

## **Appendix 3**



Ref: KP/ LCN5023/2P  
Date: 16/04/2025

Lauren Fongauffier  
Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Submitted via Appeals Casework Portal

Dear Lauren Fongauffier,

**Re: Objection to S78 Appeal (PINS Reference: APP/X5210/W/25/3360840) relating Planning Application 2024/3123/P, that refused the 'Erection of single-storey roof extension to provide 2 new residential (Class C3) units' at: Glebe House, 15 Fitzroy Mews, London, W1T 6DP.**

DLP Planning Ltd (DLP) has been instructed by the Leaseholders of Glebe House to submit a formal objection to the S78 Appeal that was lodged by the Appellant, Earlspring Property Investments Ltd on 19/03/2025. The Appeal opposes the decision made by the London Borough of Camden to refuse Planning Application 2024/3123/P which sought permission for the 'Erection of single-storey roof extension to provide 2 new residential (Class C3) units' at: Glebe House, 15 Fitzroy Mews, London, W1T 6DP.

Planning Application 2024/3123/P was refused on 20/09/2024 for the following reasons:

- 1. The development, by reason of its height, bulk, mass and detailed design, would be detrimental to the appearance of the host property, the streetscape and the Fitzroy Square Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of the 2 London Borough of Camden Local Plan 2017.*
- 2. The proposed development, in the absence of a legal agreement securing a Construction Management Plan, CMP implementation support contribution and Construction Impact Bond, would be likely to contribute unacceptably to traffic disruption, air pollution and be detrimental to general highway and pedestrian safety, contrary to Policies A1 (Managing the impact of development), CC4 (Air Quality) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.*
- 3. The proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to promote the use of non-sustainable modes of transport and contribute to air pollution and congestion in the surrounding area and, contrary to Policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.*
- 4. The proposed development, in the absence of a legal agreement securing a contribution to affordable housing, would fail to meet the needs of households unable to access market housing, contrary to Policies H4 (Maximising the supply of affordable Housing) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.*
- 5. The proposed development, in the absence of a legal agreement securing a contribution to secure two long stay cycling spaces, would fail to promote sustainable transport choices*





*contrary to Policies T1 (Parking and car-free development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.*

The Leaseholders of Glebe House continue to oppose the development proposal as per their objection letter that was prepared by DLP (attached at Appendix 1) and submitted as part of the statutory consultation period for Planning Application reference: 2024/3123/P.

This formal objection outlines the planning justifications that support the Council's reasons for refusal against the application; and which we believe provide the basis for this S78 appeal to be dismissed by the Planning Inspectorate.,

### **Comparison Between Glebe House and Cleveland Court: Height, Bulk and Scale**

The Appellants Statement of Case (SoC), prepared by H Planning, attempts to draw comparisons between Glebe House and Nos. 86-90 Cleveland Court, Cleveland Street, London, W1T 6NH (hereafter referred to as Cleveland Court).

The Appellant has chosen to compare the two properties due to their close proximity to one another, and refers to the fact that on 25/01/2023, planning permission was granted (under Camden Council as Local Planning Authority [LPA] reference: 2021/3245/P), allowing the creation of a single-storey roof extension at Cleveland Court to provide two residential units (1 x 1-bed and 1 x 2-bed). The Appellant draws on this reference because of the similar description of development shared with their client's refused planning application reference: 24/3123/P at Glebe House.

Whilst the two applications share some similarities with the descriptions of development, the Appellant has failed to demonstrate how the architectural detailing and response to the constraints of the immediate townscape context of the existing building (Glebe House) itself and its own immediate surroundings can be addressed.

Unlike Glebe House, Cleveland Court presents itself as a grand, ornate statement building that contributes positively to the Cleveland Street scenery and to the Fitzroy Square Conservation Area.

Cleveland Court is a red brick inter-war period mansion block, enjoying Art Deco influenced ornamental brickwork, together with white banding and canted bays. The entrance and staircase bay is accentuated by dramatic vertical planes of white concrete, and the balconies have decorative wrought iron screens. The approved application (reference: 2021/01/2023) to create an upward extension to Cleveland Court proposed materials for the new construction that were matching brickwork, white rendered upstands, white parapet stones, matching Crittall style W20 window frames (with double glazing) and black painted metal work railings. The new storey was designed to integrate seamlessly with the existing building which already enjoys high-quality architectural language and detailing. Cleveland Court also commands a corner plot with Grafton Way, which makes the proportions work from different viewing corridors.

