

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>10/03/2023</b>
		N/A / attached		<b>Consultation Expiry Date:</b>	<b>12/02/2023</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Kristina Smith			(i) 2022/5455/P (ii) 2023/0156/L		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Belsize Fire Station 36 Lancaster Grove London NW3 4PB			Refer to Draft Decision Notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
(i) Conversion of former fire station tower (Sui Generis) to a 1 bedroom residential unit (Class C3) on 2nd to 5th floors plus creation of roof terrace including installation of balustrade and removal of chimneys (ii) Alterations associated with conversion of former fire station tower to a residential unit, including removal of chimneys and infill of central void at 2nd to 5th floors and installation of balustrade at roof level					
<b>Recommendation(s):</b>		(i) Refuse planning permission (ii) Refuse listed building consent			
<b>Application Type:</b>		(i) Full Planning Permission (ii) Listed Building Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	02	No. of objections	02
Summary of consultation responses:	<p>Press advert published 19/01/2023 to 27/10/2023 Site notice displayed 18/01/2023 to 11/02/2023</p> <p><u>Two objections</u> were received from local residents (28 Lancaster Grove and address unknown) on the following grounds:</p> <ul style="list-style-type: none"><li>- The grounds in support of the new applications are hardly distinguishable from the grounds set out in the earlier applications</li><li>- The Heritage Appraisal dated October 2022 affirms that the tower is a dramatic and powerful feature of the building and has a strong sense of its original functionality, and yet the Appraisal dismisses the removal of the chimney stack and pots from the roof of the tower as having no visual impact upon the external appearance of the tower. This is simply wrong, and in any event is not a proper basis on which to assess an integral feature of the design and functionality of the building, whether or not such a feature is visible. The chimney on the roof of the tower is an essential feature of the overall design of the building and complements the taller chimney stacks along the roofline of the building.</li><li>- The use of the roof as a terrace is possible without the removal and no credible case is made that the removal would serve a public benefit. The justification for removal would not outweigh the importance of retaining the original integrity of the tower's design, and especially so in the case of a Grade 2* listed building of this aesthetic, cultural and historic significance.</li><li>- A further one-bed flat constructed within the existing intact hose-tower would degrade the characteristic features of the original structure, offer only questionable benefit for practical, 'essential' local housing and would diminish the integrity of the original purpose and design of the building. As such, it would fail to preserve this listed building's special interest and significance.</li></ul> <p><u>Historic England</u> provided authorisation to determine the application for listed building consent as the LPA thinks fit.</p>			
CAAC/Local Groups response:	<p><u>Belsize CAAC</u> comment- No objection. We note that all but one of the most recent appeal inspector's concerns have been addressed.</p>			

## Site Description

This triangular site has a vacant Grade II\* listed former fire station which is L-shaped with 2-3 floors and a central tower, designed in an Arts and Crafts style. Of the tower, the Historic England list description reads, '...Also impressive is the monumental tower, which does not disrupt the domestic character despite its height and breadth; the segmental arched and lattice work recessed panels in the brickwork soften its bulk.' The tower was designed to perform the twin roles of drying hoses, which were dangled through a series of apertures in the centre of each level, and of training firemen in moving through dark, confined spaces, to which end it was designed to present a series of tight, winding staircases and claustrophobic spaces.

The site is in Belsize Conservation Area and the surrounding area is of a predominantly residential character with mainly 3 storey detached and semi-detached properties.

Works to implement the previous planning permissions (see history below) for change of use, alterations and extensions are now complete.

## Relevant History

### History relating to the Tower

26/11/2018- ref 2018/4394/P- **Planning permission refused for** Conversion of former fire station tower (Sui Generis) to 1-bed residential unit (C3) including installation of balustrade at roof level and removal of chimneys.

