

**WHICH?**

**WHICH? HEADQUARTERS  
2 MARYLEBONE ROAD &  
1-9 ALBANY STREET**

**PLANNING STATEMENT**

**AUGUST 2013**

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## 1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared to accompany an application for listed building consent and planning permission for refurbishment and extension of the existing office building at 2 Marylebone Road and 1-9 Albany Street.
- 1.2 2 Marylebone Road is a Grade II\* listed early 19<sup>th</sup> Century building listed for group value with the Regent's Park Nash terraces, and 1-9 Albany Street is a modern 1980s pastiche office development.
- 1.3 The buildings are in use as a single office building occupied by the headquarters of Which?. Which? is a product-testing and consumer campaigning charity with a magazine, website and various other services run by Which?
- 1.4 Which? provides advice and campaigns on a wide variety of issues of interest to consumers such as price increases on 'fixed' mobile phone tariffs and transparency in energy pricing. Changes in working practices and staff structure, as a result of a rapid shift towards digital publishing, have substantially changed their requirements. Anticipated increases in staff numbers, as Which? increases their influence, means that the existing office space is unsuitable for their continued occupation without extension and refurbishment.
- 1.5 In recent years, Which? has also increased its emphasis on direct engagement with the media, politicians and leaders of private companies. The existing building does not have good quality facilities to host events such as awards ceremonies, roundtable discussions, lobbying events and seminars. The refurbishment of the building will address this deficiency.
- 1.6 The proposed refurbishment and extension comprises several main elements:
- The removal of part of the 1980s core within the modern office block in order to increase the amount of open plan office space and to increase circulation;
  - This is achieved by relocating the core to extended areas on the rear of the building facing Peto Place comprising two main elements:
    - New vertical circulation;
    - New WCs and washrooms;
  - The second and third floor will be extended facing Peto Place to accommodate additional meeting space;
  - A roof extension at fourth floor to accommodate meeting space and Which?'s own conference facilities;
  - A new entrance link over the existing car park ramp to a new internal public zone.
- 1.7 The proposals will also allow for the significant improvement to the visual appearance and setting of Listed, 2 Marylebone Road via the removal of the large stair enclosure from its roof and a plant enclosure from the roof of 1-9 Albany Street.

- 1.8 In summary, Which? aspires to improve their existing building at 2 Marylebone Road so that it is better able to accommodate their expanding and evolving activities, in order that their impact on behalf of the consumer can be maximised, and that the building will become more public facing and the visible national focus of consumer advocacy in Camden.
- 1.9 This application is accompanied by the following supporting documents which should be read in conjunction with this Planning Statement:
- A Heritage and Townscape Assessment prepared by Montagu Evans
  - A Design and Access Statement prepared by Kohn Pederson Fox Architects;
  - An Energy and Sustainability Statement prepared by Thornton Reynolds;
  - A Mechanical and Electrical Statement prepared by Thornton Reynolds;
  - A Noise Survey prepared by Acoustic Logic;
  - A Sunlight and Daylight Report prepared by GVA;
  - A Statement of Community Involvement prepared by Cascade;
  - A Site Waste Management Plan;
  - A Construction Management Plan.

## 2.0 SITE DESCRIPTION AND PLANNING HISTORY

### The Existing Buildings and their use

- 2.1 The application site comprises two parts of the same building: 2 Marylebone Road which is a Grade II\* listed early 19<sup>th</sup> Century building and 1-9 Albany Street which was built in the 1980s. The site is highlighted in red on the plan A-010 01.
- 2.2 The total gross floorspace of the two buildings combined is 5494 sq m. The buildings are occupied by a single use: Which? as their office headquarters. Which?'s Charitable status and mission is detailed in Section 3 of this report.

#### *2 Marylebone Road*

- 2.3 No. 2 Marylebone is an early 19<sup>th</sup> Century white stucco Nash terrace listed in the Grade II\* category. The list description is included at **Appendix 1**. No. 2 comprises three terrace houses over four floors with basement level. No. 2 was listed as part of their group value with the Regent's Park Nash terraces.
- 2.4 Although the building line at rear of the building has been eroded (it links directly into the modern buildings on Albany Street by way of doors and hallways, the plan form of the buildings is otherwise relatively intact, and the original stairs appear to have been retained.
- 2.5 A full description of the significance of the listed building is contained within Section 7 of this report along with an assessment of the impact of the proposals on that significance.

#### *1-9 Albany Street*

- 2.6 The adjacent 1980s buildings along Albany Street are modern and of little architectural interest. The building is over four storeys over a basement car park which is accessed by way of a ramp from Peto Place to the rear. The ahistorical façade echoes Nash terraces, but actually replaced late Victorian buildings in a very different style.
- 2.7 The entire application site is located within Camden's Regent's Park Conservation Area. A description of the significance of the conservation area and the contribution of the application site to it is contained within Section 7 of this report.

#### Planning History

- 2.8 Planning permission was granted on appeal for various works to the Which? buildings in August 1984. The public inquiry considered a large number of applications in connection with the site, and all were appealed for non-determination. The following permissions were granted at the appeal:
- Numbers 20-24 Park Square East and 13-16 Park Square East: Refurbished with continued residential use

- Numbers 1-3 Albany Terrace: Renovation and conversion into 7 no. flats.
  - Numbers 4-6 Albany Terrace: Renovation and conversion into offices linked to the new accommodation in Albany Street.
  - Numbers 1-9 Albany Street: Demolition of existing Dunlop building premises and construction of new office accommodation with car parking under the housing and offices.
  - Numbers 11-29 Albany Street: Conversion of existing Grade II listed buildings into 25 no. flats and maisonettes with ground and basement level additions to improve space standards and dwellings.
  - 11a Albany Street: New residential accommodation.
  - Peto Place Mews Housing: Existing sub-standard housing and garages demolished and provision of 5 no. new townhouses with integral garages.
  - Vehicle access: A new two-way road access point off Albany Street is proposed, passing under the new offices adjacent to 11 Albany Street. The existing two way access is maintained.
  - Pedestrian access: A new pedestrian link between Peto Place and St Andrews Place is proposed. This would have key-operated gate access.
  - Listed building consent for demolition of sundry rear extensions and alterations and extension for conversions of single dwellings into flats and maisonettes at 11-29 Albany Street.
  - Listed building consent for the demolition of unlisted buildings within a conservation area, numbers 1-9 Albany Street.
  - Listed building consent for the demolition of unlisted buildings within a conservation area, numbers 4-11 Peto Place and ancillary buildings.
- 2.9 The appeal also included two decisions related to works to numbers 17-19 Park Square East (the Diorama).
- 2.10 The appeal decision notice is attached at **Appendix 2**.
- 2.11 Montagu Evans has searched the Council's online planning register and reviewed the Council's planning files. We have not located any other relevant planning history. All other planning applications on record relate to minor works or pre-works in the front garden of number 2 Marylebone Road.

