

Application ref: 2024/4773/P
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Date: 17 December 2024

Development Management
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London Borough of Camden
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Gerald Eve
One Fitzroy
6 Mortimer Street
London
W1T 3JJ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Fitzroy House
355 Euston Road
London
NW1 3AL

Proposal: External alterations to include: installation of new windows and entrance canopy to Euston Road elevation; removal of ramp and brick wall to Warren Street; installation of new windows, doors, entrance canopies, and facade to Warren Street and part Fitzroy Street elevations; removal of curtain wall at fourth floor level and replacement to match lower levels; improvements to fourth floor roof terrace including replacement plant facilities; and public realm improvements to Fitzroy St elevation.

Drawing Nos: P001, P002, P099, P100, P101, P102, P103, P104, P105, P106, P107, P120, P121, P122, P130, P199, P200, P201, P202, P203, P204, P205, P206, P207, P400 Rev A, P401, P402, P500, Cover Letter (prepared by Gerald Eve, dated 30 October 2024), Design and Access Statement Rev A (prepared by Ben Adams Architects, dated 22 November 2024), Noise and Vibration Impact Assessment Report '29004.NIA.01' (prepared by KP Acoustics, dated 23 September 2024), Gateway One Fire Statement Rev 01 (prepared by Hoare Lea, dated 30 October 2024)

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

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

P001, P002, P099, P100, P101, P102, P103, P104, P105, P106, P107, P120, P121, P122, P130, P199, P200, P201, P202, P203, P204, P205, P206, P207, P400 Rev A, P401, P402, P500, Cover Letter (prepared by Gerald Eve, dated 30 October 2024), Design and Access Statement Rev A (prepared by Ben Adams Architects, dated 22 November 2024), Noise and Vibration Impact Assessment Report '29004.NIA.01' (prepared by KP Acoustics, dated 23 September 2024), Gateway One Fire Statement Rev 01 (prepared by Hoare Lea, dated 30 October 2024)

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors, basement rampe gate, and railings;

b) Plan, elevation and section drawings, including fascia, cornice, pilasters and glazing panels of the new ground floor shopfronts at a scale of 1:10;

c) Manufacturer's specification details of all facing, entrance canopies, and roof terrace canopy materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided to the Local Planning Authority).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 4 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area

in accordance with the requirements of policies A2, A3, and D1 of the London Borough of Camden Local Plan 2017.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, and D1 of the London Borough of Camden Local Plan 2017.

- 6 The external noise level emitted from plant, machinery or equipment at the development with specified noise mitigation hereby approved shall be lower than the typical existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with machinery operating at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 7 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 8 Prior to commencement of the relevant works, details of secure cycle storage area at basement level shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

The existing building has three elevations (Euston Road to the north, Fitzroy Street to the east, and Warren Street to the south), all featuring distinct characteristics. It is not statutorily or locally listed but located just outside of the Fitzroy Square Conservation Area. While the existing building attempts to acknowledge these different conditions, the materiality and expression of the building are such that the building appears bulky and out of context, particularly on Warren Street, where the blackout windows and brick upstand make the building look and feel defensive and austere, negatively impacting the street scene, pedestrian experience, and the neighbouring Fitzroy Square Conservation Area.

Refurbishing and retrofitting Fitzroy House presents the opportunity to reintegrate what is an outlier building on Warren Street back into its context, improving the Euston Road outlook, maximising opportunities for greening where possible, while also making the building energy efficient and bringing it up to modern energy standards.

The design development has been focussed on achieving a suitable balance between reintegrating the building into its context, and reintroducing elements into the Warren Street facade that respect the local character. The proposal sufficiently responds to these constraints in a way in which the design acknowledges the single use of the building and reintegrates the Warren Street façade into its context.

Contextual analysis of building rhythms, proportions, window openings, as well as materials, has informed the design moves which is positive. The emphasis of the narrower vertical bays that take cue from the finer grain Georgian townhouses, together with softening of the façade through warmer toned materials, contribute positively to the street. The introduction of different elements and textures such as the GRC columns and ribbed panels at the window reveals, add interest into an otherwise monotonous existing facade. Positive steps have also been taken to activate and enliven the ground floor of the building on Warren Street, introducing shop front windows, canopies over entrances, one additional entrance, dark colour shopfronts to match others along Warren Street, as well as removing the brick upstand. These measures will help animate this section of Warren Street and make the building more inviting, as well as accessible to all by ensuring a step-free access on Warren Street.

