

Delegated Report		Analysis Sheet		Expiry Date		15/11/2024	
		N/A		Consultation Expiry Date		N/A	
Officer			Application Number(s)				
Jessica McDonnell-Buwalda			2024/2806/L				
Application Address			Drawing Numbers				
Flat 4A King Edward Mansions 8 Grape Street London WC2H 8DY			Planning DAS_July 2024; Heritage Report - Part 1_22.07.24; Heritage Report - Part 2_22.07.24; Heritage Report - Part 3, Addendum_22.07.24; Heritage Report - Structural Addendum; Flat 4A King Edward Mansions - Photographs; Pre-Works_JJ24-004a-002-RevA; Unortherised_JJ24-004A-001-RevE; Proposed_JJ24-004a-001-RevH				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Retrospective consent to regulate unlawful internal alterations including demolition of walls, new partitioning, suspended ceiling, and removal of architectural detailing (cornice, skirting, architraves, picture rails and fireplaces)							
Recommendation(s):		Refuse Listed Building Consent and that the Head of Legal Services be instructed to issue a Listed Building Enforcement Notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990					
Application Type:		Listed Building Consent					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	0	No. of response	0	No. of objections	0
Summary of consultation responses:		Internal works to a GII Listed Building, no public consultation required.					
CAAC/Local groups comments:		Internal works to a GII Listed Building, no public consultation required.					
Site Description							
<p>The application building <i>King Edward Mansions</i> is listed as Grade II on the National Heritage List for England (No. 1245859). It is also located in the Bloomsbury Conservation Area. The building was Listed in 1996 and is noted specifically for the quality of its street façades that are faced with brick and exuberant terracotta dressings and decorations. The angled V shape building has ranges facing to Grape Street () and Shaftsbury Avenue with oriel and square and cantered bay windows, and a central internal courtyard serving the upper level flats. The interiors of the building were no inspected at the time of the listing so internal fabric and features of significance were not identified, but as the interiors have not been specifically excluded, they are also now protected.</p> <p>In 1979 (prior to listing) alterations occurred to provide for additional apartment accommodation on the upper floors – the general arrangement of the plan form though, with central hallways with single doorways and primary rooms with feature fireplaces to the Grape Street elevation was maintained.</p> <p>The subject application property is a two bedroom flat located on the fourth floor and has an oriel window to Bedroom 1 and a cantered balcony with door access to the Lounge that both face to the main Grape Street elevation. Limited realtor photographs have been provided to demonstrate the Pre-Works condition of the flat. These show the primary rooms with a denticulated cornice profile, picture rail and skirting board detail and the two historic feature fireplaces with cast iron insets and tiling. These primary features appear consistent with others flats in the building. In Bedroom 2 and the Study, the architectural detailing was plainer, but this is appropriate for the secondary hierarchy of the spaces. The kitchen and</p>							

bathrooms had no cornice.

Relevant History

P14/11/A/27933 – King Edward Mansions, Revised scheme for refurbishment and conversion of the residential accommodation on the upper floors of the Grape Street frontage to provide 4 one-bedroom, 5 two-bedroom, 2 three-bedroom and 2 four-bedroom flats. **Granted, 30/03/1979**

LSX0105183 – Flat 1D, Internal alterations including partial demolition of non-load-bearing walls and false ceilings, as shown on drawing numbers; BR/01, BR/02 rev B, BR/03. **Granted, 27/11/2001**

LSX0005137 – Flat 3A, Minor internal alterations involving the partial demolition to create a double width door opening connecting two rooms, as shown on unscaled A4 plan and location plan, KEM000, KEM003B and KEM013. **Granted, 13/03/2001**

2017/1218/L - Flat 1D, Fitting of new cupboards and shelves to study, including replacement of existing cupboard. **Granted, 18/04/2017**

2017/0971/L - Flat 1D, Demolition of wall separating two bathrooms. **Granted, 28/06/2017**

EN24/0364, EN24/0366 – Flat 4A, Substantial internal works in the process of being carried out. **Active**

Relevant policies

National Planning Policy Framework

Section 16

The London Plan 2021

Chapter 7

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Camden Planning Guidance

CPG1 Design (2021)

