



28th April 2025

Delivered by email

Lauren Fongauffier
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Lauren Fongauffier,

RESPONSE TO LB CAMDEN COUNCIL STATEMENT OF CASE & 3RD PARTY REPRESENTATIONS FOR APPEAL (REF: APP/X5210/W/25/3360840) AT GLEBE HOUSE, 15 FITZROY MEWS, LONDON, W1T 6DP

We write on behalf of our client, Earlspring Property Investments Ltd, in relation to the written representations appeal concerning Glebe House, 15 Fitzroy Mews, London, W1T 6DP (Appeal ref: APP/X5210/W/25/3360840).

Further to the receipt of the Statement of Case (SoC) by the London Borough of Camden (LBC) on 22nd April 2025 and 3rd Party Representations (received on 17th April 2025) we hereby make the following representations, which we trust will be fully considered in relation to the appeal.

In the interests of brevity, we note that many of the points raised have already been addressed and responded to within our SoC. Therefore, this response only deals with new points that have been raised or expanded upon by LBC.

Quite separately to receipt from PINS of LBC's SoC, the Appellant's team was on 16th April copied in to an email sent to PINS by the Council's Legal officer. The status (if any) in this appeal of the submissions with that email is not apparent. Lest of assistance to the Inspector, the Appellant's team has prepared a response.

That response is sent under the same cover-email as the Appellant's Final Comments and the pdf attachment is labelled **"Appellant's response to Camden Legal officer's comments on S.106 UU"**, with the responses on behalf of the Appellant (inserted after each of the Council's points) shown highlighted in **green**.

For ease of reference, a copy of the Glebe House *"Appellant's response to Camden Legal officer's comments on S.106 UU"* is provided at **Appendix 1**.

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LBC SoC Comments (Reason for Refusal No.1):

Paragraphs 3.5 – 3.6 within the LBC SoC refer to the Appellants SoC which highlights policy support for sustainable development for new housing at accessible brownfield sites (at paragraphs 7.4 – 7.13). Paragraph 3.6 goes on to state:

‘3.6 Although the Council agrees that the site is in a highly accessible location, the weight given to the delivery of two additional homes is outweighed by the negative impact the extension would have on the host building, street scene, and wider Conservation Area.’

This statement is the opinion of the Planning Officer. We consider that the proposal represents a high-quality design that will preserve the character and appearance of the Conservation Area and deliver much needed housing at a highly sustainable central London location.

Furthermore, paragraph 73 within the NPPF notes that *‘small and medium sized sites can make an important contribution to meeting the housing requirement of an area’* and ***‘are often built-out relatively quickly’***.

In addition, Part B (1) of Policy H2 ‘Small sites’, within the London Plan is relevant and states:

‘B Boroughs should:

*1) recognise in their Development Plans **that local character evolves over time** and will need to change in appropriate locations to accommodate additional housing on small sites’*

We consider that these comments are particularly relevant in LBC given that the **presumption in favour of sustainable development is in force** as LBC have only delivered approx. 69% of their housing target over the past 3 years.

Paragraphs 3.7 – 3.8 within the LBC SoC refer to the Appellants SoC which highlight the recent example of a roof extension at Cleveland Court immediately to the south. Although this is located on a prominent corner, planning permission for the roof extension was granted by LBC and remains extant. We understand from the Project Architect (the same architect for the Glebe House Appeal Scheme) that this scheme is to be developed.

We note that the extension at Glebe House will be visible in some views. However, we consider that it is fair and reasonable to conclude that a roof extension on a large corner block (Cleveland Court) which lies immediately to the south of Glebe House, will shield and minimise many views of the proposed extension at Glebe House.

Paragraph 3.8 is relevant and states:

*‘3.8 The appellant claims in their Statement of Case that the **neighbouring approved roof extension at Cleveland Court (ref. 2021/3245/P, dated 25/01/2023)** is an **applicable precedent** that should be given significant weights in the Inspector’s assessment of the appeal. The Council maintains the position that the context of Cleveland House is different that the subject site, **being located on a corner site at the junction with Grafton Way** and being of a different age and design of than the subject site.’*

We maintain that a recently approved roof extension which lies adjacent to the site in the same Conservation Area and Local Authority is a relevant material consideration. Furthermore, we consider that the location of Cleveland Court on the corner with Grafton Way is both more prominent and sensitive in heritage terms than the Appeal site.

Additionally, Cleveland Court lies immediately adjacent Grade II listed properties on Grafton Way. We contend that the context of Glebe House is less visible (not being on a corner) and less sensitive in heritage terms, by not being immediately adjacent listed buildings (e.g., sharing a party wall).