The appeal site (Glebe House) on the contrary, is an early 1970s constructed building with a far more plain, functional and austere appearance, which is often typical of developments from this period. It is not considered that the creation of additional development on the site matching the existing building's architectural style, detailing and materials would contribute positively towards the street scenery and townscape settings at this location.

The existing building already commands considerable scale, massing and bulk at this tightly packed section of relatively narrow roads and any additional height on this mid-section of the street would create a looming and overbearing atmosphere of overshadowing. The effect of this over Fitzroy Mews (and the windows of the properties overlooking it) in particular will be negative.

The Appellant's own SoC acknowledges this at paragraph 4.10 where it states:

*"... We would like to highlight that Glebe House is also **not a listed building** and is **not identified** in the Fitzroy Square Conservation Area appraisal and management strategy **as making a positive contribution to the character of the conservation area.**"*

With the fact that Glebe House does not make a positive contribution to the character of the conservation area being established and agreed by the Appellant, we fail to see what logical justifications there could be for adding additional built mass and form to the existing structure, which already commands an overbearing bulk and mass onto the street scene.

The Council's Officer Assessment explained this in assessing and refusing the application, (reference: 2024/3123/P), where it referred to the approved Planning application (reference: 2021/3245/P):

*"The extension, which is considered to be appropriate in terms of height, scale, and design, would remain at a lower height than that of Glebe House with the additional storey. It is also worth noting that the context of Cleveland House is different than the subject site, as it does not have any adjacent buildings that are of a significantly lower height."*

Paragraph 4.19 of the Appellant's SoC attempts to rebut the above quote, by claiming that Cleveland Court does have buildings adjacent that are significantly lower in height. These being, Nos. 78 & 80 Grafton Way; a terraced Grade II Listed Buildings (Historic England List Entry Number: 1113073) that sits one and half storeys lower than Cleveland Court (see Figure 1).



**Figure 1: Google Street View Image (2019) taken from Cleveland Court, showing the existing height difference between Cleveland Court and nos. 78 & 80 Grafton Way.**

The development that was approved as part of Planning Permission reference:2021/3245/P will add an additional storey, measuring 3.2 m in height. The approved southern elevation is shown in Figure 2 below.



**Figure 2: Approved Southern Elevation of Planning Permission 2021/3245/P (Drawing No. e-o-101 Rev A 03.02.22).**

In isolation, the approved upward extension does appear to result in a significant height difference with the adjoining buildings. However, the Appellant has considered the context of Cleveland Court through a narrow lens by only considering Nos. 78 & 80 Grafton Way, therefore constricting their ability to understand how the approved development will sit within the wider environment.

The Councils Case Officer for planning permission 2021/3245/P, demonstrated such an understanding, as detailed at paragraph 2.3.4 of the associated CDR:

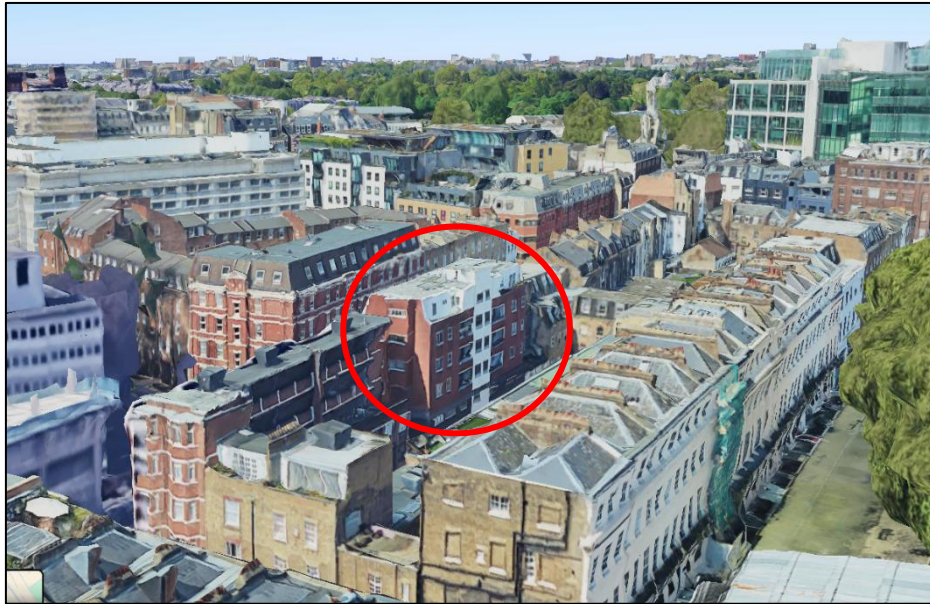
*“...officers consider the proposed extension...to represent a subordinate addition that would not add excessive height to the building and would not detract from the character and appearance of the street and wider conservation area. This is particularly the case given the prevalence of similar sized and taller buildings in the street, including the recently completed 101 Cleveland development directly opposite the site which rises to 10 storeys at its highest point.”*