Reasons-

1. The proposed development, by reason of poor quality internal amenity, would fail to provide high quality residential accommodation, contrary to policies H6 and A1 of the Camden Local Plan 2017.
2. The proposed development, in the absence of a legal agreement to secure car-free housing, would fail to promote healthy or sustainable transport choices, contrary to policy T2 of the Camden Local Plan 2017.
3. The proposed development, in the absence of a contribution to affordable housing, would fail to maximise the contribution of the site to the supply of affordable housing in the borough, contrary to policy H4 of the Camden Local Plan 2017.

26/11/2018- ref 2018/4910/L- **Listed building consent refused for** External and internal alterations associated with conversion of former fire station tower to residential unit including removal of chimneys, infill of central void and replacement of staircase. Reason-

1. The proposed demolitions and alterations, by reason of loss of historic fabric and plan-form, would cause harm to the special architectural and historic interest of the Grade-II\* listed building, contrary to policy D2 Heritage of the Camden Local Plan 2017.

### 01/08/2019- **Appeals against these decisions dismissed**

29/01/2020- ref 2019/4604/P – **Planning permission refused for** - Conversion of former fire station tower (Sui Generis) to a 1 bedroom residential unit (Class C3) on 2nd to 5th floors plus creation of roof terrace including installation of balustrade and removal of chimneys. Reasons-

1. The proposed conversion of the tower to a residential unit would result in 'less than substantial' harm to the listed building as a designated heritage asset which is not outweighed by any planning benefits, contrary to policy D2 (Heritage) of the Camden Local Plan 2017.
2. The proposed development, in the absence of a legal agreement to secure car-free housing, would fail to promote healthy or sustainable transport choices, contrary to policy T2 of the Camden Local Plan 2017.
3. The proposed development, in the absence of a contribution to affordable housing, would fail to maximise the contribution of the site to the supply of affordable housing in the borough, contrary to policy H4 of the Camden Local Plan 2017.

29/01/2020 – ref. 2019/4965/L – **Listed building consent refused for** - Alterations associated with conversion of former fire station tower to a residential unit, including removal of chimneys and infill of central void at 2nd to 5th floors and installation of balustrade at roof level. Reason-

1. The proposed demolitions and alterations, by reason of loss of historic fabric and plan-form, would cause harm to the special architectural and historic interest of the Grade II\* listed building, contrary to policy D2 (Heritage) of the Camden Local Plan 2017.

### 03/08/2020 – Appeals against these decisions dismissed

01/06/2021 – ref. 2021/1164/P - Planning permission refused for - Conversion of former fire station tower (Sui Generis) to a 1 bedroom residential unit (Class C3) on 2nd to 5th floors plus creation of roof terrace including installation of balustrade and removal of chimneys. Reasons-

1. The proposed conversion of the tower to a residential unit would result in 'less than substantial' harm to the listed building as a designated heritage asset which is not outweighed by any planning benefits, contrary to policy D2 (Heritage) of the Camden Local Plan 2017.
2. The proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more healthy or sustainable transport choices, contrary to policy T2 (Parking and car-free development) of the Camden Local Plan 2017.
3. The proposed development, in the absence of a legal agreement to secure a contribution to affordable housing, would fail to maximise the contribution of the site to the supply of affordable housing in the borough, contrary to policy H4 (Maximising the supply of affordable housing) of the Camden Local Plan 2017.

01/06/2021 – ref. 2021/1743/L – Listed building consent refused for - Alterations associated with conversion of former fire station tower to a residential unit, including removal of chimneys and infill of central void at 2nd to 5th floors and installation of balustrade at roof level. Reason-

1. The proposed demolitions and alterations, by reason of loss of historic fabric and plan-form, would cause harm to the special architectural and historic interest of the Grade II\* listed building, contrary to policy D2 (Heritage) of the Camden Local Plan 2017.

### 24/05/2022 - Appeals against these decisions dismissed

#### **History relating to the wider site**

**28/06/2017**- refs 2016/0745/P, 2016/1128/L- Planning permission granted subject to S106 for- Part change of use of former fire station (Sui Generis) to provide 11 self-contained residential units (Class C3) including replacement single storey side extension to east elevation and erection of two single storey side extensions to west elevation and insertion of roof dormers, with associated external alterations, landscaping and parking. LB consent for Associated internal alterations.

