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| Delegated Report | | Analysis sheet | | Expiry Date: | 21/03/2024 |
| | | N/A / attached | | Consultation Expiry Date: | 17/03/2024 |
| Officer | | | Application Number(s) | | |
| Sam FitzPatrick | | | (i) 2023/4429/P (ii) 2024/0054/L | | |
| Application Address | | | Drawing Numbers | | |
| 17-19 Argyle Street London WC1H 8EJ | | | Please refer to decision notices. | | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | | |
| | | | | | |
| Proposal(s) | | | | | |
| Erection of foliage wall panel to front elevation at ground level (retrospective). | | | | | |
| Recommendation(s): | | (i) Refuse planning permission and warn of enforcement action (ii) Refuse listed building consent and warn of enforcement action | | | |
| Application Type: | | (i) Full planning permission (ii) Listed building consent | | | |
| Conditions or Reasons for Refusal: | | Refer to Draft Decision Notices. | | | |
| Informatives: | | | | | |
| Consultations | | | | | |
| Adjoining Occupiers: | | No. of responses | 00 | No. of objections | 00 |
| Summary of consultation responses: | | Site notices were displayed from 16/02/2024 to 11/03/2024 and a press notice was published on 22/02/2024 that expired on 17/03/2024. No comments or objections were received from members of the public or any neighbourhood groups, including the Bloomsbury Conservation Area Advisory Committee. | | | |
| Site Description | | | | | |
| <p>The application site comprises of two terraced houses that are located at the end of a terrace of seven nineteenth-century houses, located on the east side of Argyle Street, just south of Euston Road and north of St Chad's Street. Both houses are Grade II listed and located within the Bloomsbury Conservation Area.</p> <p>The buildings in the terrace (including the two involved in this application) have a closely similar form, with small individual differences. The significance of the two houses lies in their architectural design, plan form, and historic fabric, as well as the group value with the other houses in the terrace.</p> | | | | | |

Relevant History

Application site

LS9604317R1 – The formation of internal openings at basement level. **Listed building consent granted 13/03/1997.**

8501375 – The erection of rear extension at second floor level to provide showers and toilets. **Permission refused 29/10/1985.**

Reasons for refusal:

- 1) The extension by reason of its height, bulk, and design is considered to be unacceptable, detrimental to the amenities of adjoining, neighbouring, and the application property.
- 2) The extension is an inappropriate addition to a Grade II listed building located in a Conservation Area where the surrounding buildings are similarly listed and would be detrimental to the visual amenity of the rear of the street block as a whole.
- 3) The arrangement and standard of facilities and rooms within the hotel do not accord with the Council's adopted standards for such premises.

8570245 – Rear extension at second floor level and internal alterations. **Listed building consent refused 29/10/1985.**

Reason for refusal:

- 1) The extension is an inappropriate addition to a Grade II listed building, located in a Conservation Area where the surrounding buildings are similarly listed and would be detrimental to the appearance of the building and to the visual amenity of the rear of the street block as a whole.

Relevant policies

National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

- **A1** Managing the impact of development
- **D1** Design
- **D2** Heritage

Camden Planning Guidance

- CPG Amenity (Jan 2021)
- CPG Design (Jan 2021)
- CPG Home Improvements (Jan 2021)

Bloomsbury Conservation Area Appraisal and Management Strategy 2011

1. Proposal

- 1.1. Planning permission and listed building consent are sought for the erection of an artificial green wall panel to the front façades of the two houses.
- 1.2. The submission makes clear that the proposed works are retrospective, and according to the application form were conducted and completed in June 2023. After visiting the exterior of the site, it has been confirmed that these works have been fully completed, meaning the proposal is retrospective.

2. Assessment

- 2.1. The principal considerations material to the determination of this application are:
 - Design and conservation
 - Amenity

3. Design and conservation

- 3.1. Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality which improves the function, appearance, and character of the area, and Policy D2 states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings – this specifically includes conservation areas and listed buildings.
- 3.2. The application site is located within the Bloomsbury Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of that area. The statement provides a character study of the Argyle Square area, which includes the surrounding streets of St Chad's Street and Argyle Street, where the application site is located. It states that the conversion of a number of the listed properties in this area to hotel use has unsympathetic additions to the frontages that *"detract from the homogeneity of the terraces"*.
- 3.3. The duties imposed by the Listed Buildings Act are in addition to the duty imposed by Section 38(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.
- 3.4. The listing description which relates specifically to the subject of this application reads as follows:

"Terrace of 7 houses, now mostly small hotels. c1833-9. Yellow stock brick. No.7, stucco ground floor; No.9, pebble dash rendered ground floor; Nos 13-19 painted stucco ground floors (No.15 rusticated). Plain stucco 1st floor sill bands. Nos 13-19, slate mansard roofs with dormers. 3 storeys, Nos 13-19 attics, and basements. 2 windows each. Round-arched ground floor openings. Doorways of Nos 7-11 with pilaster-jambs carrying cornice-heads; fanlights and panelled doors; Those to Nos 13-19, C20 reproduction with glazed doors. Gauged brick flat arches to recessed sashes; 1st floor in shallow, round-arched recesses with cast-iron balconies. Parapets. INTERIORS: not inspected. SUBSIDIARY FEATURES: attached cast-iron railings with tasselled spearhead finials to areas. (Survey of London: Vol. XXIV, King's Cross Neighbourhood, Parish of St Pancras IV: London: -1952: 106).
- 3.5. The applicant has installed a panel of artificial plastic plant/foliage to the front façade of two of these houses in the listed terrace, no.17 and no.19. The panel would be installed in the area that would, on commercial premises, be considered the fascia band.