The Case Officer goes on to say at paragraph 2.3.5 that:

*“...whilst the proposals would increase the height of the host building, this height is not considered excessive and would largely maintain the existing relationship with the adjoining properties on Grafton Way.”*

When measured from the ground of Cleveland Street to the top ridge height of the existing fourth floor, Glebe House has a height of approximately 15.6 m, however, once the fifth floor that operates as a lift to the roof is included, this increases the overall height to be approximately 17 m. Figures 3 and 4 below show that there is a prevailing height datum at this location, and a prevailing roof line across the immediate surroundings and this can be seen to be the case for a considerable distance in all directions.





**Figure 3: Google Satellite view (south of Glebe House looking north) showing Glebe House to be one of the largest buildings in the immediate vicinity.**



**Figure 4: Google Satellite view (north of Glebe House looking south) showing Glebe House to be one of the largest buildings in the immediate vicinity.**

The Application Form of 24/3123/P states that the proposed extension would increase the overall height of Glebe House to be no higher than 18.8 m, thus representing a 1.8 m increase. However, upon measuring the proposed set of plans, it is understood that the 1.8 m figure does not include the lift which is to be extended a further 1.1 m above the proposed fifth floor. Within the previous objection (Appendix 1), DLP concluded that the application failed to accurately describe the proposed works, therefore minimising and misrepresenting the actual and overall scale as well as the impact of the proposed works.

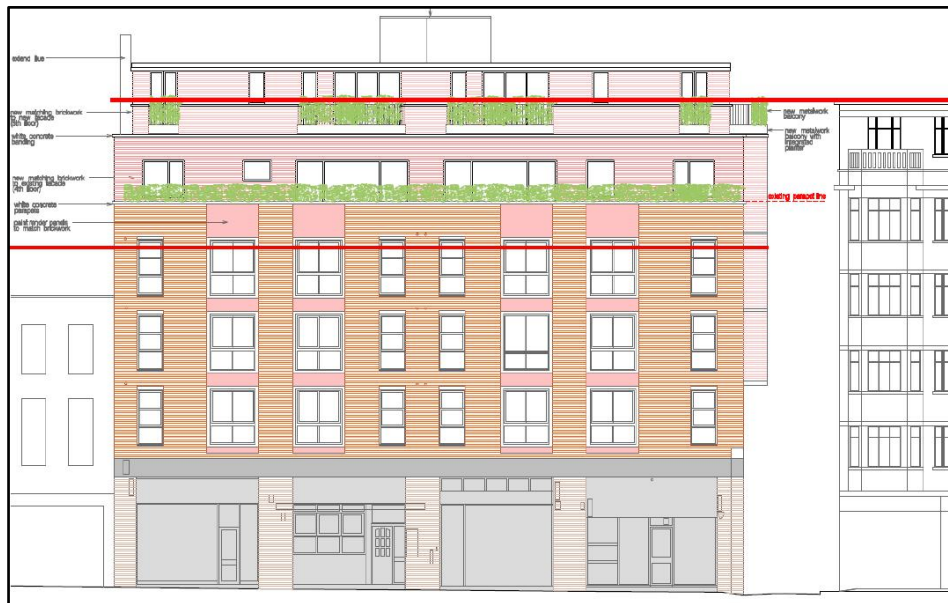
These misrepresentations continue into this appeal. For example, at paragraph 7.17 of the Appellant's SoC, the Agent states that Glebe House will only be 1.29 m taller than Cleveland Court, however this does not include the lift that reaches a further 1.1 m higher, therefore resulting in an overall height difference of 2.4 m.