**28/06/2017**- refs 2016/5813/P, 2016/6119/L- Planning permission granted subject to S106 for- Change of use of part of former fire station (Sui Generis) to provide 5 self-contained residential units (Class C3) and installation of cycle parking enclosure. LB consent for Associated internal alterations.

**23/09/2019**- ref 2019/0106/P- Planning permission granted subject to S106 for- Variation of condition 3 (development in accordance with approved plans) of planning permission dated 28/06/2017 ref 2016/0745/P (for Part change of use of former fire station to provide 11 self-contained residential units including replacement single storey side extension to east elevation and erection of two single storey side extensions to west elevation and insertion of roof dormers, with associated external alterations, landscaping and parking), namely to redesign approved eastern side extension and incorporate a new lightwell and lowered floor level.

**23/09/2019**- ref 2019/0109/L – LB consent granted for- Erection of replacement single storey side extension to east elevation, to incorporate a new lightwell and lowered floor level...

## Relevant policies

### National Planning Policy Framework 2021

#### London Plan 2021

#### Camden Local Plan 2017

A1 Managing the impact of development  
A3 Biodiversity  
H1 Maximising housing supply  
H4 Maximising the supply of affordable housing  
H6 Housing choice and mix  
H7 Large and small homes  
D1 Design  
D2 Heritage  
CC1 Climate change mitigation  
T1 Prioritising walking, cycling and public transport  
T2 Parking and car-free development

#### Camden Planning Guidance

CPG Design 2021  
CPG Amenity 2021  
CPG Housing 2021  
CPG Transport 2019

#### Belsize Conservation Area Statement (2002)

## Assessment

### 1 Proposal and background

- 1.1 The application seeks planning permission for internal and external alterations in association with the conversion of the fire tower (Sui Generis) to a 1-bed residential unit (Use Class C3).
- 1.2 The application follows on from three previous schemes for conversion and associated alterations which have all been refused on both planning and listed building grounds (see planning history above for reasons for refusal) and later dismissed on appeal. In the latest appeal, the Inspector remained concerned at the loss of historic fabric and plan form which caused the legibility of the tower's original purpose and function to be eroded.
- 1.3 Therefore, the applicants have put forward a fourth iteration of the scheme. The main change from the most recently refused scheme is that the upstands are retained (i.e. with no boxing in to level the floor) as well as much of the internal brickwork. The loss of fabric now involves enlarged apertures where the fire lobbies associated with the staircase would be inserted, the raising of a low arched opening at fourth floor level, and the demolition of chimneys at roof level.

### 2 Assessment

2.1 The main considerations in the determination of the application are:

- Land use
- Standard of residential accommodation
- Affordable Housing
- Design and Heritage
- Amenity of neighbouring occupiers
- Transport considerations
- Sustainability
- Biodiversity

2.2 As the application site is situated within the Belsize Conservation Area and the building is Grade II\* listed, the statutory provisions relevant to the determination of these applications are Section 16, 72 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and

- 2.3 Section 16 requires that in considering whether to grant listed building consent for development which affects a listed building, the local planning authority shall have special regard to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest.
- 2.4 Section 66 of the Act requires that in considering whether to grant planning permission for development which affects a listed building, the local planning authority shall have special regard to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest.
- 2.5 Section 72 of the Act requires that in considering whether to grant planning permission for development in a Conservation Area, special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 2.6 The NPPF defines listed buildings as designated heritage assets. Section 12 of the NPPF provides guidance on managing change to designated heritage assets through the planning system, including avoiding or justifying harm to the special architectural or historic interest of listed buildings. Paragraph 134 states that “less-than-substantial harm” to a designated heritage asset must be outweighed by the public benefits secured by the proposals, including heritage benefits to the assets.