- 3.6. Alterations of the kind proposed are not an acceptable addition to the building. The front façades of the properties contribute to the special interest of the listed buildings, and the installation of plastic foliage panels would result in an incongruous and prominent addition that detracts from the special interest of the listed building and the character and appearance of the conservation area.
- 3.7. As well as constituting an inappropriate addition, the panel would break up the otherwise consistent street scene, separating this pair of houses from their neighbours and undermining and causing harm to the group value of the terrace. Regardless of whether the foliage panel contains real or plastic planting, the addition has no place on the façades of terraced properties of this age, and would detract from the special interest of the listed buildings and character appearance of the conservation area.
- 3.8. The position of the panel to the front façades of the pair of houses also resembles shop fascia, which harms the historically 'residential' character of Argyle Street. Whilst it is acknowledged that many of these houses in the immediately surrounding area have become hotels over time, the hotels have contented themselves with modest signage, and the general appearance is still that of domestic terraces. Therefore, the addition of the panel as proposed would fundamentally alter the appearance and special interest of the properties and undermine the contribution they make to the surrounding conservation area.
- 3.9. Special attention has been paid to the to the desirability of preserving the listed building, its setting, and its features of special architectural or historic interest, and of preserving or enhancing the character and appearance of the conservation area, under s.16, s.66, and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.
- 3.10. The NPPF in Section 16 provides guidance on the weight that should be accorded to harm to a heritage asset and in what circumstances such harm might be justified. Paragraph 202 states that "*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*". Local Plan Policy D2 states that the Council will not permit development that results in harm that is 'less than substantial' to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh the harm.
- 3.11. The proposal to install a panel of plastic foliage to the frontage of the application site is considered to lead to 'less than substantial' harm to the significance of the listed buildings and conservation area as designated heritage assets. The Council is unable to identify any significant or sufficient public benefits that would outweigh the less than substantial harm caused. In accordance with the NPPF balancing exercise outlined above, it is considered that this harm is not outweighed by any benefit, and therefore the scheme should be refused permission and consent.
- 3.12. Overall, the addition of the panel at fascia level of the listed buildings is considered to result in an incongruous and prominent addition that disrupts the otherwise consistent street scene and harms the group value of the listed terrace, as well as the special interest of the host buildings themselves and the character and appearance of the conservation area. Therefore, the proposal fails to comply with Local Plan Policies D1 and D2.

4. Amenity

- 4.1. Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, daylight, and sunlight. The Council's guidance contained within 'CPG Amenity' provides specific guidance with regards to these aspects.

4.2. Due to the nature of the proposed works, it is not considered that there would be any significant impact by way of loss of outlook, light or privacy. As such, the proposal would be considered to be acceptable in terms of amenity impact, notwithstanding the design and conservation issues raised in the previous section of this report. Therefore, the proposal would be considered to be in accordance with Policy A1 of the London Borough of Camden Local Plan.

5. Conclusion

5.1. The proposed panel to the front façade of the host buildings is considered to be an incongruous and inappropriate addition that detracts from the special interest of the listed building and fails to preserve or enhance the character and appearance of the conservation area, and therefore the application should be refused.

6. Recommendations

Refuse planning permission and listed building consent

6.1. Refuse planning permission for the following reason:

The installation of artificial foliage wall panel to the front elevation of the buildings, by virtue of the inappropriate location, design, and appearance, would result in harm to the character and appearance of the host listed buildings and the wider conservation area, contrary to Policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

6.2. Refuse listed building consent for the following reason:

The installation of artificial foliage wall panel to the front elevation of the buildings, by virtue of the inappropriate location, design, and appearance, would detract from the special interest of the host listed buildings, contrary to Policy D2 (Heritage) of the London Borough of Camden Local Plan 2017.

Issue enforcement action

That the Borough Solicitor be instructed to issue an Enforcement Notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, and that officers be authorised, in the event of non-compliance, to commence legal proceedings under Section 43 of the Act and/or other appropriate power.

The notice shall allege the following breaches of planning control:

The notice shall allege that, without planning permission or listed building consent, the following works were carried out:

- The installation of a foliage panel to the front façades of the properties.

What you are required to do:

1. Completely remove the foliage panel from the front elevation of the properties; and
2. To make good the site and building following the above works.

Period of compliance:

3 months.

Reasons why the Council consider it expedient to issue the notice:

The unauthorised foliage panel by virtue of the location, design, and appearance, result in harm to the special interest of the host listed buildings, contrary to Policies D1 and D2 of the London Borough of Camden Local Plan 2017.