of the London Borough of Camden.
 - The notice was issued on 13 November 2024.
 - The breach of planning control as alleged in the notice is without planning permission: the removal of historic metal railings at ground floor level, the installation of non-heritage sliding windows on the Endell Street elevation at ground floor level, the removal of a historic blind window on Betterton Street at ground floor level, and the installation of a serving hatch on Betterton Street at ground floor level.
 - The requirements of the notice are to:
 1. Reinstall metal railings to replicate the design, materials and proportions of those removed from Betterton Street at ground floor level.
 2. Completely remove the large sliding windows on the Endell Street elevation at ground floor level and replace with fixed-closed timber windows to replicate those removed.
 3. Reinstall the blind window to replicate the design, materials and proportions of that removed on Betterton Street at ground floor level.
 4. Remove the serving hatch on Betterton Street at ground floor level and replace with a timber door.
 - The period for compliance with the requirements is: SIX (6) months.
 - The appeal is proceeding on the grounds set out in section 174(2)(f) and (g) of the Town and Country Planning Act 1990 (as amended).
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Formal Decisions

Appeal A

1. The appeal is dismissed insofar as it related to the installation of sliding windows to the Endell Street frontage, the installation of a sliding sash window to the 'blind window' to the Betterton Street frontage and the installation of a serving hatch to the Betterton Street frontage. The appeal is allowed insofar as it related to the replacement and reinstatement of metal railings to Betterton Street at ground floor level and planning permission is granted for replacement and reinstatement of metal railings to Betterton Street at ground floor level at Basement and Ground Floor, 20 Endell Street, Camden, London WC2H 9BD in accordance with the terms of the application, Ref 2023/3310/P, so far as relevant to that part of the development hereby permitted and subject to the following conditions:

- 1) Within 3 months of the date of this decision, the railings shown on drawings Drawing No 4395-101 Rev F and Drawing No 4395-P-001 Rev B shall be fully installed in complete accordance with the approved plans and shall thereafter be retained in accordance with those plans.

Appeal B

2. The appeal is dismissed and the enforcement notice is upheld.

Preliminary Matters

3. The appeal in respect of Appeal B was initially submitted on grounds that included ground (a). However, appeals on ground (a) are barred under the provisions of section 174(2A) of the Town and Country Act 1990 (as amended) (the Act). In this instance, the decision on the planning application (Appeal A) for the works enforced against by the notice is the reason for the ground (a) appeal to be barred. As a consequence, Appeal B proceeds on the basis of grounds (f) and (g).
4. Appeal A is an appeal made under section 78 of the Act against the local planning authority's decision to refuse an application for planning permission for what was described as 'regularising of the shopfront'. I am satisfied that the scope of the works set out in the Appeal A, which was submitted retrospectively and sought to regularise and retain the changes to the appeal property, is sufficiently similar to that of the works enforced against by the notice subject to Appeal B, albeit that they are not fully detailed within the development description. I have amended the development description in my decision in respect of Appeal A in the interests of precision. I am also satisfied that the appellant details are sufficiently alike so as to enable the two appeals to be considered together in the manner set out below.
5. The refusal reason in respect of Appeal A and the reasons for issuing the notice in respect of Appeal B both refer to Policies D1, D2 and D3 of the Camden Local Plan 2017 (CLP). I have also been provided with extracts from a 'Draft New Camden Local Plan', including chapters on 'Design and Heritage', 'Protecting Amenity' and 'South Camden', albeit that these are not cited in the reason for refusal or within the notice. The Council confirmed that little weight can be given to the new plan, and I have no further information before me regarding its status that would lead me to reach a different conclusion.
6. The extant version of the National Planning Policy Framework (the Framework) was published after the Council's determination of the application for planning permission (Appeal A) and the issuing of the notice (Appeal B), but prior to the submission of both appeals. I am satisfied that the timescales of both appeals was sufficient to allow the current version of the Framework to be considered by both main parties¹. On 16 December 2025, the Government published a consultation on proposed reforms to the Framework. Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the changes, and in reaching my decision, I have had regard to the Framework published in December 2024.

¹ December 2024

Appeal A

Main Issue

7. The main issue is whether or not the appeal scheme preserves or enhances the character or appearance of the Seven Dials (Covent Garden) Conservation Area.