### **3 Land use**

- 3.1 Self-contained housing is regarded as the priority land-use of the Camden Local Plan and Policy H1 states that the Council will make housing its top priority when considering the future of unused and underused land and buildings. The proposal would provide an additional 1-bedroom residential unit (Class C3) and is therefore compliant with policy H1 in terms of land use. However, it is doubtful, given the unconventional and sub-standard nature of the accommodation proposed (see ‘Standard of residential accommodation’ for full discussion), that the unit would make a meaningful contribution to the Borough’s housing stock.
- 3.2 The fire station tower is now redundant for its original purpose. The loss of the Sui Generis floorspace has been established under planning refs. 2016/0745/P and 2016/5813/P, which involved the conversion of the fire station to 16 residential units in total.

### **4 Standard of residential accommodation**

- 4.1 CPG Housing requires development to provide high quality housing that provides secure, well-lit accommodation that has well-designed layouts and rooms.
- 4.2 Assessing the quality of accommodation during the appeal for the initial application (ref 2018/4394/P), the Inspector disagreed with the Council that the unit would be substandard, concluding, “*the proposed flat would provide acceptable living conditions for future occupiers, with particular regard to internal living space, access to light and outlook. Indeed, it would provide a unique and novel living space within a remarkable building*”. The Inspector’s view is acknowledged and respected; however the living conditions have been materially altered by the design changes of the current application. The unit has been reduced in size through the retention of internal walls which has negatively impacted on the quality and functionality of the spaces now that the unit is not as open plan as initially proposed. Also, the arrangement of room uses now differs from the original scheme that went before the Inspector. As such, it is considered the standard of accommodation should be assessed anew as the unit would function in a significantly different way compared to the previous schemes. The different factors that constitute quality of accommodation will be discussed in detail below.
- 4.3 The London Plan introduced new Nationally Described Space Standards in March 2015, setting out minimum gross internal floor areas (GIA) and accommodation standards for new/converted residential units. The GIA standards for a 1-bed unit as proposed are 39 sqm for a 1b1p flat and 50 sqm for a 1b2p flat. The proposed unit would provide 46.2 sqm of living accommodation (the previous size with internal walls removed was 57.8 sqm). The unit is situated over three floors with the stair core occupying approx. 7.2 sqm of this space thus reducing usable floor area to 39 sqm which complies with the standards for a 1b1p unit.
- 4.4 The floor area has to be considered in combination with the floor to ceiling heights. The standard requires a

minimum floor to ceiling height of 2.3m for at least 75% of the Gross Internal Area. In this case, the floor to ceiling heights would comply across only a third (i.e. only at third floor level) of the floorspace, providing 2.2m at fourth floor level and 2.19m at fifth floor level. Previously, the headroom limitations were considered to be acceptable by the Inspector but this was in the context of a larger more open plan unit with a different arrangement of uses. Under the current application, the kitchen and main living space are located at fifth floor level with the lowest floor to ceiling height whereas previously this was the bedroom, a use more suited to low ceiling heights. Previously, the kitchen was located on the floor with the most generous floor to ceiling heights (2.5m) whereas now the bedroom is located on that floor.

- 4.5 In addition to the scale of the unit, the retention of internal walls create awkward, enclosed living spaces cut off from the daylight and aspect provided by the few windows there are. At fifth floor level, a kitchen and living room would be provided with a 2.19m floor to ceiling height. For many occupiers it would be necessary to duck under a retained archway to access the kitchen. The daylight and outlook from the window at this level would hardly benefit the living space area situated on the other side of the archway. The current proposals retain the upstands, further constraining spaces at third and fourth floor levels as the occupiers would be required to step over them as they moved around the living spaces.
- 4.6 An internal daylight assessment has previously been provided at appeal stage in relation to application ref. 2018/4394/P. This demonstrated that the two living and kitchen/dining rooms (as was then proposed) failed to meet the Average Daylight Factor standards. It is expected that, in the context of the current proposal with the internal walls in place that block daylight from reaching the whole floor, the daylight levels will have worsened compared to the previous assessment.
- 4.7 The cumulative effect of all sub-standard factors together, including size, headroom, daylight, outlook, accessibility and functionality, will result in substandard living accommodation that is not suitable for permanent living accommodation.