#### The Surrounding Area

- 2.12 The site is located in a highly accessible location. Great Portland Street, Regent's Park, Baker Street and Warren Street tubes are a short walk away giving direct easy access to a majority of London Underground Lines. Numerous bus services pass by in front of the site along Marylebone Road. Mainline Stations at Euston and Kings Cross-St Pancras are a short walk away.

- 2.13 Regent's Park is located to the northwest of the site. Park Square is to the east. The park and square are separated from the proposals site by Peto Place immediately to the rear of Albany Terrace and the row of Grade II listed Nash houses located on Park Square East.
- 2.14 No. 18 Park Square East comprises the 'Diorama' which is a large drum shaped building which projects into Peto Place. The Diorama was originally conceived as a venue for spectacular/awe inspiring entertainment and display. At some time in the mid-Victorian period, the Diorama was converted for use as a non-Conformist Chapel. The building has since been in a variety of uses, including theatre and community uses and is now occupied by the Prince's Trust.
- 2.15 Park Crescent (Grade I listed) is located to the southwest of the site. The Grade I Holy Trinity Church is located to the east of the site, beyond which are a number of recent, tall modern office developments.
- 2.16 Heading north along Albany Street, is the 1930 large Melia White House Hotel (now serviced apartments). Beyond to the north, the scale of the streetscape reduces and takes on a more residential character.
- 2.17 The site is located within the Camden Regent's Park Conservation Area, at its southern eastern boundary. As a result, the building is also adjacent to or visible from Westminster Regent's Park Conservation Area, Westminster Cleveland Street Conservation Area, Westminster Harley Street Conservation Area and Camden Fitzrovia Conservation Area.

### 3.0 WHICH? - CHARITABLE FUNCTIONS AND NEED FOR ADDITIONAL FLOORSPACE

3.1 This section describes Which?'s charitable mission, its objectives and how these aims are realised through the use of the application site. Which?'s changes in working practices are described and the resulting deficiencies in the building are set out. This provides the detailed rationale for the refurbishment and extension of the building. This section then sets out and describes the proposals to refurbish and extend Which's Headquarters.

#### Introduction

3.2 The Consumers' Association was set up in 1957 and Which? is its Limited entity set up its trading subsidiary. The key purpose of the charity is to secure a 'better deal' for consumers by campaigning and advising on a number of areas important to them.

3.3 Which? itself is a product-testing and consumer campaigning charity with a magazine, website and various other services run by Which? Ltd. Which? has an unparalleled reputation for independent quality advice and has no owners, shareholders or responsibility to any government departments.

3.4 Which?'s Mission Statement is as follows:

*"We exist to make individuals as powerful as the organisations they have to deal with in their daily lives."*

3.5 Which? aims to simplify the morass of misleading information and bewildering choices faced by consumers on a daily basis, and will ultimately lead to better services and improved products.

3.6 Which? also campaigns on consumers' behalf and lobbies politically on important consumer issues and aims to end the unfairness in the way some markets operate. By the actions of Which? consumers can feel confident and powerful vested interests can be kept in check.

3.7 Which? aims to be accessible to everyone, and achieves its aims through a core of activities. Growth in Which's activities, changes in communication technology, and the way Which? engages with key decision makers is fundamentally changing the manner in which their office space is used and perceived.

3.8 Which? aspires to improve their existing building at 2 Marylebone Road so that it is better able to accommodate their expanding and evolving activities, in order that their impact on behalf of the consumer can be maximised, and that the building will become the visible national focus of consumer advocacy in Camden.

#### Core Activities

3.9 Which? has a number of strategic aims which relate to the awareness of their 'brand' and therefore its ability to influence and create a real impact in providing positive



change for the consumer. Ultimately Which? aims to become a 'trusted voice' speaking on behalf of all consumers. Which? undertakes a number of core activities to achieve its mission and raise awareness as set out below:

*Publications*

- 3.10 Which? provides almost 1,000 free advice guides covering a range of consumer needs and interests, and over 700 information videos available online. 'Premium' information is available to Which? magazine subscribers.
- 3.11 The first Which? magazine was published in 1957, and Which? has now become the largest consumer body in the UK. Which? magazine currently has over 600,000 subscribers and over 254,000 online subscribers. The number of subscriptions has risen 9% overall, with a 7% rise in revenues for the year 2010-2011.
- 3.12 This growth is particularly strong given the economic climate, and at a time when the traditional publishing industry is suffering almost uniform decline. Which? also publishes a range of books to assist families on a range of topics such as finance (e.g. tax, pensions and savings), family and lifestyle (such as moving abroad and childcare), property (such as hiring builders, renting and letting property) and legal advice (such as wills and probate and making civil claims). Which? also publish a range of "made easy" guides such as guides to using PCs, the internet and gardening.
- 3.13 The income from subscriptions is the key revenue stream for Which?, and has been the cornerstone of their successful social enterprise for more than fifty years.

*Research*

- 3.14 Which? undertakes its own research into consumer issues, the outcome of which forms the basis of the Which? magazine and other campaigning activities.
- 3.15 Which? is well known for its review and testing of consumer products. 70% of consumers recognise the Which? icons and 75% of those agreed that they helped them chose the right products. The Which? Best Buy and Recommended Provider icon schemes are very important channels for Which? in extending their reach to all consumers and helping them.

*Engagement with the media*

- 3.16 Which? engages directly with the media on a range of important consumer issues. This includes traditional media such as newspapers, television and radio, and new media through the Internet (e.g. websites and social networking). Which? representatives also appear directly in the media (e.g. by way of radio and television interviews) as advocates in support of various consumer issues.

*Lobbying and campaigning*

- 3.17 Which? is also undertaking a number of specific campaigns at present. These campaigns include the "Fixed" campaign in relation to mobile phone contract prices,

campaigning for simpler tariffs in relation to energy supply, a campaign in relation to personal finance and mis-sold Payment Protection Insurance.

- 3.18 Which? also manages a programme of corporate and consumer events to support the strategic goals of the organisation. These range from conferences to awards ceremonies, drinks receptions and roundtable debates. Engagements with key stakeholders is critical in highlighting the work undertaken by Which? At present, these activities generally take place off the premises in rented conference suites, such as in Central London hotels.
- 3.19 Which? is currently engaged in ensuring that the reform of the OFT and Competition Commission serves consumers well.

*Other Powers of Which?*

- 3.20 Which? also possesses legal powers to complain to the Office of Fair Trading about markets which are not working properly, and powers to investigate 'rogue traders' and bring them to account.

Future Changes for Which?