**N.B.** No dimensions have been provided on the submitted plans that form planning application 24/3123/P, as such all measurements provided in the assessment which follows have been taken using the scales included.

The appeal proposal would result in Glebe House standing well out of the prevailing roof line in a messy and incongruent manner. For example, directly opposite the site to the west, is a five-storey terrace building including a mansard roof (nos. 127-129 Cleveland Street) which is of a height with Glebe House, with an overall height of 17.1 m. Should the appeal be allowed, Glebe House will reach up approximately 1.8 m taller (2.9 m including the lift).

In respect of the adjoining terrace to the north (100 -126 Cleveland Street) Glebe House is currently 4.8 m higher, should the appeal be allowed, Glebe House will tower over this terrace by approximately 6.6 m (7.7 m including the lift). Lastly when compared to Cleveland Court to the south, Glebe House would sit approximately higher by 1.3 m (2.4 m including the lift).

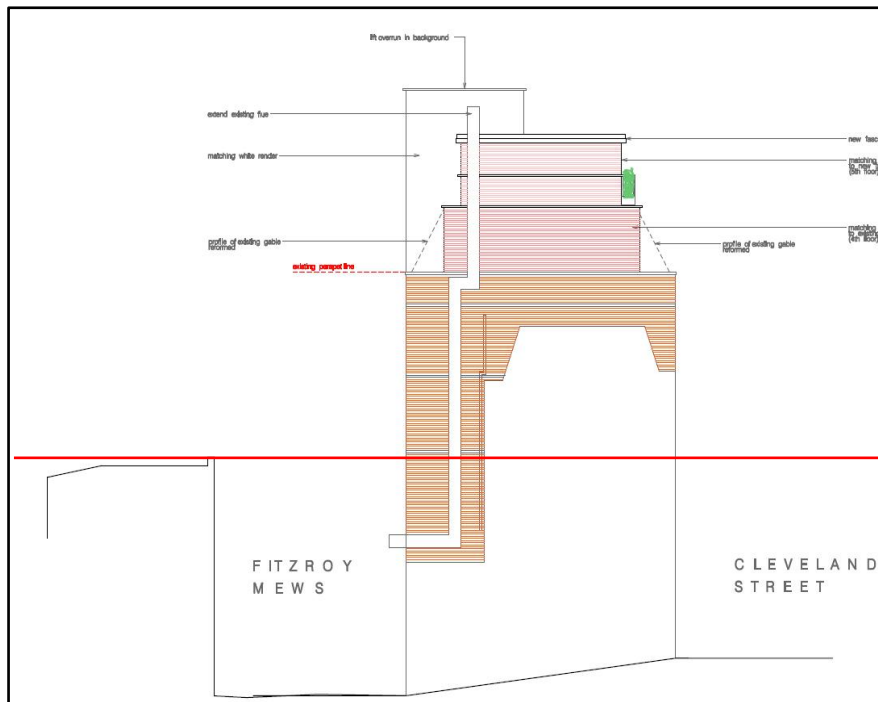
As per DLP's previous objection letter (Appendix 1), Drawing No. e-100 (Figure 5) shows the proposed front elevation of Glebe House and the adjoining/adjacent terraces. The annotations have been inserted to indicate the existing height of the adjoining terrace to the north, and the approved height of Cleveland Court to the south in contrast to Glebe House, should the appeal be allowed. The proposed storey would result in an overly dominant building that does not respect the relationship with nearby buildings or contribute in any positive ways to the established street scene and/or the character of the Fitzroy Conservation Area. The appeal proposal not in-keeping with the immediate built-environment.



**Figure 5: Drawing No. e-100, with annotations inserted to compare the heights of neighbouring buildings.**

No dimensions were included on any of the plans submitted with the refused Planning Application (reference: 24/3123/P). It is therefore difficult to properly understand the scale of the development in relation to the surrounding buildings. This was further exacerbated by the exclusion of a topographic survey and/or site levels to acknowledge the difference in elevations between Fitzroy Mews to the east and Cleveland St to the west; this difference is especially apparent as per the proposed north elevation (Drawing No. e-103), see Figure 6. Notwithstanding, measurements of the submitted plans using the scales provided, indicates that there is an approximate 1.8 m difference between the two frontages, therefore the units located directly opposite Glebe House within the

Mews (4 – 7 Fitzroy Mews) sit considerably lower than the Glebe House. The mews have an overall height of 8.5 m, should the appeal be allowed, the eastern elevation of Glebe House would measure to be 22 m in height from Fitzroy Mews and dominate over 4-7 Fitzroy Mews by approximately 13.5 m as shown in Figure 6 below.