## **5 Affordable Housing**

- 5.1 Policy H4 expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to the residential floorspace of 100sqm GIA or more. Taken on its own, the proposal would not trigger an affordable housing contribution as the uplift of residential floorspace is only 46.2 sqm. Policy H4 however includes a provision for split or related sites and states that the Council will use planning obligations to ensure that all parts and/or phases of a site make an appropriate contribution to the affordable housing supply.
- 5.2 Taken together, the two previous permissions provided an affordable housing contribution in the form of 2 intermediate units provided on site (with an additional 0.5 units dismissed as an acceptable marginal shortfall). Were the consented development and the application for the tower to come in as one application, the affordable housing contribution would have been greater, based on the total uplift of residential floorspace. To support this argument, the previous Committee report for planning application ref. 2016/0745/P recognised that the application sought to convert only part of the building and as such agreed with the applicant that any further change of use of the remainder of the floorspace would trigger a requirement for additional affordable housing based on the whole scheme.
- 5.3 Under policy H4, for developments with a capacity of less than 25 units, the affordable housing contribution is based on a sliding scale with the target starting at 2% for an additional home (at 100sqm) and is increased by 2% for each home added to the capacity. Based on the floorspace uplift (rounded to the nearest 100sqm), for the development excluding the tower, the affordable housing contribution would be 28% (based on a GIA of 1406 sqm), and for a development including the tower, the affordable housing contribution would be 30% (based on a GIA of 1452 sqm). The difference between the two scenarios results in an affordable housing contribution of an additional 2%. This 2% is then applied to the total floorspace of the scheme including the tower, resulting in 29.04 sqm. This value is then multiplied by £5,000 (the multiplier factor to calculate payment-in-lieu for a market residential scheme) to get the required additional affordable housing contribution of £145,200.
- 5.4 Were the scheme to be supported, the additional affordable housing contribution would be secured via a S106 legal agreement upon approval of the proposal. In the absence of a legal agreement to secure the affordable housing contribution, the proposal cannot be supported as this would not assist the Council meet housing needs for households in the borough that are unable to access market housing. The applicant has indicated that they would be willing to enter into a legal agreement to provide an affordable housing contribution. However, in the absence of a legal agreement being in place at the time of determination, the

lack of such agreement shall constitute a reason for refusal.

- 5.5 It is noted that the applicant had signed a S106 legal agreement for the purposes of the previous appeal. The appeal Inspector was satisfied that an affordable housing payment was necessary to maximise the contribution of the site towards the supply of affordable housing in the area, in accordance with policy H4. However this S106 only specifically related to the previous application ref 2019/4604/P. A new S106 would be needed for the current application.