- 3.21 As Which? continues to increase its subscriber base and range of activities (and therefore increases its influence), their existing building requires adaptation in order that the organisation can make better and more efficient use of its space to better advance its charitable aims. Furthermore, changes in the publishing industry as a whole, and in particular the increasing reliance on 'new media', (the Internet in particular) means that there are changes in working practices, staffing arrangements and the way that office space is physically used in order to publish and publicise material in a way that has as big an audience as possible.
- 3.22 The existing building does not allow Which? to undertake its activities to their full advantage and is deficient in a number of ways. The key relevant factors requiring the adaptation and extension of the building are set out as follows:

*The increasing importance of 'New Media'*

- 3.23 Recent years have seen radical changes in the publishing industry with the increase in the importance of the Internet and electronic media. Also gaining in importance are social networking sites and 'apps' in disseminating information. 100,000 people have downloaded a free consumer rights app from Which? to their iPads and iPhones.
- 3.24 Which? now has 254,000 online only subscribers (nearly half the number of those who subscribe to the print magazine). Which?'s website is accessed millions more each year. This is expected to grow rapidly in coming years.
- 3.25 While digital media is becoming more important, printed media is still currently the key means of reaching consumers and subscribers. Digital and traditional publishing takes place simultaneously but with different skill sets. This means that additional office space to accommodate the staff increasingly engaged in digital publishing.

*Increases and changes in staff numbers and structure*

- 3.26 The offices at two Marylebone Road currently accommodate staff in editorial/publishing teams, marketing, policy researchers and technical advisors, and campaign/advocacy staff. These activities are supported by the full range of admin, IT, finance and Human Resources activities.
- 3.27 Currently 500 people are employed at 2 Marylebone Road.
- 3.28 Key activities within the organisation are currently staffed as follows; 40 Marketing staff, 30 campaigning and advocacy and lobbyist staff, 60 digital publishing staff, and 15 policy researchers. As Which? expands its revenue, it is expected that the number of policy and campaign staff will substantially increase, as Which? will be able to expand into new areas of consumer interest.
- 3.29 At present, a large proportion of professional staff employed in the area of digital publishing are contract staff. In order to reduce staffing costs and improve the efficiency of the organisation, Which? aspires to employ more permanent staff.

*Changes in Working Practices*

- 3.30 In order to recruit and retain a higher proportion of permanent digital publishing staff, Which? must recognise the significance of providing an attractive working environment that facilitates particular working practices that have developed alongside the advent of digital publishing.
- 3.31 This kind of work is highly creative and collaborative. The work requires regular team meetings and 'roundtable' discussions and presentations to ensure that the workflow in creating digital media is efficient and effective. This means that more meeting space is required to facilitate this work than is the case for traditional print publishing. At present, the offices are somewhat cramped, and there are not enough meeting rooms.
- 3.32 Similarly, in order to recruit and retain highly qualified and skilled digital publishing professionals, it is important that Which? can provide a very attractive working environment in what is a hugely competitive sector. 'Breakout' space and refreshment facilities are required, along with a certain amount of space to work in, and the offices must be modern and comfortable. If these criteria cannot be met it will be difficult for Which? to compete for the best qualified professionals, meaning that the organisation will need to rely upon contract staff. Ultimately, the expense of this will be likely to compromise Which?'s ability to pursue its mission into the future.
- 3.33 In summary, changes in staff structure, working practices and staff numbers mean that Which? will require more office space in order to continue undertaking its campaigning to its best advantage and expand its influence.

*New Activities undertaken by Which?*

- 3.34 Which? has recently moved into new areas of consumer interest which reflects their increasing sphere of influence and increasing revenues (which have been invested in new areas of consumer campaigning). Recent examples include:
- 3.35 The Which? mortgage advisory service, providing advise to consumers on the best value mortgage packages;
- 3.36 The forthcoming Which? University guide which will aim to provide an independent assessment of universities to ensure that prospective students get the best value for money since the event of increased tuition fees.
- 3.37 Development of new areas of work requires specific self contained 'incubation' space within 2 Marylebone Road in which a self contained team can work exclusively. This allows the development of new work streams in a way that projects can be researched, developed and launched in the most effective way possible.
- 3.38 The proposed extension will make provision for self contained incubation 'suites' in order that Which? can continue to expand effectively into new areas of consumer affairs.

*Lobbying*

- 3.39 Which? is the key voice in consumer affairs. As such, it is important that Which? is 'at the table' with key opinion formers such as the media, politicians and leaders of private companies. The organisation wishes to consolidate and enhance this position by enhancing the quality of its lobbying and political activities. This represents a strategic shift towards collaborative engagement with key decision makers to better pursue Which?'s mission.
- 3.40 At present, the offices contain only a very small ground floor conference facility (see photographs at within the accompanying Design and Access Statement). This space is too small to accommodate consultation exercises, public events, seminars and conferences. As a result, Which? expends significant resources on renting hotel and conference space to hold events such as the annual Which? awards which celebrate and reward those companies that 'get it right' for consumers.
- 3.41 The proposed extension will include high quality space in which a range of events can be held on the premises. This will help associate Which? and the charitable work that they do with 2 Marylebone Road and Camden. Which? will be able to able accommodate its expanding lobbying and events programme and undertake this activity more efficiently on the premises, within their own iconic conference facilities.

### Summary and Conclusion

- 3.42 Which? undertakes a wide range of activities advising and campaigning on behalf of consumers. Which? has recently, and will continue to expand into new areas of consumer interest. There are a number of implications of this which affect the way Which? uses the existing building, which is becoming increasingly deficient:
- Additional space is needed to incubate and accommodate work in new areas of consumer interest such as the research into universities and fees;
  - Additional space will also be needed to accommodate anticipated increases in staff numbers;
  - Additional space is needed to accommodate changes in working practices arising from the rapid increase in the use of digital publishing;
  - A high quality and attractive environment is required to help recruit and retain the highly skilled staff needed to operate in a sector where digital publishing is becoming more important;
  - Lobbying and engagement with key decision makers is becoming increasingly important to Which?, and the proposed auditorium means that Which? can undertake these activities on site;
- 3.43 All of the above is needed to maintain and then enhance Which?'s ability to pursue its charitable mission. In doing so, Which? can enhance its influence in campaigning on behalf of consumers, keeping vested interests in check and 2 Marylebone Road and Camden will become a strongly associated with the charitable mission pursued by Which?

#### 4.0 DESCRIPTION OF DEVELOPMENT

- 4.1 The proposed refurbishment and extension comprises several main elements:
- The removal of part of the original 1980s core within the modern office block in order to increase the amount of open plan office space and to increase circulation;
  - This is achieved by relocating the core to extended areas on the rear of the building facing Peto Place comprising two main elements:
    - New vertical circulation;
    - New WCs and washrooms;
  - The second and third floor will be extended facing Peto Place to accommodate additional meeting space;
  - A roof extension at fourth floor to accommodate meeting space and Which?'s own conference facilities;
  - A new entrance link over the existing car park ramp to a new internal public zone.
- 4.2 In delivering the above, the proposals will also allow for the significant improvement to the visual appearance and setting of Listed, 2 Marylebone Road via the removal of the large stair enclosure from its roof and a plant enclosure from the roof of 1-9 Albany Street.
- 4.3 The original roof form will also be reinstated with suitable covering in a traditional material.
- 4.4 The exact nature and extent of the proposals are set out within the drawings, Design and Access Statement and Heritage Statement that accompany this application.

