IN THE VALUATION TRIBUNAL FOR ENGLAND
IN THE MATTER OF A 2017 RATING LIST APPEAL

Case No: CHG100887823

Sitting remotely using Microsoft Teams

Date: 25 September 2025

SCHEDULE 11 TO THE LOCAL GOVERNMENT FINANCE ACT 1988

RATING — Local Government Finance Act 1988 — studio and premises; appeal against the accuracy of the rateable value of the hereditament; appeal allowed-in-part.

Before:
MS S KINSELLA
MRS B DHOOFER-SAGOO

Between:

CHRIS TURNER PHOTO — **Appellant**

- and -

MS N JOHNSON (VALUATION OFFICER) — **Respondent**

Regarding:
GND FL 8 PRATT MEWS, LONDON, NW1 0AD
(the "subject property")

Mr A Bacon (instructed by JMA Chartered Surveyors) for the **Appellant**
Mr B Kangethe for the **Respondent**

Hearing date: 29 August 2025

DECISION AND STATEMENT OF REASONS

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Decision

1. The appeal is allowed-in-part.

2. The Tribunal panel determined a revised rateable value (RV) of £17,750 in respect of GND FLR 8 Pratt Mews, London, NW1 0AD with effect from 1 April 2017.

Introduction

3. In accordance with regulation 13A of the Non-Domestic Rating (Alteration of Lists and Appeals) (England) Regulations 2009, the appeal has been made to this Tribunal on the grounds that the rateable value for the appeal property is not reasonable.

4. This statement of reasons is not and does not purport to be a full verbatim record of proceedings.

Background

5. The subject property is part of a masonry building arranged over three floors, with the subject accommodation located on the ground floor. It comprises studio and office space, with a total significant area of 82.84m^2. Constructed prior to 1900, the building features solid wall construction and mansard-style roof. It is situated on Pratt Mews, just off Pratt Street, behind Camden High Street.

6. The RV for the hereditament with effect from 1 April 2017 was £37,000 RV which was based on an unadjusted rate of £400/m^2.

7. In the proposal, the Appellant's representative initially sought a reduction to £8,500 RV which was based on an unadjusted rate of £120/m^2.

8. As a result of the challenge the Valuation Officer had reduced the RV to £26,750 with effect from 1 April 2017, which was based on an unadjusted rate of £290/m^2.

9. The Appellant also revised his valuation and was now seeking £11,500 RV. This was based on an unadjusted rate of £210/m^2 and a change to the relativity of the office/studio space which measured 55.06m^2 and the kitchen.

10. Mr Kangethe had inspected the property with the Appellant on 16 April 2024. Mr Bacon had not been in attendance at this inspection.

11. The case had been previously listed to an earlier hearing on 24 May 2024. In advance of that hearing a Senior Member of the VTE had considered an application from the Appellant's representative for new evidence to be admitted, and the application was granted. The evidence submission before the panel comprised all the evidence disclosed and exchanged during challenge which included comparable rental evidence and its analysis, comparable assessment evidence and photographs. The parties had also furnished the panel with an agreed final bundle of evidence.

12. Mr Bacon appeared on behalf of the Appellant, acting in a dual capacity as both advocate and expert witness. He confirmed that his firm was engaged on a success-related fee basis but acknowledged that, in providing expert evidence, his primary duty was to the Tribunal.

13. The panel accepted this expert witness evidence on the above basis as to do otherwise would be contrary to regulation 3 (Discharge of VTE functions – general) of the Procedure regulations and was allowable due to the Tribunal's rules on admissibility of evidence (regulation 17(2)(a) where the Tribunal can admit evidence whether or not it would be admissible in a civil trial in England). The panel therefore considered the "expert" evidence and attached such weight to it as it saw fit.