**Figure 6: Drawing No. e-103, with an annotation inserted to show the difference between 4-7 Fitzroy Mews and Glebe House.**

As stated previously, Planning Application 24/3123/P has failed to articulate the full scale of the proposed development and the significant negative impact it will have on the relationship between Glebe House and the neighbouring properties both along Cleveland Road and within the Mews. This is considered to be far more negatively impactful than is the case with the sensitively designed approved development at Cleveland Court which matches and respects the high-quality architectural detailing and materials of that existing building.

Based on the above, the proposal does not accord with Policy D1 of the adopted Local Plan, specifically point a) which requires development to respect the local context and character of a location. Further, the proposal does not accord with the direction of the National Planning and Policy Framework (NPPF), specifically paragraph 124(e) which states that Local Planning Authorities:

*“...should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene...”*

### **Impact Upon the Fitzroy Square Conservation Area**

The Appellant also attempts to draw a comparison between Cleveland Court and Glebe House as they are both wholly contained within the Fitzroy Square Conservation Area (FSCA). Notably at paragraph 7.34 of the Appellants SoC, the Agent considers that neither Cleveland Court nor Glebe House is identified as being a positive contributor to the CA. At paragraph 7.35, the Agent claims that Glebe House is in a less sensitive location from a conservation perspective on the basis that Cleveland Court lies next to a Grade II Listed Building whereas Glebe House does not.





The FSCA Appraisal and Management Strategy (2020) refers specifically at paragraph 6.30 to:

*“...the terraces along the east side of Cleveland Street are predominantly three storeys in height with small attic windows within the mansard, although there are some four storey elements (mainly south of Grafton Way)...These blocks have a consistent elevational treatment and rhythm of fenestration and consistent plot widths.”*

It is considered that the proposed height increase of Glebe House will have an adverse impact on the setting of these buildings and the townscape and character of the wider Conservation Area.

Notably, paragraph 6.33 of the FSCA Strategy states that:

*“Fitzroy Mews retains its granite sett surface but has no buildings of note. The three-storey 20th century houses and offices on the eastern side take on a mews character and have large ground-floor openings with timber doors...The eastern side of the mews is dominated by five-storey red brick blocks of flats which have access walkways and balconies to the rear above first floor level.”*

It is considered that even with the tiered approach taken in the proposed scheme, the increase in height via the additional storey will make Glebe House even more of a prominent structure within the Mews and detract from the character and appearance of the Mews and wider FSCA.

This opinion is synonymous with paragraph 7.11 of the CDR which states that:

*“The proposal improves the design at the rear compared to the refused application and includes similarly set back roof level terraces as that of the existing roof level. However, the bulk of the proposed roof extension remains, and does not satisfactorily address the concerns outlined in the refused application. It is considered that the addition on an extra storey on Glebe House would make it even more prominent within Fitzroy Mews and detract from the character and appearance of the mews and the wider Fitzroy Square Conservation Area.”*

Paragraph 7.12, continues by stating that:

*“The Conservation Area Statement notes in para. 12.4 that alterations and extensions can have a detrimental impact cumulatively and individually on the character and appearance of the area. This includes, for example, inappropriate roof level extensions, particularly where this interrupts the consistency of a uniform terrace of the prevailing scale and character of a block or where they are overly prominent in the street. It is felt that the proposed roof extension would interrupt the street scene and result in an overly prominent building along Cleveland Street and within Fitzroy Mews.”*

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a CA. As a result, there is a statutory presumption in favour of the preservation of the character and appearance of a conservation area, meaning that Camden Council is required to place considerable importance and weight to their preservation. Should a proposal cause harm to a conservation area, it may only be permitted where there are strong planning considerations that sufficiently outweigh the presumption. The NPPF provides guidance at paragraphs 214 -217, on the weight that should be afforded to such harm and in what circumstances this might be justified.

Notably, paragraph 215 of the NPPF 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.”*



Irrespective of the Appellants attempts to address the previous reasons for refusal through a revised scheme, it is considered that the proposed development will still pose a risk to the FSCA for the reasons set out above.