## 5.0 PLANNING POLICY CONTEXT

5.1 This section sets out a summary of the key planning policy framework that is relevant to the application proposals.

5.2 The statutory adopted Development Plan comprises:

- The Camden Core Strategy (adopted 2010);
- Camden Development Policies (adopted 2010); and
- The London Plan (published 2011).

5.3 This section also summarises the main relevant provisions of the National Planning Policy Framework.

### The Core Strategy

5.4 The Core Strategy sets out Camden's over-arching policies for development in the Borough. As such, policies are of a strategic nature. The relevant policies are as follows.

5.5 Core Strategy policy **CS3** relates to 'highly accessible areas'. The policy states that these areas are considered to be suitable locations for the provision of offices among other uses.

5.6 Core Strategy policy **CS8** states that the Council will secure a strong economy in Camden. The policy states that as well as promoting the provision of significant quantities of office floorspace at Kings Cross and Euston, the Council will promote further provision in Central London to meet the forecast demand for office space of 615,000 sq m by 2026.

5.7 The site is located within the Central Activities Zone. Policy **CS9** sets out a number of objectives for planning in Central London, the most relevant of which are:

- Camden will support Central London as a focus for Camden's future growth in homes, offices, shops, hotels and other uses; and
- preserve and enhance the area's historic environment.

5.8 Policy **CS13** sets out the Council's broad policies in terms of tackling climate change. The policy states that the Council will require all development to take measures to minimise the effects of, and adapt to, climate change and encourage all development to meet the highest feasible environmental standards that are financially viable during construction and occupation.

5.9 In connection with the above, **paragraph 13.11** states that the Council will expect developments to achieve a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation (which can include sources of site-related decentralised renewable energy) unless it can be demonstrated that such a provision is not feasible.

- 5.10 Policy **CS14** relates to the conservation of heritage in the borough. The policy states that Camden will:

*Require development of the highest standard of design that respects local context and character; and  
preserve and enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens.*

- 5.11 Number 2 Marylebone Road falls within the Camden Regent's Park Conservation Area. Further details are given in Section 5 which describes the significance of nearby heritage assets which may be affected by the scheme proposals.

#### Camden Development Policies

- 5.12 The Development Policies document provides additional detail on the implementation of the Core Strategy, and contains specific policies relating to the detailed design of developments.
- 5.13 Policy DP1 relates to mixed use development in the borough. The policy is a relevant consideration for all new build development and extensions involving a significant floorspace increase.
- 5.14 The policy states that in the central London area, where more than 200 sq m GEA additional floorspace is provided, the Council will require up to 50% of all additional floorspace to be housing.
- 5.15 The supporting text indicates that there is flexibility in the application of this policy. It states that when considering whether a mix of uses should be sought, the Council would take into account:
- The character of the development, the site and the area;
  - Site size, the extent of the additional floorspace; and constraints on including a mix of uses;
  - The economic and financial viability of the development, including any particular costs associated with it;
  - Whether the sole or primary use of the proposed is housing;
  - Whether secondary uses would be incompatible with the character of the primary use;
  - Whether an extension to the gross floorspace is needed for an existing user;
  - Whether the development is publically funded; and
  - Any other planning objectives considered to be a priority for the site.
- 5.16 **Paragraph 1.23** sets out specific situations when the mixed use policy outlined in Policy DP1 may not apply. This includes where a development is required to accommodate an existing user on the site. It provides an example: 'to provide for the expansion of a business or to consolidate businesses activities to a single site'.



- 5.17 Paragraph 1.23 also states that the Council may not seek secondary uses where the development is publically funded and is required to accommodate a public facility or service, or for public administration.
- 5.18 Policy **DP18** relates to parking standards. The policy states that the Council will seek that developments will provide the minimum necessary car parking provision. It goes on to state that the Council will expect development to be car free in the Central London area. If additional parking is to be provided as part of the development proposals, the level of parking will need to be justified by a transport consultant.
- 5.19 Policy **DP22** relates to the promotion of sustainable design and construction. The policy states that applicants must demonstrate how sustainable development principles have been incorporated into the design and proposed implementation. Paragraph 22.5 provides additional detail and states that schemes should take into account the orientation of the site, the mechanical services and materials chosen and the density and mix of uses. The Policy states that the Council will require developments of more than 500 sq m to address sustainable development principles in their Design and Access Statement or in a separate Energy Efficiency Statement, including how these principles have continued to reductions in carbon dioxide emissions.
- 5.20 The policy states that the Council will promote sustainable design and construction by expected development of 500 sq m or above to achieve 'Very Good' in BREEAM assessments at present, rising to 'Excellent' from 2016.
- 5.21 Policy **DP25** relates to the conservation of Camden's heritage. The policy states that in order to maintain the character of Camden's conservation areas, the Council will:
- Take account of Conservation Area Statements, appraisals and management plans when assessing applications within Conservation Areas; and
  - only permit development within Conservation Areas that preserve and enhances the character and appearance of the area.
- 5.22 In terms of listed buildings, the policy states that the Council will:
- Prevent the total or substantial demolition of a listed building unless exceptional circumstances are shown that outweigh the case for retention;
  - only grant consent for a change of use or alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building; and
  - not permit development that it considers would cause harm to the setting of a listed building.
- 5.23 Policy **DP26** states that that the council will protect the quality of life of occupiers by only granting planning permission for development that does not cause harm to amenity. The factors that the Council will consider are visual privacy and overlooking, overshadowing and outlook, levels of daylight and sunlight; noise and vibration levels, odours, fumes and dust.

- 5.24 Policy **DP27** states that the Council will not grant planning permission for development that it considers will be likely to generate noise pollution. The policy goes on to state that the Council will only grant planning permission for plant or machinery if it can be operated without causing harm to amenity and does not exceed noise thresholds.

National Planning Policy Framework

- 5.25 The National Planning Policy Framework sets out guidance on the weight that should be accorded to currently adopted development plan policies.
- 5.26 According to paragraph 215 of the NPPF, after 27 March 2013 due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF; the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given to the plan policies in planning decisions.
- 5.27 The Camden Core Strategy and Development Management Policies were adopted in 2010, prior to the adoption of the NPPF. In the event, if there is a conflict with the NPPF, the NPPF may be accorded greater weight.
- 5.28 A key objective of the NPPF set out in paragraph 17 is that planning should proactively support sustainable economic development.
- 5.29 Paragraph 19 of the NPPF makes clear that planning decisions should operate to encourage sustainable growth and that significant weight should be placed on the need to support economic growth through the planning system.
- 5.30 The key objectives also include that planning should:

*‘...conserve heritage assets in a manner appropriate to their significance, so they can be enjoyed for their contribution to the quality of life of this and future generations.’ (paragraph 17)*

- 5.31 Paragraph 128 of the NPPF states that applicants should describe the significance of any heritage assets affected, including any contribution made by their setting. The paragraph goes on to state that the level of detail of that assessment should be proportionate to the asset’s importance.
- 5.32 Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset (including that of its setting), great weight should be given to the conservation of the assets significance. Paragraph 132 goes on to state that the more important the asset, the greater the weight should be.
- 5.33 Paragraph 132 also states that the significance of a heritage asset can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Any harm or loss should require clear and convincing justification, mindful of its significance.