14. Mr Kangethe for the Valuation Officer, also appeared in the dual role of advocate and expert witness.

Preliminary issue

15. Prior to the hearing, the Valuation Officer notified the Tribunal and the Appellant's representative that due to an error in the calculation of the RV, he would be proposing a revised RV of £24,500 RV with effect from 1 April 2017, based on the same unadjusted rate of £290/m^2.

16. At the hearing Mr Kangethe raised a preliminary matter in relation to Mr Bacon's revised valuation. He considered that the Appellant's representative was seeking to challenge the property's mode or category of occupation. Having taken representations from both parties, the panel was satisfied that the Appellant had not deviated from the original proposal which sought a reduction in the rateable value on the ground that the rating list entry was unreasonable. The panel considered that the Appellant was not seeking to change the mode or category of occupation of the subject property. On that basis, the panel proceeded to hear the case.

Relevant Law

17. The term "rateable value" was defined in Schedule 6 to the Local Government Finance Act 1988 (as amended). The value was required to reflect an annual rent on the property, assuming a new letting with the tenant responsible for all rates, taxes, repairs and insurance. In respect of the 2017 rating list, the Rating Lists (Valuation Date) (England) Order 2014 requires the rental levels to be taken on 1 April 2015. In respect of the subject appeal, the material day is 1 April 2017.

Discussion

18. The issues in dispute related to the unadjusted price/m^2 and the appropriate relativity to apply to the office/studio area. Both parties agreed that a 5% uplift should be added to all assessment lines to account for comfort cooling, except for the internal storage area, which lacked this feature. It was also agreed that a relativity factor of 0.5 (a reduction of 50%) should be applied to the internal storage area. Mr Bacon argued that the office/studio area should similarly receive a reduction. It has no natural lighting and no ventilation. He contended that whilst this area was once used as a workshop, it is not an office area and is now used for storage only. At the hearing, Mr Bacon also argued that the kitchen should be assigned a relativity factor of 0.5, as this part of the property was similarly disadvantaged by the absence of natural light.

19. In the case under consideration, the panel analysed the competing evidence having regard to the authoritative guidance in *Lotus & Delta v Culverwell (VO) and Leicester City Council* [1976] RA 141.

20. The starting point was the actual rent passing on the appeal hereditament. Both parties agreed that little weight should be placed on this rent, as it was a turnover rent between connected parties, the Appellant had effectively rented the property to himself.

21. In terms of indirect rental evidence Mr Kangethe referred to the rents in respect of three properties in the locality. He considered that the best evidence was in respect of GND FLR 9 Pratt Mews, which was the property adjacent, also owned by the Appellant. He considered that this property was comparable in build and natural light, although he stated that it could be argued that 9 Pratt Mews had a superior look. There had been a lease renewal in respect of this property, effective from 7 March 2016. This was for a term of five years and was a full repairing and insuring lease (FRI). This property had a total significant area of 119.03m^2. The rent of £40,000 had been analysed by the Valuation Officer to £336.05/m^2, after adjusting for growth, this had been analysed to £310/m^2. Mr Kangethe stated that the recent agreement of £290/m^2 was the reason for his decision to reduce the unadjusted rate on the subject property from £400/m^2 to £290/m^2. The rent had been agreed by the tenant in full knowledge of the natural light issues. No rental evidence was relied on by the Appellant.

22. Mr Bacon maintained that the neighbouring property was superior to the subject hereditament, citing its greater number of skylights, a double-height atrium allowing more natural light, and enhanced comfort cooling. Mr Kangethe had submitted photographs taken during his inspection of both properties, and the panel acknowledged the visible differences between them.

23. Mr Bacon presented comparable assessment evidence for seven Victorian industrial buildings converted to office use, which had been agreed at a rate of £210/m^2, with the exception of 15 hereditaments at 21 Bonny Street, which had a settled rate of £125/m^2. Although Mr Kangethe regarded 9 Pratt Mews as the most comparable to the subject property, both parties agreed that in terms of comparable assessment evidence, the most relevant properties were 12/13 Pratt Street and 15 Kings Terrace.