Assessment

1.0 PROPOSAL

- 1.1 The subject Listed Building Consent application follows the identification of substantial internal works in the process of being carried out at Flat 4A on 2 May 2024 by a Camden officer while on an unrelated site visit at the building. An associated Enforcement case has been raised (EN24/0364) with a 'Stop Works Notice' issued on 3 May 2024. In order to regulate the unlawful works to the Listed Building it was advised that a Listed Building Consent application would need to be submitted.
- 1.2 The initial LBC Application was made Invalid on account of incorrect and missing statutorily required information (Block Plans, incorrect Certificate, full set of Floorplans showing the Pre-Works, Existing Unauthorised and Proposed Remedial – with all Plans needing to have an associated scale bar, an updated DAS and Heritage Statement outlining the retrospective nature of the application and a full scope of works).
- 1.3 A site visit was undertaken on 9 September 2024 prior to validation to assist in informing what needed to be included on the Proposed Plan. Following the visit, it was confirmed by officers that the following unlawful alterations, demolitions, and additions had occurred:
- Removal of all internal architectural detail and features – two original fireplaces with surrounds and grates with integrated tiling, skirting boards, picture rails, and corncicing.
 - Flooring removed throughout.
 - Internal door joinery removed throughout.
 - 1507mm opening made into the Hallway/Lounge, where there was a single door.
 - 2996mm opening (wall removal) made into the Hallway/Kitchen, where there was a single door
 - Suspended ceilings installed throughout with recessed downlights – 280mm below the original ceiling plane.
 - Door openings made between WC/Bedroom 2 to provide a Ensuite and new cupboard.
 - Two electrical outlets drilled onto the front eastern Grape Street façade
- 1.4 The above list of unlawful works and remediations required was discussed on site and provided by email (13.09) with the opportunity given to provide a revised scheme to address all the unlawful works. It was requested the application be instead validated under the Proposed Plan submitted 11.09 (JJ24-004a-001-RevH), and it indicated that a fully

revised scheme would be submitted when further details were on hand. The application was validated on 16.09.

- 1.5 It was again stated that a fully revised set of plans would be sent (28.10), however, these plans were then submitted under a new application (2024/4830/L - 04.11), not the current active LBC. The applicant wishes to proceed now with the determination of this application based on the submitted unrevised documents.
- 1.6 As shown in the submitted plan (JJ24-004a-001-RevH), the only remedial works proposed to address the unlawful alterations include: picture rails inserted throughout, cornice applied below the retained suspended ceilings.

2.0 ASSESSMENT

2.1 The material considerations for this application are summarised as follows:

- Impact on the historic planform and spatial character of the interior of the Listed Building.
- Loss of historic fabric and architectural features within the Listed Building.
- Visual impact on the exterior of the Listed Building and Conservation Area.

2.2 Design and Conservation

2.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") is relevant. Section 72(1) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that local authorities shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

2.4 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, including conservation areas and listed buildings.

External Alterations

2.5 Two external electrical points have been installed on the primary eastern Grape Street elevation of the building on either side of the door on the cantered balcony. These have been drilled through the historic brickwork, and appear to be set up for the attachment of light fittings. If lit, these high-level light sources would present as isolated and uncharacteristic when viewed in context with the whole building's Grape Street elevation. The random isolated spotlighting would also impact the how the building presents cohesively within the Bloomsbury Conservation Area – where the Charles Fitzroy Doll designed building presents a lively but consistent edge to the Princes Circus open space, and the isolated external lighting would not be reflective of the upper residential use and disrupt the consistency of the elevations.

Internal Alterations

- 2.6 Planform and internal layouts make a significant contribution to the special interest of listed buildings. It is acknowledged that the 1979 (pre-listing) alterations impacted the original arrangement of the fourth-floor apartments. However, the central hallway circulation of the apartment with radiating rooms accessed through single door openings is repeated throughout the building and an integral component of the traditional plan form and spatial character. The walls that have been substantially removed/opened up between the Kitchen/Hallway/Lounge has impacted historic partitions, as confirmed on site.
- 2.7 The substantial demolition of the Kitchen/Hallway wall (2996mm) and further opening up of the Lounge doorway (1507mm) have removed historic fabric and resulted in the cumulative loss in delineation of the hallway arrangement of the flat, such that the traditional central circulation space is subsumed into an open-planform that is visible from the front entrance. The proposal intends to keep the dimensions of all new openings.
- 2.8 Suspended ceilings have been installed throughout the apartment which has removed and/or obscured all the cornice detailing, introduced modern downlights, and altered the height and proportions of the rooms, specifically in relation to the external doors and windows. Walls have been stripped back with the picture rails and all skirting boards removed and modern plasterboard installed. The denticulated cornice previous in the Lounge is a feature also present in other apartment in the building.
- 2.9 The proposed retention of the 280mm lowered ceiling plane with a cornice detail re-provided would result in an ill-proportioned relationship to the joinery heads directly abutting the architraves. The recessed spotlights inserted into the new suspended ceilings are unsuitable to the historic nature of the apartment where there was previously a single surface mounted light fitting per room.
- 2.10 The two main fireplaces with original surrounds and grates with integrated tiling have been removed from the primary rooms. These features are still retained on site but the proposal has not indicated that they would be reinstated.
- 2.11 Only a very limited number of estate agent photographs have been provided to show the Pre-Works condition of the building. These photographs do not show what original flooring may have been under the carpeting or the detail of internal door joinery. It is therefore assumed that historic and/or traditional appropriate fabric that contributed to the

character of the building has been lost.

- 2.12 The removal of partition walls, enlargement of openings and installation of suspended ceilings has significantly altered the proportions of the rooms and delineation of spaces. Key original architectural detailing and features have been lost, and untraditional light fittings has been installed that has compromised that internal historic character of the subject apartment. The external lighting would present with random isolated spotlighting of the building's façade that would also impact the character and appearance of the Bloomsbury Conservation Area.
- 2.13 Remedial works shown in the Proposed Plans do not address all of the identified unlawful alterations that have occurred, and inadequate information has been submitted regarding the proposed detailing of the reapplied cornice/picture rail.
- 2.14 The fire and structural implications of the demolition works that have occurred will be subject to additional building regulations and/or fire certification assessment.