- 5.34 Paragraph 132 states that substantial harm to or loss of a Grade II listed building, park or garden should be exceptional. It goes on to say that substantial harm to or loss of designated heritage assets of the highest significance, including Grade I and Grade II\* listed buildings, should be wholly exceptional.
- 5.35 Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm for the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 5.36 In general terms, the NPPF states at paragraph 60:

*“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”*

#### Statutory Requirements

##### *Planning (Listed Buildings and Conservation Areas) Act 1990*

- 5.37 The Planning (Listed Building and Conservation Areas) Act 1990 at Section 1 (5) defines a “listed building” for the purposes of the Act as:

*‘a building which is for the time being included in a list compiled or approved by the Secretary of State under this section; and for the purposes of this Act—*

- (a) any object or structure fixed to the building;*  
*(b) any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948, shall be treated as part of the building.’*

- 5.38 Therefore, by virtue of the definition, the internal and external fabric of the building is covered by a listing. Section 7 of the Act states:

*“Subject to the following provisions of this Act, no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised.”*

- 5.39 Consequently internal alterations to a building, as well as external alterations, require listed building consent. The determination of such applications by Local Planning Authorities is dealt with at Section 66.

##### *Section 16 & 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990*

- 5.40 Section 16 and 66 of the Act states that Local Planning Authorities in exercising control over development which would affect a listed building or its setting, should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. ‘Setting’ is

defined in Annex 2 of PPS5 as 'the surroundings in which a heritage asset is experienced'. Further guidance is found within PPS5 which is explored later in this report.

- 5.41 Section 72 of the Act states that in exercise of planning powers within a Conservation Area, local authorities are required to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Thus the statutory provision is satisfied if the remains unharmed. 'Character' relates to physical characteristics but also to more general qualities such as uses or activity within an area. 'Appearance' relates to the visible physical qualities of the area.

## 6.0 PLANNING POLICY ASSESSMENT

### Land Use

- 6.1 The application site is in a highly accessible location. The Core Strategy directs additional employment use to such areas and supports developments which will help secure a strong economy in the Borough. The proposals will help Which? meet its charitable aims at the same time as providing additional opportunities for employment.
- 6.2 As set out in detail in Section 3 of this Planning Statement, the expansion is required to accommodate Which's particular needs as a charitable organisation, and to accommodate the specific particular activities undertaken by the organisation. This includes publishing, digital publishing, lobbying and campaigning activities, policy research and all the necessary associated administrative activities. The existing building is increasingly deficient as changes in working practices, staff structure, and an expansion in activities, coupled with anticipated growth in staff numbers and movement into new areas of consumer interest, means that Which? needs to reconfigure and expand its office accommodation in order to respond to remain effective.
- 6.3 The principle of additional employment floorspace in this location is in accordance with the adopted development plan and national guidance and is therefore considered acceptable in principle.
- 6.4 Section 5 described how Policy DP1 relates to mixed use development in the borough. The policy is relevant to this application as it relates to all new build development and extensions involving a significant floorspace increase.
- 6.5 The policy states that in the central London area, where more than 200 sq m GEA additional floorspace is provided, the Council will require up to 50% of all additional floorspace to be housing.
- 6.6 However, the supporting text explains that the council can operate significant discretion regarding the application of this policy in circumstances where it may be deemed inappropriate. The following factors and aspects will be considered in determining the appropriateness of the strict requirements of Policy DP1:
- The character of the development, the site and the area;
  - Site size, the extent of the additional floorspace; and constraints on including a mix of uses;
  - The economic and financial viability of the development, including any particular costs associated with it;
  - Whether the sole or primary use of the proposed is housing;
  - Whether secondary uses would be incompatible with the character of the primary use;

- Whether an extension to the gross floorspace is needed for an existing user;
- Whether the development is publically funded; and
- Any other planning objectives considered to be a priority for the site.

6.7 **Paragraph 1.23** sets out specific situations when the mixed use policy outlined in Policy DP1 may not apply. This includes where a development is require to accommodate an existing user on the site. It provides an example: 'to provide for the expansion of a business or to consolidate businesses activities to a single site'.

6.8 As the proposals are both necessary to provide a charitable public service and necessary to accommodate the expansion of a business, circumstances in which Policy DP1 does not apply exist in this instance.

6.9 In line with a variety of the policy considerations set out in paragraph 6.6, the nature of scheme (e.g. extension of floorspace needed for an existing user), the characteristics of the existing buildings and the sensitivities of the locality to further additional height, bulk and mass also mean the application of DP1 would not be appropriate.

#### Residential Amenity

6.10 The scheme proposals do not significantly increase overlooking, nor substantially decrease the separation distance between the Which? building and the rears of properties on Park Square East. Where meeting rooms are extended towards Peto Place, fenestration is angled such that there will be no direct overlooking from meeting rooms towards the residential properties.

6.11 The Noise Survey prepared by Acoustic Logic that accompanies this planning application demonstrates that there will be no adverse impact on the amenity of neighbouring properties in terms of noise.

6.12 The Daylight/Sunlight report submitted with the application indicates that the vast majority of windows of neighbouring properties are unaffected by the application proposals. There are minor breaches of the BRE guidelines relating to daylight to basement windows to Nos. 21, 22 and 23 Park Square East and a minor breach of the guidelines relating to a ground floor window at No. 21 Park Square East. It should be noted that the breach relates only to internal daylight distribution and all affected windows will meet the BRE Vertical Sky component guidelines.

6.13 The loss of daylight is therefore very minor and does not represent a significant or substantial harm to the amenity of the neighbouring properties.

#### Construction Management

- 6.14 Which? is committed to mitigating the effects of construction on its neighbours as far as possible.
- 6.15 Impacts on residential amenity arising from the construction process will therefore be managed by a Construction Management Plan (CMP) submitted with the planning application. This comprises a detailed set of proposals for mitigating the effects of construction including noise, dust, vibration, and construction traffic.
- 6.16 The final detailed form of the CMP will not be known until contractors are in place. Therefore Which? has indicated their willingness to enter into a legal agreement with the Council to provide a Construction Management Plan for the Council's approval prior to the commencement of development. As part of this process, Which? will consult with neighbouring residents to ensure that their views are considered when devising the CMP, and the CMP will be enforceable through the legal agreement.