24. The first comparable property was located on the same street as the subject hereditament, just a few doors away, and was also situated on the ground floor. Although there were no internal photographs available, the external image showed the premises had windows, unlike the subject property. However, these windows were fitted with shutters, and it remained unclear whether they allowed natural light into the interior, as neither party could confirm this.

25. The second comparable property was 15 Kings Terrace, for which both internal and external photographs had been provided. The internal image had been sourced from marketing particulars. Mr Bacon contended that this property was of a higher quality than the subject hereditament yet was assessed at a lower rate.

26. Whilst the panel accepted that there was rental evidence in respect of 9 Pratt Mews, it considered the comparable assessment evidence, particularly in respect of 12/13 Pratt Street, to be more compelling. The accommodation in respect of the subject property did not appear to be superior to these comparable properties, and a tone of £210/m^2 had been demonstrated by Mr Bacon for conversions of Victorian industrial buildings in the locality. On that basis the panel considered that an unadjusted rate of £210/m^2 was more reasonable in line with these assessments.

27. Although Mr Bacon argued that the office/studio space was unsuitable for use as an office due to the absence of natural light, the panel was not convinced that it could not function as a studio, where natural light might not be essential. The photographs clearly showed that the space was not being used as an office, but the equipment present could reasonably be associated with studio use.

Determination

28. In view of the above findings and conclusions, the Tribunal panel determined that the RV in respect of the subject hereditament was unreasonable, and that an unadjusted rate of £210/m^2 more accurately reflected the appeal property. However, the panel was not persuaded that the office/studio should have a relativity factor of 0.5 and on that basis, the appeal was allowed-in-part. The panel calculated the revised valuations as shown below.

Hereditament Address					
GND FL 8 PRATT MEWS, LONDON, NW1 0AD					
Ref	**Floor**	**Description**	**Area (m^2)**	**Price (£/m^2)**	**Value (£)**
1.1	Ground	Office/Studio	55.06	£220.50	£12,141
1.2	Ground	Office	18.03	£220.50	£3,976
1.3	Ground	Internal Storage	3.83	£105	£402
1.4	Ground	Kitchen	5.92	£220.50	£1,305
1.5	Ground	Staff Toilets	N/A	0.00	0
				Total Value after allowance	£17,824
				Rateable Value	£17,750
				Effective Date	1 April 2017

29. As a consequence of the above decision, the Tribunal panel orders the Valuation Officer to reduce the 2017 Rating List entry in respect of GND FL 8 Pratt Mews, London, NW1 0AD to £17,750 RV with effect from 1 April 2017. The Valuation Officer must comply with this Order within two weeks of the date of its making.

30. The Appellant is entitled to a full refund of the fee paid in respect of the subject hereditament in accordance with regulation 13E(a)(a) of the Non-Domestic Rating (Alterations of Lists and Appeals) (England) Regulations 2009 (as amended).

Right of further appeal

31. Any party who is aggrieved at the Tribunal's decision, and who appeared or was represented at the hearing, has a statutory right of further appeal to the Upper Tribunal (Lands Chamber) pursuant to Regulation 42 of the Tribunal Procedure Regulations. A party does not require permission to appeal from the Tribunal. Any appeal must be made directly to the Upper Tribunal (Lands Chamber) within **four weeks** of the date this decision and statement of reasons is issued.

32. Further information regarding this statutory right of further appeal, and the parties' other rights, is contained in the guidance booklet "*A guide to tribunal decisions"* available on the Tribunal's website at www.valuationtribunal.gov.uk/guidance-booklets/.

Ms S Kinsella, Senior Member (Presiding)

Mrs B Dhoofer-Sagoo, Senior Member

25 September 2025

Mrs K Edhouse-Thomas
Clerk to the Tribunal
Date issued to the parties: 25 September 2025