It is therefore considered that the proposed roof extension to Glebe House would not accord with Local Plan Policies relating to heritage and conservation, nor paragraph 13.16 of the Fitzroy Square Conservation Area Strategy which states that:

*'Development proposals must preserve or enhance the character or appearance of the Fitzroy Square Conservation Area. This requirement applies equally to developments which are outside the Conservation Area but would affect its setting or views into or out of the area'.*

Such harm is considered to outweigh the public benefit of providing two additional dwellings. The Case Officer shared this view as outlined at paragraph 7.17 of the CDR:

*"The proposed development would result in less than substantial harm to the Fitzroy Square Conservation Area. The public benefit of two additional self-contained dwelling and an affordable housing payment in lieu of £10,100 would not outweigh the harm identified."*

Given the above, it is considered that the proposed upward extension of Glebe House will have an unacceptable adverse effect upon the setting and character of the FSCA. Such harm, does not outweigh the associated public benefit of providing two additional dwellings to the local housing market, nor the affordable housing payment identified by the Case Officer. The proposal does not accord with applicable national and local planning policies relating to the protection and conservation of designated heritage assets. Therefore, it is considered that the appeal should be dismissed.

### **Presumption in Favour of Sustainable Development**

Notably the NPPF makes clear under sub-heading 'presumption in favour of sustainable development; that:

*"strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless, the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

Section 6.0 of the Appellants SoC, details the LPA's housing requirement, noting that as per the Housing Delivery Test – Action Plan (November 2024), 1,981 new homes were required between 2019/2020 – 2021/2022 against a target of 2,891, therefore representing a delivery of 68%. Paragraph 6.7 of the Appellants SoC, states that the Council would therefore be required to apply the 'presumption in favour of sustainable development' as per paragraph 11(d)(ii) of the NPPF.

However, as outlined throughout this objection, it is considered that the impacts of poor design and harmful impacts to the character and appearance of the area (including the setting of the Fitzroy Square Conservation Area) significantly and demonstrably outweigh the minimal benefits of creating just two additional, single and double occupancy dwelling units into the local housing supply.

### **Section 106 Agreement**

The Appellant has noted within Section 7.0 within their SoC, that a Section 106 Deed of Planning Obligations by way of Unilateral Undertaking (UU) has been submitted in support of the Appeal. This UU seeks to address Reasons for Refusal 2,3, 4 and 5 by covering the following:



- The Provision of a Construction Management Plan and Implementation Contribution;
- The Provision of a Construction Management Bond;
- Assurance that the site will be car-free;
- Financial Contribution towards Affordable Housing; and
- Assurance that two long stay cycle spaces are provided on-site.

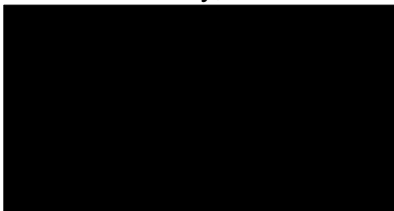
At time of writing this objection, the UU is not available on the Councils public online server, and therefore we are unable to comment on any of the items above.

### **Summary and Conclusion**

The leaseholders of Glebe House object to the S78 appeal which seeks to overturn the London Borough of Camden's decision to refuse Planning Application reference: 24/3123/P which sought consent to extend Glebe House by the creation of an additional floor on the roof of the existing building. The reasons for opposing the scheme as listed in the original objection letter (attached at Appendix 1), are still applicable to this appeal, however this letter provides additional clarifications and reasons for why this appeal should be dismissed.

As we have explained in this letter and in our previous representation letter (Appendix 1), the proposed increased height and scale that would be added to the existing building will result in an adverse, harmful impact upon the surrounding townscape and character of the Fitzroy Square Conservation Area. We have rebutted the Appellant's attempt to compare the appeal proposal with the development granted consent at Cleveland Court (under Planning Permission reference: 2021/3245/P), demonstrating the nuanced differences for the two schemes in relation to the benefits of high-quality design against the impacts with regards to the Planning balance. It is indeed our view that the appeal scheme does not comply with currently adopted local and national Planning policies and the appeal; should therefore be dismissed.

Yours sincerely,



**Kerryn Penn BRP (Hons) AssocRTPI**  
Senior Planner  
DLP Planning Ltd

 [@dlpconsultants.co.uk](mailto:[redacted]@dlpconsultants.co.uk)  
c.c. Leaseholders of Glebe House