#### Sustainability

- 6.17 The planning application will be accompanied by an Energy and Sustainability Strategy. The design team is currently targeting the achievement of BREEAM 'very good' for the new build and also the refurbished building, in accordance with adopted planning policy. This represents a substantial improvement over that which the building currently achieves.
- 6.18 We note that the London Plan sets the target of a 20% reduction in CO2 emissions via on-site renewable generation. For reasons of practicality as well as planning restrictions e.g. visual impact, an 8% reduction can be achieved through the incorporation of 50m<sup>2</sup> of hi-spec thin film Photovoltaic solar panels. It is important to note that the emissions savings resulting from other improvements is 35 times greater than the shortfall in the reduction of CO2 emissions from on-site renewable energy technology.
- 6.19 Further details are provided in the Energy and Sustainability Statement that accompanies this planning application, prepared by Thornton Reynolds.

#### Impact on Designated Heritage Assets

- 6.20 The Heritage Statement that accompanies the planning application concludes that the proposals represent a clear enhancement to the Grade II\* listed 2 Marylebone Road and its setting. It also states that an overall enhancement to the setting of other surrounding listed buildings and the Regents Park Conservation Area is achieved.
- 6.21 The scheme involves the removal of the existing stair enclosure from the roof of the Grade II\* listed building and reinstate the original roof form. This has been acknowledged in pre-application discussions with Camden Council and English Heritage as being beneficial (please refer to Appendix 3 for their written pre-application responses). The proposals also remove plant and screening from the roof

of the modern extension which are presently harmful to the setting of the Grade II\* listed building and the Grade II\* listed Holy Trinity Church.

- 6.22 With the exception of the removal of the stair on the roof no No. 2 Marylebone road, the alterations to the building to achieve the client's brief are mainly to the modern wing at 1-9 Albany Place. While 1-9 Albany Place has a degree of attachment to the listed building, this wing is non-sensitive and contains no historic fabric.
- 6.23 While the fabric of the existing Grade II\* listed building is enhanced, assessment of the application proposals and their impact will be confined to the extent to which the proposals affect the setting of No.2 Marylebone Road, along with surrounding listed buildings and the character and appearance of the conservation areas.
- 6.24 While the Grade II\* listed building itself is enhanced, the final analysis of whether there is an overall harm to the historic environment (included the effect of the extension within the setting of listed buildings and its effect on the conservation area) must be balanced against this context, and the Heritage Statement concludes that there is an overall enhancement to the historic environment.
- 6.25 While we are of the view that the application proposals *at least* enhances the conservation area and setting of nearby listed buildings, the Council should take the view that there is any overall residual harm, this could only be considered minor and certainly 'less than substantial' in NPPF terms. Thus must be balanced against wider planning benefits as dictated by paragraph 134 of the NPPF.
- 6.26 The following paragraphs therefore summarise the planning benefits arising from the proposed development.

#### Summary of Planning Benefits

- 6.27 There are clear planning benefits arising from the proposals in terms of the increase in employment on the site. This will be accompanied by an overall shift from contract work to permanent positions. The application proposals will generate highly skilled, good quality jobs.
- 6.28 The improved and enlarged space is required to deliver this benefit due to changes in working practices arising from the structural changes in the publishing industry. Publishing has been undergoing a major structural change arising from the decline of paper publishing and growth in digital media. If Which? are unable to expand their premises, they will be unable to utilise an enlarged workforce and take advantage of technological improvements to deliver their key revenue stream through publishing. The extension of the building will create long term and sustainable economic activity in a sector that is otherwise experiencing almost universal decline.
- 6.29 The extension and refurbishment will enable Which? to continue to better deliver its charitable mission. The organisation will be able to:



- Improve their ability to lobby politicians and business leaders by holding events on the premises (for example award ceremonies, seminars, roundtable discussions) that will attract a higher media profile;
  - Extend its reach overall to reach all consumers to assist them with buying better and better value goods and services;
  - Undertake wider research into consumer products and services (such as mortgages, insurance, energy pricing as well as consumer goods);
  - Better deliver campaigns such as those related to mobile phone pricing and supermarket pricing; and
  - Enhance its profile as the national centre of consumer advocacy.
- 6.30 In particular the proposed auditorium is required to host events, seminars and award ceremonies (directly relevant to delivering the charitable aims) on site. At present, such events must be undertaken off-site which carries obvious costs in terms of venue hire etc. This cost directly impacts on the charities ability to deliver its mission.
- 6.31 The NPPF is clear that economic, employment and social benefits of this kind must be given great weight as public benefits.
- 6.32 The clear public social benefits arising from the delivery of Which?'s charitable mission are wide-ranging and nationwide in nature. The scope and extent of these benefits represent significant national social benefits to a large proportion of the population, and particularly those on a lower income. For example, many millions of people will be likely to benefit from Which?'s campaign on affordable energy. The proposed development, will enhance Which?'s influence and is therefore a development of national interest. The consultation with neighbours indicated that 83% of respondents considered the provision of 'fit for purposes' accommodation for the charity to be 'very important', and the remainder considered this 'important'. This reflects a wider understanding that charities often have specific accommodation requirements.
- 6.33 If the refurbishment and extension are not realised, then Which?'s ability to continue to deliver its charitable mission will be fundamentally undermined, and the above planning benefits will not be delivered.
- 6.34 An improvement in the environmental performance of the existing building is also a clear benefit; the refurbishment of the existing 1980s wing will achieve BREEAM level 'very good', improving energy efficiency and reducing CO2 emissions.
- 6.35 Notwithstanding our conclusion that the proposals represent an overall enhancement to affected designated heritage assets, if the Council considers that there is residual harm (which must be limited to points of setting given the enhancement to the Grade II\* listed building), this must be 'less than substantial' and minor. In our view, the significant public benefits set out above clearly and decisively outweigh any perception of harm.

## 7.0 CONCLUSIONS

- 7.1 This Planning Statement has been prepared to accompany an application for listed building consent and planning permission for the refurbishment and extension of the existing office building at 2 Marylebone Road and 1-9 Albany Street.
- 7.2 The existing office space is unsuitable for Which?'s continued occupation for the following reasons:
- Recent and ongoing radical changes in working practices and staff structure as a result of a rapid shift towards digital publishing means that more office space is needed and needs to be utilised in a different way than with traditional print publishing;
  - Which? anticipates increased staff numbers (an increase from 500 to 600) as they increase their influence, and undertake new campaigning, research and publishing activities; and
  - A good quality auditorium is critical to Which?'s activities as they seek to increase their charitable reach by way of lobbying and hosting more public events.
- 7.3 Which? is a charity which aims to simplify the morass of misleading information and bewildering choices faced by consumers on a daily basis, and will ultimately lead to better services and improved products. Which? therefore provides advice and campaigns on a wide variety of issues of interest to consumers such as price increases on "fixed" mobile phone tariffs and transparency in energy pricing.
- 7.4 The income from subscriptions is a key revenue stream for Which? and has been the cornerstone of their successful social enterprise for more than 50 years. The first Which? magazine was published in 1957 and Which? has become the largest consumer body in the UK. There are currently over 600,000 magazine subscribers and over 250,000 online subscribers.
- 7.5 Which? also campaigns directly on consumer's behalf and lobbies politically on important consumer issues aiming to end the unfairness in the way some markets operate. Which? is increasing its emphasis on direct engagement with the media, politicians and leaders of private companies. Which? is therefore a nationally significant charity whose activities directly affect and benefit every consumer in the United Kingdom.
- 7.6 Critically, the existing building does not have good quality facilities to host events such as awards ceremonies, round table discussions, lobbying events and seminars. As a result Which? expends considerable resources in renting conference space away from its premises. The refurbishment will address this particular deficiency and allow more funds to be directed towards the deliverance of its charitable aims.