## 6 Design and Heritage

- 6.1 The significance of the Grade II\* listed tower is twofold. It has aesthetic value deriving from its height and form as well as its decorative use of materials which together allow the tower to reflect and complement the surrounding houses. Within a highly considered and well-executed exterior that appears at ease with its domestic context, the tower integrates the functional requirements of a London fire station in three ways – it comprises a hose drop, multiple chimney stacks and also provided for a training tower, a result of how the chimney stacks emerged in different places on the floor plan to create obstacles. The building is intact and so the tower retains illustrative historical value of its purpose.
- 6.2 The proposal would largely retain the external appearance of the fire station with the external alterations being confined to the removal of three chimney stacks and the installation of a balustrade behind the existing parapet to ensure the proposed terrace is compliant with Building Regulations. The balustrade would measure 25cm and would be installed behind the parapet, with only 8cm exceeding the parapet height. The external alterations would not be perceptible from ground level and therefore the character and appearance of the Belsize conservation area would be preserved. Previous Inspectors have considered that the demolition of the chimney stacks and consequent loss of historic fabric was acceptable in heritage terms and 'would not materially compromise the external appearance or character of the tower' or 'harm the historic significance of the listed building'.
- 6.3 The proposed internal alterations have been revised to be less invasive in terms of loss of historic fabric and changes to plan form. The upstands would remain full expressed (rather than being boxed in) and the internal walls would remain in situ. At fourth floor level, a low arch would be enlarged from a height of 1.2m to 1.9m to allow for a person to move between the two spaces it divides, and to allow more light into the shower room. It is considered that this still represents harm as it would remove historic fabric and erode the legibility of the tower's historic use. At present, this unique plan form survives entirely intact, and its purpose-built historic use is therefore wholly legible. This is a view shared by the first Inspector who wrote, *'The design of the interior partition walls, including low openings to other small rooms, create the confined spaces with difficult restricted accesses that were integral to the training of firemen in the tower. Therefore, that intentional layout, pertinent to the original function and history of the tower, would also be lost to the detriment of the special interest of the listed building.'* (officer's emphasis)
- 6.4 It is acknowledged that the new application is a revised scheme with a 'lighter touch' in terms of scope of internal alterations; however, the Council still identify an unacceptable level of harm owing to loss of plan form and historic fabric. Overall the principle of converting the tower to habitable accommodation is still unacceptable due to its resulting impact on the special interest of the listed interior.
- 6.5 The central void, like with the previous application, would be infilled by opaque glazed panels. The Inspector for the latest appeal found this approach to be *'an innovative and genuinely versatile solution'* that would *'suitably offer reference to and respect the building's special historic interest'*
- 6.6 As with the last proposal, the current application retains the iron spiral staircase throughout the tower and steel-and-glass fire lobbies would be inserted around the retained staircase on each floor as before. The previous Inspector considered the fire lobbies were acceptable subject to a condition to ensure their detailed design maintained the legibility of the stair at each floor level and did not conflict with the architectural character of the original interiors.
- 6.7 To enable the installation of kitchen and bathroom servicing, it is proposed to dryline the north-eastern wall. While the Council expressed concern at the servicing element, the Inspector for the last appeal considered that *'domestic scale services could be accommodated without disturbing the architectural character of the spaces'*.

## 7 Impact on the amenity of surrounding occupiers



7.1 There are no external changes proposed to the building's envelope that could result in an adverse impact on daylight/ sunlight or outlook of surrounding residential occupants. The terrace would be five storeys high above ground and is over 20m away from neighbouring properties to the north and south in Lancaster Grove and Eton Avenue and too high to provide direct views into the closer properties at nos.22 and 43. Thus it is considered that the long distance angled views would not result in any material increase in overlooking of nearby gardens and windows of residential occupants nor the school playground opposite.

## **8 Transport Considerations**

8.1 In line with Policy T1 of the Local Plan, the Council expect cycle parking at new developments to be provided in accordance with the standards set out within the London Plan. The planning permissions for the adjacent fire station (ref: 2016/0745/P and 2016/5813/P), which is nearing completion if not now complete, has overprovided in terms of cycle parking and therefore it is accepted that sufficient accessible, covered and secured cycle parking would exist for the proposed unit.

8.2 Policy T2 requires all redevelopment schemes to be car-free in order to reduce air pollution and congestion and improve the attractiveness of an area for local walking and cycling. The applicant has indicated that they would be willing to enter into a legal agreement for a car-free development; however, in the absence of a legal agreement being in place at the time of determination, the lack of such agreement shall constitute a reason for refusal.

8.3 It is noted that the applicant had signed a S106 legal agreement for the purposes of the previous appeal. The appeal Inspector was satisfied that it was necessary and reasonable to secure the development as car-free, in accordance with policies T1 and T2. However this S106 only specifically related to the previous application and a new S106 would be needed for the current application.