4.0 HERITAGE IMPACT

- 4.1 An assessment and evaluation of the scheme needs to be carried out in accordance with the requirements and tests within chapter 16 of the NPPF 2023 (especially paras 200-214) regarding any impact and level of harm caused to the significance of the Listed Building, adjoining designated heritage assets and the surrounding Conservation Area.
- 4.2 NPPF para 203 requires that those assessing applications take account of 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.' Para 205 states that, 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation', and para 206 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'. Substantial harm to a Grade II Listed Building of any grade should be exceptional. Where the harm to a designated heritage asset is less than substantial, para 208 advises that 'this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'
- 4.3 In addition to its group value and external appearance, the significance of King Edward Mansions, although not inspected, also stems from the historic character of its interiors that retain traditional detailing, features and general spatial proportions and planform arrangements. This historic character has been compromised and lessened by the by the substantial demolition works that have occurred and not then addressed or balanced by reinstatements.
- 4.4 The harm here to the designated heritage asset is 'less than substantial'. On the basis that there is less-than-substantial harm, paragraph 208 of the NPPF is applicable here, as noted above.
- 4.5 For the "optimum viable use" component of para 208 to succeed, it would have to be shown that the apartment could not be used without the subject demolitions, alterations and additions. As many historic properties do not have open-planforms or suspended ceilings with spotlights, external lighting, and retain all their traditional architectural features, this is not the case.
- 4.6 No public benefits have been identified by the applicant.
- 4.7 It therefore follows that there are no significant benefits to outweigh the less-than-substantial harm caused by unlawful works, in accordance with the balancing exercise as set out in the NPPF. Thus the scheme results in harm to the special character of the listed building without adequate justification and does not comply with Local Plan policy D2.
- 4.8 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Bloomsbury Conservation Area, and of preserving the Listed Building, its setting and its features of special architectural or historic interest, under sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

5.0 RECOMMENDATIONS

Refuse Listed Building Consent

The unlawful works undertaken, have resulted in the loss of historic fabric, architectural detailing, planform and spatial character, and the addition of untraditional inherently modern features. The proposal does not adequately address or remediate the identified unlawful alterations that have occurred, where the resulting impact of the unsympathetic works has cumulatively resulted in less than substantial harm to the character, appearance and significance of the Grade II Listed Building. The proposal is therefore contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017, the London Plan 2021, and the National Planning Policy Framework 2021.

Initiate Enforcement Action

That the Head of Legal Services be instructed to issue a Listed Building Enforcement Notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, and, in the event of non-compliance with the Notice, the Head of Legal Services be authorised to pursue any legal action necessary to prosecute the owner

under Section 43 of the Act and or other appropriate power and/or the Director of the Culture and Environment Department be authorised to take direct action under Section 42 of the Act to secure compliance with the Notice.

The notice shall allege the following breaches of planning control:

That without listed building consent, the following works were carried out -

1. Removal of all internal architectural detail and features – two original fireplaces with surrounds and grates with integrated tiling, skirting boards, picture rails, and corncicing.
2. Internal door joinery and flooring removed throughout.
3. 1507mm opening made into the Hallway/Lounge, where there was a single door.
4. 2996mm opening (wall removal) made into the Hallway/Kitchen, where there was a single door
5. Suspended ceilings installed throughout with recessed downlights.
6. Door openings made between WC/Bedroom 2 to provide a Ensuite and new cupboard.
7. Two electrical outlets drilled onto the front eastern Grape Street façade

The Notice shall require that, within a period of three months of the Notice taking effect:

- Reinststate all of the removed architectural detailing and features to replicate those removed (1):
 - Reinstated the original fireplace surrounds, grates and hearths that have been retained on site back into their exact positions in the Lounge and Bedroom 1.
 - Reinststate cornice, picture rail and skirting in the primary Lounge and Bedroom 1 to the same denticulated detail and profiles as the removed.
 - Reinststate the secondary concave cornice and skirting boards in the Hallway, Study and Bedroom 2 to the same profile and proportion as removed.
- Reinststate 2-over-2 timber doors and flooring throughout (2)
- Reinststate the Hallway/Kitchen and Lounge/Kitchen walls and re-provide a single door openings (2, 3, 4)
- Remove suspended ceilings and introduce a surface mounted lighting scheme (5)
- Remove the two external power points and make good the brickwork using appropriate materials not cementitious mortar (8)

PERIOD OF COMPLIANCE: Three months

REASONS WHY THE COUNCIL CONSIDERS IT EXPEDIENT TO ISSUE THE NOTICE:

The cumulative impacts of the unauthorised works have resulted in the substantial loss of all historic fabric and are harmful to the internal character of the Listed Building, which detracts from the special architectural and historic interest of the property, contrary to policy D2 (Heritage) of the Camden Local Plan 2021.