- 7.7 This report assesses the proposed extension at roof level in accordance with adopted planning policy and national planning guidance.
- 7.8 The proposed development extends the modern wing of Which?'s headquarters at roof level and re-instates the historic roof form of the grade II\* listed 2 Marylebone Road.
- 7.9 In terms of land use, the application site is in a highly accessible location. The Core Strategy supports additional employment uses in such areas and the development will help secure a strong economy in the Borough. The NPPF indicates that the delivery of employment and economic growth is a material consideration of significant weight.
- 7.10 The scheme proposals do not significantly increase overlooking, nor do any amenity issues arise in terms of noise or daylight/sunlight.
- 7.11 Which? is committed to mitigating the effects of construction on its neighbours as far as possible and as such a Draft Construction Management Transport Plan is included with the planning application. Which? will submit a detailed CTMP to the Council for its approval following a period of consultation with neighbours, should planning permission be granted. This is proposed to be controlled by a Section 106 legal agreement.
- 7.12 The Energy and Sustainability Strategy substantially improves the environmental performance of the existing building, achieving a BREEAM "very good" for the refurbished building, and also "very good" for the extended elements. The scheme also achieves a 20% reduction in CO2 omissions from the new build element by way of the provision of renewable energy technology.
- 7.13 This planning application is also accompanied by a Heritage Statement. The Heritage Statement concludes that the application proposals represent a clear enhancement to the grade II\* listed "No. 2 Marylebone Road and its setting and an overall improvement of the setting of other surrounding listed buildings, and an overall enhancement to the Regent's Park Conservation Area. This is notwithstanding the substantial planning benefits delivered by the scheme in terms of the increase in employment on the site (in terms of quantity and quality of jobs), and the improvement to Which?'s ability to better deliver its charitable mission.
- 7.14 The NPPF is clear that social benefits of this kind should be given greater weight as public benefits. These public benefits are wide ranging and nationwide in nature. Which?'s activity delivers significant national social benefit to a large proportion of the population and particularly those on a lower income.
- 7.15 If a refurbishment and extension are not realised, then Which's ability to continue to deliver its charitable function will be fundamentally undermined.
- 7.16 We conclude therefore that planning permission should be granted.

**APPENDIX 1**  
**ORIGINAL APPEAL DECISION**

# List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

**Name:** NUMBER 2 AND ATTACHED RAILINGS

---

**List Entry Number:** 1113114

## Location

NUMBER 2 AND ATTACHED RAILINGS, 2, MARYLEBONE ROAD

The building may lie within the boundary of more than one authority.

**County:** Greater London Authority

**District:** Camden

**District Type:** London Borough

**Parish:**

**National Park:** Not applicable to this List entry.

**Grade:** II\*

**Date first listed:** 10-Jun-1954

**Date of most recent amendment:** 11-Jan-1999

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## Legacy System Information

The contents of this record have been generated from a legacy data system.

**Legacy System:** LBS

**UID:** 477492

---

## Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

---

## List Entry Description

### Summary of Building

Legacy Record - This information may be included in the List Entry Details.

### Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

## History

Legacy Record - This information may be included in the List Entry Details.

## Details

CAMDEN

---

TQ2882SE MARYLEBONE ROAD  
798-1/92/1109 (North side)  
10/06/54 No.2  
and attached railings  
(Formerly Listed as:  
ALBANY TERRACE, Marylebone Road  
Nos.4, 5 AND 6)

GV II\*

3 terraced houses. Early C19 with later alterations. Stucco with rusticated ground floors. Symmetrical facade with projecting end bays and segmental bowed corners. Entrance to former No.6 Albany Terrace on return to Albany Street.  
EXTERIOR: 4 storeys and basements. 6 windows, 1-window corners and 6-window returns to Peto Place and Albany Street, some blind. Round-arched ground floor openings linked by impost bands. Doorways with fanlights and panelled doors, part glazed. Projecting Doric loggia to ground floor of centre bays with balustraded parapet above surmounted by urns. Continuous cast-iron balconies at 1st floor level. Architraved, recessed sashes, 1st floor with cornices except centre 3 windows in arcaded openings with shallow recesses and linked by impost bands. Main cornice at 3rd floor level. Round-arched openings to attic storey, above which cornice and blocking course. Right hand corner with round-arched doorway with part-glazed, panelled door with radial patterned fanlight. Albany Street return with tetrastyle Doric portico with balustraded parapet above.  
INTERIORS: not inspected.  
SUBSIDIARY FEATURES: attached cast-iron railings with lattice pattern to areas. Listed II\* for group value with the Nash terraces.  
Former Nos 4 & 5 Albany Terrace were listed on 14/05/74.

Listing NGR: TQ2882082235

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## Selected Sources

Legacy Record - This information may be included in the List Entry Details.

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## Map

**National Grid Reference: TQ 28820 82235**



The below map is for quick reference purposes only and may not be to scale. For a copy of the full scale map, please see the attached PDF - [1113114.pdf](#)



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# List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

**Name:** FORECOURT RAILINGS AND LAMPS TO NUMBER 2

---

**List Entry Number:** 1113115

## Location

FORECOURT RAILINGS AND LAMPS TO NUMBER 2, MARYLEBONE ROAD

The building may lie within the boundary of more than one authority.

**County:** Greater London Authority

**District:** Camden

**District Type:** London Borough

**Parish:**

**National Park:** Not applicable to this List entry.

**Grade:** II

**Date first listed:** 14-May-1974

**Date of most recent amendment:** 11-Jan-1999

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## Legacy System Information

The contents of this record have been generated from a legacy data system.

**Legacy System:** LBS

**UID:** 477493

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## Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

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## List Entry Description

### Summary of Building

Legacy Record - This information may be included in the List Entry Details.

### Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.



## History

Legacy Record - This information may be included in the List Entry Details.

## Details

CAMDEN

---

TQ2882SE MARYLEBONE ROAD .  
798-1/92/1108 (North side)  
14/05/74 Forecourt railings and lamps to No.2  
(Formerly Listed as:  
ALBANY TERRACE, Marylebone Road  
Forecourt lamps and railings to  
Nos.4-6 (consec))

GV II

Forecourt railings and lamps. Early C19. Cast-iron railings with anthemion enriched standards and lampstandards with ladder bars and gryphon brackets. C20 lanterns.

Listing NGR: TQ2882082221

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## Selected Sources

Legacy Record - This information may be included in the List Entry Details.