Paragraphs 3.9 – 3.10 within the LBC SoC refer to the design and materiality of the extension. Again, LBC allege that the use of brick does not reflect the materiality of the area. We consider that this contrasts with Paragraph 6.33 within the Fitzroy Mews Conservation Area Statement is relevant which notes that Fitzroy Mews ***is dominated by five-storey red brick blocks of flats.*** Glebe House and Cleveland Court are clear examples of this. Therefore, the proposed brick material does reflect the materiality of the area in our view.

Paragraphs 7.22 – 7.33 within the Appellants SoC provide detailed justification for the proposed design. In the interests of brevity, they are not repeated here.

Paragraph 3.12 of the LBC SoC notes that LBC are failing to meet their housing targets and that the presumption in favour of sustainable development is therefore engaged. We agree with the Planning Officer’s comments that ***‘there is a need to place great weight on the provision of housing in decision-making’***.

We consider that the provision of an affordable housing contribution of £10,100 and two additional dwellings are clear benefits of the scheme. We consider that the housing crisis will not be solved by refusing planning permission for residential development.

LBC SoC Comments (Reasons for Refusal No.2 - 5):

Reason for Refusal No.2

Para 3.15 and para 6 of LBC's SoC confirms that the Council seeks obligations for a Construction Management Plan (CMP), payment of a CMP implementation Support contribution of £4,194 and a CMP Impact Bond of £8,000. The S.106 Deed submitted with this Appeal secures those obligations.

Reason for Refusal No.3

Para 3.16 and para 7 of LBC's SoC confirms that the Council seeks restrictions on Residents Parking permits for on-street parking. The S.106 Deed submitted with this Appeal was also entered into pursuant to Section 16 of the 1974 Act, it secures those restrictions and obligations.

Reason for Refusal No.4

Para 3.17 and para 8 of LBC's SoC confirms that the Council seeks a £10,100 Contribution for the Council to use towards Affordable Housing. The S.106 submitted with this Appeal secures that obligation.

Reason for Refusal No.5

Para 3.18 and para 9 of LBC's SoC confirms that the Council seeks a £2,160 Contribution for the Council to use towards cycle parking provision. The S.106 Deed submitted with this Appeal secures that obligation.

A copy of the LBC SoC is provided at **Appendix 2** for ease of reference.

3rd Party Representation Comments:

We note that the Proposal has resulted in a number of objections from residents. However, many of these raise the same points, such as construction impact, which is not a reason that can be used to refuse a planning application (or Appeal).

Furthermore, some objections allege detrimental impact in terms of their amenity. Again, such comments should be ignored as no reference to a detrimental impact upon amenity was noted on any of the reasons for refusal in the decision notice. We also content that these comments are unfounded.

We note that the leaseholders of Glebe House instructed DLP Planning Ltd to submit a further letter of objection on their behalf. We have reviewed this letter and have the following minor comments.

The DLP Planning Ltd letter asserts that the approved roof extension to provide two flats at Cleveland Court (ref: 2021/3245/P) is not relevant or comparable and creates no precedent.

In response we do consider that a recently approved (and extant) Planning Permission to provide a roof extension (additional floor) for two dwellings approx. 10-metres to the south of Glebe House in the same Conservation Area and Local Planning Authority is relevant. Whilst the buildings have different detailed designs, we consider that the Cleveland Court scheme strongly indicate that the principle of a roof extension in this location is acceptable, subject to detailed considerations.

The letter goes on to highlight that Glebe House is not a listed building and is not identified as making a positive contribution to the Conservation Area. This does not mean that a high-quality roof extension is not possible or desirable at Glebe House. In contrast, the proposal seeks to enhance the building by providing greater alignment and symmetry at the upper floors as well as enhanced sympathetic materiality with the use of brick slips for the proposal.

The letter then alleges that the drawings and supporting documents are inaccurate by ignoring the overall height with the inclusion of the lift overrun at Glebe House.

In response to this point, the submitted drawings clearly show the lift overrun. However, as the lift overrun represents only 10% of the total roof (approx.) it is not used as the overall roof height figure. This is a standard approach in buildings that have a lift overrun or other minor rooftop plant.

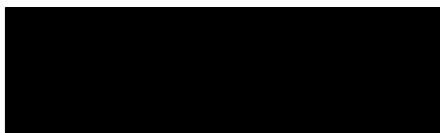
The remainder of the letter repeats other points that were made by the Planning Officer in their SoC. On this basis, we have not commented further as these have been responded to previously.

A copy of the DLP Planning Ltd letter is provided at **Appendix 3** for ease of reference.

In summary, we consider that the approved roof extension at Cleveland Court represents a clear 'material consideration' in the assessment of the proposal at Glebe House which lies adjacent. Our detailed justification is provided within our supporting SoC and is not repeated here.

We trust that these comments will be fully considered as part of the Appeal.

Yours Faithfully,

A large black rectangular box redacting the signature of Matt Humphreys.

Matt Humphreys, MRTPI
Director

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