Reasons

8. The appeal premises is a corner property at the junction of Betterton Street with Endell Street. The ground floor commercial unit's main frontage opens to Endell Street, whilst its return elevation, upon which works referred to in both appeals have also been carried out, is to Betterton Street. The former street has a predominantly commercial ground floor street frontage presence with a mix of mostly retail and dining premises along its length, the latter quieter with a distinctly different character to that of Endell Street, albeit one that is not entirely devoid of a commercial presence.
9. Endell Street lies within the Seven Dials (Covent Garden) Conservation Area (the CA) and is noted within the CA Conservation Area Statement (CACAS) as having 'an interesting architectural diversity'. Contributing to that diversity in the vicinity of the appeal site are listed buildings at 22 and 31 Endell Street and 24 and 33 Betterton Street. Of these, 22 Endell Street lies on the opposite corner of the Betterton Street / Endell Street junction to the appeal site, No 31 diagonally opposite on Endell Street and No. 33 adjoining on Betterton Street. The CACAS also goes on to identify the special character of the CA as being found in the range and mix of buildings, building types and uses, and that character is not dominated by one particular period or building style.
10. Shop units on Endell Street were noted in the CACAS for their wooden shopfronts, pilasters, fascia entablature and dentil cornice. However, whilst more recent images of the appeal property prior to the works enforced against (and for which planning permission is also sought retrospectively) show some traditional shopfront elements, the Endell Street elevation was dominated by externally mounted security shutters, frames and shutter boxes. Although retaining a timber shopfront, the stallriser and fascia both appeared plain and lacking in detail, whilst the building's ground floor return elevation to Betterton Street was dominated by a large mural. Like the front elevation, a doorway opening on the return elevation is also shown to have had an externally mounted security shutter.
11. Despite the Council acknowledging in its officer report that the former shopfront was neither original nor of merit, the Council's Appeal Statement of Case describes it as having 'respected the conservation area and nearby listed buildings'. The alterations carried out to the Endell Street shopfront retain, and indeed intensify, the property's 'animated commercial frontage'. Indeed, the pavement seating to Endell Street and the retractable fascia canopy reflect those of neighbouring properties on this street frontage block and contribute to an active and animated street presence, as well as that of the building's frontage.
12. However, whilst the principle of an opening shopfront also follows that of 16 Endell Street and further contributes to commercial activity, it does so in a not altogether sympathetic manner. The three sliding glazed panels are substantial in size and surface area, their large void akin to large, glazed panels more typically found on modern shopfronts. These sliding windows lack the more modest glazed extent of

traditionally styled and proportioned shopfronts, such as those with hinged opening frontages elsewhere along this Endell Street block. As may be expected given the widely agreed variety of shopfront styles and design nearby, there are examples of both the former and the latter within the same street block as the appeal site, and the block opposite.

13. Nevertheless, the large expanses of glazing, absence of traditional forms of glazing / frame sub-division and the thick, square box-profile aluminium window frames combine to create an unsympathetic element of the shopfront. As a consequence, the shopfront revisions that have been carried out have resulted in a missed opportunity to enhance and improve the appeal property, and the contribution that it makes to the Endell Street / Betterton Street junction, and Endell Street more widely. As such, it fails to preserve the character or appearance of the CA.
14. So too, the introduction of a vertically sliding sash window to the 'blind' window opening at ground floor level facing on to Betterton Street. Whilst I am not persuaded that the principle of the introduction of a window opening here would cause harm to the character of the building or its relationship with Betterton Street or the setting of nearby listed buildings in the manner advanced by the Council, it shares similar construction and material details as the sliding frontage windows to Endell Street. For the same reasons as with the frontage windows, the frame materials would be incongruous and inappropriate and would fail to take the opportunity to enhance the character and appearance of the appeal property.
15. What is now in use as a service hatch was previously a doorway entrance, albeit one that appeared to have closed security shutters over it from the evidence shown on the submitted images. Whilst Betterton Street may, historically, have accommodated more commercial uses than it presently does, its character now is distinct from that of Endell Street. In this respect, the incorporation of a serving hatch here extends the appeal property's active commercial frontage on to Betterton Street in a way that the insertion of a window in the previously 'blind' opening does not, or that the wall mural previously did not.
16. Furthermore, the serving hatch is a curious combination of a high-level serving hatch with a lower glazed panel serving as a display window. It is neither door-like in its appearance given the thicker framing of the serving hatch windows in the middle portion of the opening, nor entirely window-like given the depth of glazing providing a display element at the lower level and the overall proportions created by the serving hatch element. The hatch is therefore at odds with the character and appearance of the appeal property and the functional focus of its active shopfront to Endell Street.
17. CLP Policies D1 and D3 seek to secure high standards of design quality in new development, and new and altered shopfronts, respectively. To these ends, schemes should respect local character and utilise materials that are of high quality and complement local character. Details and materials of shopfront schemes, existing character, architectural and historic merit, design, relationship with upper floors and neighbouring buildings and the general characteristics of shopfronts in the area will all be considerations in securing high quality development. The use of unsympathetic materials and proportions, particularly with regard to the sliding Endell Street windows, and the window and serving hatch alterations to Betterton Street, fail to pay sufficient regard to the appeal site's location within the CA and the setting of nearby listed buildings.

