

Application ref: 2024/3936/L
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J Butterworth Planning
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Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted

Address:
27 Fitzroy Square
London
Camden
W1T 6ES

Proposal:

Installation of internal a/c units at upper levels, retention of extant units at lower ground floor

Drawing Nos: Site location plan; DAS & Heritage Impact Assessment; Drawings numbered: Letter Ref E15418; MA224-001; MA224-002 REV A

The Council has considered your application and decided to grant Listed Building Consent subject to the following condition(s):

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site location plan; DAS & Heritage Impact Assessment; Drawings numbered: Letter Ref E15418; MA224-001; MA224-002 REV A

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

Informative(s):

- 1 Site and Significance

27 Fitzroy Square is a GII* listed terraced house (now in commercial use). Its significance includes its architectural design and materials, planform, evidential value as a post-Waterloo completion of Fitzroy Square as a whole and as an early-C19th house and its positive contribution to the character and appearance of the conservation area.

Proposal

Installation of internal AC units

Impact of Proposal on Significance

The proposals seek to rectify unauthorised works which saw high-level air condition units installed at a high level on the principal floors of the building. This application is for the re-provision of the units at a low level within casings. Similar arrangements have been consented in neighbouring buildings in the Square. The servicing and external units for the site have already been granted listed building consent and planning permission under previous applications.

The proposed low-level units in timber casings are not considered to cause harm to the special architectural and historic interest of the listed building. They do not require the loss of historic skirting, are of the same form, scale and general character as a side-table or similar piece of furniture, and preserve the general character and appearance of the interior as an early-C19th suite of rooms.

Section 72(1) of the Listed Buildings Act 1990 directs that "In the exercise of various functions under the Planning Acts in relation to land in conservation areas (including determination of planning applications) the Council is required to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area." The works preserve the contribution which the site makes to the character and appearance of the Conservation Area.

Historic England has been consulted on the application and has authorised the LPA to determine as seen fit.

The site's planning history has been taken into account when making this decision

Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, under s.16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposal is in general accordance with policies D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework.

- 2 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 3 Wall mounted indoor air conditioning units in all rooms at all levels of the property have been installed without listed building consent. These unauthorised units have been installed at high levels within each room. The degree of harm of these works is based off the hierarchy of significance of each room. The units within the basement level are acceptable given the less legibly historic character of these spaces and the rear extension units are not considered to cause harm to a significant space. Therefore, the indoor air conditioning units within rooms at ground floor, first floor, second floor and third floor, are considered to detract from the special historic character and architectural interest of the host building.

This consent relates to the replacement of the unlawful indoor air conditioning units at principal rooms ground, first, second and third floor with low level units encapsulated within painted timber joinery without alteration to the skirting boards. If the indoor air conditioning units installed in aforesaid rooms have not been replaced with the approved units (and all constituent materials removed and damages made good) within THREE (3) months from the date of this decision, it is recommended that the Director of Supporting Communities will instruct the Borough Solicitor to issue a Listed Building Enforcement Notice alleging a breach of listed building control.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned in the upper left quadrant of the page. The signature is fluid and cursive.

Daniel Pope
Chief Planning Officer