## **9 Sustainability**

9.1 The submitted planning statement discusses the sustainability merits of the wider development; however, there is a lack of information regarding the sustainable development principles and achievements of the tower alone. Should permission be granted at appeal, the Council would ask that information is provided regarding how the tower would be integrated into the overall sustainability strategy as presented within the planning application documentation. Given the floorspace uplift, the current application would not trigger the need for a specific BREEAM assessment or target and therefore the lack of information on the sustainability credentials of the proposed development shall not constitute a reason for refusal.

## **10 Planning balance**

10.1 The National Planning Policy Framework (NPPF) sets out the Government's policies for decision making on development proposals. At the heart of the framework is a presumption in favour of 'sustainable development'. The protection and enhancement of the historic environment forms one of three core objectives that defines sustainable development.

10.2 Paragraphs 195 and 196 refer to proposed development leading to harm to the significance of heritage assets and the need to weigh this harm in the balance when coming to a decision, including any public benefits of the proposals.

10.3 The revised proposal would still result in the loss of historic fabric and would erode the legibility of the tower's intended purpose of drying hoses and providing a purpose-designed training facility.

10.4 It is recognised that the proposal would bring about harm to the special interest of the Grade II\* listed building. Three appeal Inspectors have concluded that the previous schemes would cause "less than substantial harm" to a designated heritage asset. It is considered that this conclusion remains the same with the current scheme. In order to support heritage harm, the Council has to identify tangible public benefits arising from the scheme that would outweigh the harm. In this instance, the public benefit would be the provision of one small additional residential unit of substandard quality to the Borough's housing stock and an additional contribution to affordable housing. This is not considered a sufficient public benefit to outweigh the heritage harm. The appeal Inspectors agreed that the 'harm would not be outweighed by the relatively limited public benefits'.

10.5 In terms of securing an optimum viable use of the listed building, it is correct that the proposal would secure a viable alternative use but owing to the harm involved, the use is far from optimum. The previous Inspector has highlighted there is no substantive evidence that without the proposal the tower would fall into disrepair, or that its conservation would be jeopardised. In response, the current application now includes an argument from the applicant that suggests the way in which the management of the building has been organised may mean the unused parts of the building fall into disrepair. However, a 'Conservation Management Plan' has been secured as part of the legal agreement for the original applications for the conversion of the wider fire station into residential use. Amongst general measures designed to secure the status of the heritage asset in perpetuity, Part c of the clause specifically requires details of how the fire station tower is to be maintained and how its structural upkeep will be monitored for the lifetime of the development. As such, the applicant cannot choose to let it fall into ruin. This assertion also brings into play paragraph 191 of the NPPF, namely, that "where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision". Self-evidently, this applies to threats of future neglect.

10.6 It is thus considered that planning permission should be refused on the basis of harm to the listed building as a heritage asset without any outweighing public benefit and that listed building consent should be refused on the basis of harm to the special interest of the listed building in terms of loss of historic fabric and plan form.

## **11 Recommendations**

### **11.1 Refuse Planning Permission for following reasons-**

1. The proposed development, by reason of poor quality internal amenity, would fail to provide high quality residential accommodation for future occupants, contrary to policies H6 (Housing choice and mix) and A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.
2. The proposed conversion of the tower to a residential unit, by reason of its impact on the listed building, would result in 'less than substantial' harm to a designated heritage asset which is not outweighed by any planning benefits, contrary to policy D2 (Heritage) of the London Borough of Camden Local Plan 2017.
3. The proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more healthy or sustainable transport choices, contrary to policy T2 (Parking and car-free development) of the London Borough of Camden Local Plan 2017.
4. The proposed development, in the absence of a legal agreement to secure a contribution to affordable housing, would fail to maximise the contribution of the site to the supply of affordable housing in the borough, contrary to policy H4 (Maximising the supply of affordable housing) of the London Borough of Camden Local Plan 2017.

### **11.2 Refuse Listed Building Consent for following reason-**

1. The proposed demolitions and alterations, by reason of loss of historic fabric and plan-form, would cause harm to the special architectural and historic interest of the Grade II\* listed building, contrary to policy D2 (Heritage) of the London Borough of Camden Local Plan 2017.