18. The condition and appearance of the shopfront over time appears from the submitted photographic evidence to have been variable in quality, condition and appearance. The active use of the appeal property aligns with the commercial setting in which it is located and thus contributes to a vibrant local economy and character. However, these public benefits are not sufficient to overcome the harm, albeit less than substantial, that I have found to the character or appearance of the CA, or to the setting of the listed buildings.
19. For the reasons set out, these elements of the appeal scheme fall short in these respects and fails to secure the high quality and standards of design and development that CLP Policies D1, D2 and D3 seek to achieve. The significance of these buildings is not solely due to interior features, and all are noted for external elements as well. The appeal building lies in the setting of these buildings, and that relationship is sufficiently physically and visually close such that insensitive alterations could have a harmful effect on the significance of the setting of this cluster of listed buildings. As the appeal scheme fails to preserve or enhance the character or appearance of the CA or the setting of the cluster of listed buildings, there is conflict with CLP Policy D2.
20. The appellant's appeal submission provides a photographic survey of some nearby buildings, highlighting the range and variety of shopfronts and building frontages. Whilst indicative of the variety that characterises the CA, I have no further detail of those examples before me. I therefore cannot be certain of the planning status of those examples, or the development plan context within which they may have been determined. Nor can I be sufficiently confident that they provide adequately directly comparable circumstances in terms of their design, materials and detail to that of the appeal scheme. I have in any event determined the appeal on its merits and the weight ascribed to these other examples is limited as a consequence.
21. With regard to the metal railings, railings are a distinctive feature of much of Betterton Street's length, and particularly so along the street's southern side – the same side that the appeal site lies on at the corner with Endell Street. Indeed, those across the frontage of the nearby Betterton House account for the majority of the length of railings along the street, but those at the appeal site provide continuity up to the junction with Endell Street.
22. However, there is variety along the street in terms of the height of the railings, and the detailing and profile of the vertical bars and the finials. It is not entirely clear whether the previous railings were removed in their entirety and replaced by the railings that were in place at the time of my visit, or whether the previous railings were only partially removed to leave what presently remains in place. However, it seems from a comparison of the existing railings with submitted photographic evidence that the portion of railings between the serving hatch / doorway and a short, curved portion of railings remain absent. This may, as the appellant suggests, have been to provide more space around the serving hatch to avoid congestion on the narrow pavement at this location but it is clear in comparison of submitted evidence that a short length of railings remains absent.
23. Also missing at the time of my visit was a further short, curved stretch of the railings that previously connected to the appeal property just behind its corner on to Endell Street / Betterton Street. In the absence of this stretch of railings, those that remain appear unfinished, and without any justification in terms of assisting or maintaining

the free flow of pedestrians, the overall impression is of fragmented railings on this prominent corner site.