At third floor level on the Warren Street elevation, the existing sloped glazed curtain wall system will be replaced with a new vertical facade to match that at the lower levels. There is no objection to these works, which are considered to better reflect the massing and character of Warren Street.

A key element of the proposal is bringing it up to modern energy standards and making it energy efficient, whilst also addressing concerns around overheating on the Warren Street façade which is south facing and has a significant amount of glazing. The windows have been reduced in line with LETI guidance for

commercial offices to be no larger than 40% of the total wall area in order to avoid overheating, which together with setting back the windows for solar shading, are seen as positive moves that will help mitigate against overheating and decrease the need for active cooling measures.

The ground floor landscape improvements and introducing more greening on Fitzroy Street are welcomed, as are the access improvements to the residential entrance. Details of the proposed landscaping will be secured by condition.

2 Reasons for granting permission continued.

The predominant material found on Warren Street is brick; however, given the structure of the existing building and constraints around pushing the building line forward, using brick would have entailed a brick slip system that involves a metal bracket system which would have introduced a significant amount of carbon. The chosen GRC cladding system for the proposal allows for a higher rate of retention of the existing building and its original tile cladding system, which is supported as a positive step in reducing embodied carbon of the new façade. The material choice is considered robust, high quality and complements the local character.

The existing roof terrace at fourth floor level will be improved with new balustrading, seating, planting, and a canopy to provide shading to the exterior and interior spaces. The introduction of a canopy will also provide additional noise and visual screening to the residential occupiers on the upper levels.

Details of all new windows, external doors, basement ramp entrance gate, facade, entrance canopies, roof terrace canopy, roof terrace balustrades, and residential entrance improvements will be secured by condition to ensure the materials are of a suitable quality and design.

At roof level, the existing plant machinery will be reorganised, removing unnecessary machinery, and a new plant machinery installed at third and fifth floor levels. The plant facilities, due to their location and presence of existing screening, will not unduly impact the host building.

Overall, the external alterations to the property are considered acceptable on design grounds and will not cause harm to the host building or that of the neighbouring Fitzroy Square Conservation Area.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Fitzroy Square Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulations Reform Act 2013.

The works to the elevations, due to their relative scale and scope, are not considered to impact the amenity of neighbouring residential occupiers with regards to loss of daylight/sunlight, outlook, or privacy. The re-provided roof terrace will be of a similar size as existing and is not anticipated to increase privacy concerns to residents on the south side of Warren Street. The installation of a canopy at roof level is considered to improve on the current condition to residents of Fitzroy House, with increased privacy and noise

abatement.

A Noise Impact Assessment was submitted indicating that, with the provision of mitigation measures, the noise emitted from the plant facilities would be within the requirements of policy A4. The proposals have been reviewed by the Council's Environmental Health team who deem them to be acceptable. Conditions are attached to ensure that noise from the plant does not exceed the required levels.

3 Reasons for granting permission continued.

The existing office parking spaces at basement level will be removed and new cycle parking facilities installed. The removal of existing car parking spaces is supported by policy T2, whilst the provision of cycle parking facilities is supported by policy T1. Details of the cycle parking will be secured by condition. Given the nature of the works in that they revolve around minor changes and façade improvements it is considered that a Construction Management Plan (CMP) is not required in this instance.

The Charlotte Street Association provided a response, requesting amendments to the development description to include additional details on the site addresses. No further comments or objections were received following statutory consultation. The site's planning history has been taken into account when making this decision.

As such, the proposed development is in general accordance with policies A1, A2, A3, A4, D1, D2, T1, and T2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 5 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 6 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the

Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

7 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

8 Biodiversity Net Gain (BNG) Informative (1/2):

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP before development is begun because it is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).

++ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because of one or more of the reasons below:

- It is not “major development” and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
- It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
- The application is a Householder Application.
- It is for development of a “Biodiversity Gain Site”.
- It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
- It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

9 Biodiversity Net Gain (BNG) Informative (2/2):

+ Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

++ The effect of section 73(2D) of the Town and Country Planning Act 1990

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission (“the earlier BGP”), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

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:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is centered on the page.

Daniel Pope
Chief Planning Officer