24. Neither party sets out a particularly detailed case regarding the railings, whether that is for their previous removal and replacement, or for their retention. However, given the visible function of railings and the prevailing character along Betterton Street, the absence of these of two short sections of railings, whilst retaining other portions of the railings, gives the appeal property and the street corner a fragmented, unfinished appearance.
25. The submitted plans show the railings enclosing both of the small 'forecourt' areas on either side of the 'serving hatch' opening. Whilst details regarding the height, detailing and proportions of the railings that had previously been removed are somewhat scant, I am satisfied that the railings that were visible at the time of my visit to the site provide a sufficient basis upon which to finish the railings in accordance with the submitted plans. Given the variety in the detail of railings along Betterton Street, such an approach would be consistent with that mix whilst also being consistent with the prevailing character of Betterton Street in this respect.
26. Having regard to the principles set out by CLP Policies D1, D2 and D3, I am satisfied that the replacement of the railings on the basis set out in the submitted plans would not cause harm to the character or appearance of the appeal property and would have a neutral effect on the character or appearance of the CA or the setting of nearby listed buildings. As such, there would be no conflict with these policies, and the character and appearance of the CA and the listed buildings' settings would be preserved. I am satisfied that a 'split decision' regarding the railings would be justified in this instance.

Appeal B

27. The appeal in relation to the Notice proceeds on grounds (f) and (g); the former that the steps required by the notice to be taken exceed what is necessary to remedy the breach of planning control or, as the case may be, to remedy any injury to amenity which has been caused; and the latter that any period specified in the notice to carry out the required steps falls short of what should reasonably be allowed. As the ground (a) appeal is barred, in its absence the planning merits of the appeal scheme do not fall to be considered within the remit of Appeal B.
28. The notice requires the removal of the large sliding windows to the ground floor Endell Street elevation and the serving hatch on the Betterton Street elevation, and the reinstatement of metal railings and the blind window. The notice's requirements are consistent with seeking to remedy the breach of planning control.
29. As a consequence of the ground (a) bar, the planning merits relating to the matters enforced against do not fall before me in the ground (f) appeal as part of Appeal B. Nor, in any event, does the otherwise undocumented reference to 'discussions' previously held with the local planning authority during a site visit provide sufficient detail or compelling justification to explain how the required steps exceed what is necessary to remedy the breach of planning control. The appeal on ground (f) therefore fails.
30. The notice allowed a period of 6 months within which to carry out the required works. The appellant seeks instead to extend this period to 18 months under the ground (g) appeal to allow for the negotiation of a suitable alternative scheme, and

then to seek suppliers and contractors for any scheme that might subsequently be agreed.

31. However, other than a vague indication that a scheme would be submitted for pre-application discussion I have no compelling evidence before me to indicate that such work is being undertaken, or that there is, or has been, any real intention to do so. Nor has it been explained how or why the business could not continue to operate in some form or other during the works required by the notice. Due to the timeline of the appeal process, the notice's time period for compliance would avoid the busiest times of the year for a restaurant business as stated by the appellant. Whilst I do not underestimate the time likely to be required to commission trades and arrange suitable suppliers and manufacturers necessary to undertake the required works, it has not been sufficiently or convincingly demonstrated that a period of 6 months falls short of what would reasonably be expected. The appeal on ground (g) thus fails.

Overall Conclusion

32. For the reasons explained in the preliminary matters, although Appeal B was submitted on grounds (a), (f) and (g), by virtue of section 174(2A) of the Act, an appeal is barred on ground (a). The planning merits of the matter enforced against cannot be considered under grounds (f) or (g) as part of Appeal B. However, for the reasons set out in respect of Appeal A, having considered the planning merits in that instance and having considered all other matters raised, I have reached a split decision in respect of the matters under consideration in Appeal A. This, Appeal A succeeds insofar as it relates to the reinstatement of the metal railings, and it is dismissed in relation to the matters more broadly within the original description of development ('Regularising of the shopfront'), namely the installation of sliding windows to the Endell Street frontage and the installation of a window to the 'blind window' to the Betterton Street elevation and the installation of a serving hatch opening to the Betterton Street elevation.
33. Section 180(1) of the Act provides that, where, after the service of an enforcement notice, planning permission is granted for any development carried out before the grant of that permission, the notice shall cease to have effect so far as inconsistent with that permission. This means that the planning permission granted by virtue of the partial success of Appeal A and the split decision to allow the appeal insofar as it relates to the metal railings overrides the requirements of the notice to the extent that the planning permission authorises that part of what is being enforced against.
34. With regard to Appeal B, for the reasons set out I conclude that the appeal should fail on grounds (f) and (g) and the notice is upheld.

G Robbie

INSPECTOR