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## Map

**National Grid Reference: TQ 28821 82221**

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**APPENDIX 2**  
**LIST BUILDING ENTRIES**



**Department of the Environment**  
2 Marsham Street London SW1 P 3EB

Direct line 01-212 7183  
Switchboard 01-212 3434

|         |  |
|---------|--|
| COMPASS |  |
| TOP     |  |
| D/BASE  |  |
|         |  |

Messrs Herbert Smith & Company  
Watling House  
35-37 Cannon Street  
LONDON  
EC4M 5SD

Your reference

34/418210

Our reference

APP/X5210/A/83/008298-99

Date APP/X5210/E/83/800010-16

20 AUG 1984

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971 - SECTIONS 36 AND 37  
AND PARAGRAPH 9 OF SCHEDULE 11  
APPEALS BY GREYCOAT CITY OFFICES PLC  
APPLICATIONS NOS. M11/3X/A(1)/36926, M11/3X/A(1)36927 AND HB 3325-3331

1. I am directed by the Secretary of State for the Environment to say that consideration has been given to the report of the Inspector, Mr Stephen Marks MA FSA RIBA, who held a local inquiry into your clients' appeals on the failure of the Council of the London Borough of Camden to give, within the prescribed period, notice of their decisions on your clients' applications for:-

*Allowed*  
A. (APP/X5210/A/83/008299 - Application No. M11/3X/A(1)36927) planning permission for the following developments:

- i. Nos. 20-24 Park Square East and 13-16 Park Square East: refurbished with continued residential use.
- ii. Nos. 1-3 Albany Terrace: renovation and conversion into 7 flats.
- iii. Nos. 4-6 Albany Terrace: renovation and conversion into offices linked to the new accommodation in Albany Street.
- iv. Nos. 1-9 Albany Street: demolition of existing Dunlop building premises and construction of new office accommodation with car parking under for housing and offices.
- v. Nos. 11-29 Albany Street: conversion of existing Grade II listed buildings into 25 flats and maisonettes with ground and basement level additions to improve space standards in the dwellings; 11A Albany Street: new residential accommodation.
- vi. Peto Place Mews housing: existing sub-standard housing and garages demolished and provision of 5 new town houses with integral garages.
- vii. Vehicle access: a new two-way road access point off Albany Street is proposed passing under the new offices adjacent to 11 Albany Street; the existing two-way access off Marylebone Road is maintained.
- viii. Pedestrian access: a new pedestrian link between Peto Place and St. Andrews Place is proposed: this would have key-operated gate access.

*Allowed* B. (APP/X5210/E/83/800014 - Application No. HB3327) listed building consent for the demolition of sundry rear extensions and alterations and extensions for conversion of single dwellings into flats and maisonettes at 11-29 Albany Street.

*Allowed* C. (APP/X5210/E/83/800016 - Application No. HB3326) listed building consent for the demolition of unlisted buildings in a conservation area; Nos. 1-9 Albany Street.

*Dis* D. (APP/X5210/E/83/800015 - Application No. HB3329) listed building consent for the demolition of rear walls and part internal partitions and stairs and alterations associated with conversion into offices at Nos. 4-6 Albany Terrace.

*Dis* E. (APP/X5210/E/83/800012 - Application No. HB3328) listed building consent for the demolition of sundry rear extensions and some internal partitions and alterations associated with conversion into flats at Nos. 1-3 Albany Terrace.

*Dis* F. (APP/X5210/E/83/800013 - Application No. HB3330) listed building consent for the demolition of sundry rear extensions and alteration for complete renovation at Nos. 20-24 Park Square East.

*All* G. (APP/X5210/E/83/800010 - Application No. HB3331) listed building consent for the demolition of unlisted buildings within a conservation area; Nos. 4-11 Peto Place and ancillary buildings.

*All NOT IS (DIORAMA)* H. (APP/X5210/E/83/800011 - Application No. HB3325) listed building consent for the partial demolition, reconstruction and alteration of Nos. 17-19 Park Square East, (The Diorama)

and the decision of the same council to refuse,

*All NOT IS (DIORAMA)* I. (APP/X5210/A/83/008298 - Application No. M11/3X/A(1)36926) planning permission for the conversion into offices, residential and museum of Nos. 17-19 Park Square East, (The Diorama).

A copy of the report is enclosed.

2. The Inspector said in his conclusions:-

" 1. In my view the principal issues are, as I have already indicated, the design of the new office building at 1-9 Albany Street, and the proposed use of and works to the Diorama building. Apart from the difficulties which these raise, the proposals are in my opinion entirely acceptable and highly desirable in restoring a substantial group of important historic buildings forming part of the enclosure of Regent's Park. I shall examine in turn these principal issues and other, less significant, matters, bearing in mind my findings of fact.

The design of 1-9 Albany Street.

2. Four possible approaches to the development of 1-9 Albany Street were considered during the inquiry. The retention of the existing building is, in my view rightly, rejected by all parties; it is an obtrusive building in its setting, it is in very poor condition, and it is not a distinguished building in its own right. However, it makes one significant contribution to the townscape, by maintaining the general street facade along the west side of Albany Street between the stuccoed buildings which are being retained.

3. The space surrounding Holy Trinity Church is somewhat irregular, enclosed by buildings of great variety, few of them of architectural

merit; Holy Trinity Church itself is a building of great architectural and historic interest, with large mature trees on each side. In this space one of the few consistent and stabilising elements is the continuity of the street facade on the west side of Albany Street, in which Nos. 1-9 is a substantial element. The siting of the original riding academy, occupying a considerably shorter frontage, is, even if the appellants were right in their view that it was set back, of little relevance, since it pre-dated the Albany Street houses: it is no indication, therefore, of what in its absence would have been built or thought appropriate at the time.

4. Of the 3 redevelopment schemes 2, schemes 1 and 2, employ a set-back of about two-thirds of the facade between terminal features. In my view, this set-back, lacking any formal relationship to the space around Holy Trinity Church, would significantly diminish the effectiveness of the enclosure afforded to this space by the continuity of the street facade in Albany Street. Unless there are very good reasons to justify the set-back, a new building of the extent proposed on this site should generally maintain the existing facade line.

5. The proposed set-back has been employed primarily to facilitate the transition between the different scales of the stuccoed houses which are being retained in Albany Terrace and Albany Street. This is a familiar and useful architectural device, especially successful where there is a narrow gap or infill site in which to effect the transition. In the present case, however, the length of the set-back facade seems to me to defeat the purpose, by giving undue importance to the new building where no emphasis is required.

6. The extremities of the site would be furnished with terminal features, behind which, in scheme 1, the glass facade would appear to stand: in scheme 2 the terminals would form part of the design of the new building. In the context of a set-back facade, essential architecturally for scheme 1, these terminal features may be an appropriate way of handling the break, and they have been attractively designed with great ingenuity. I believe, however, that too much has been made of the problem in the search for a solution to the transition of scales.

7. Although the line of the facade in Albany Street is important, the rows of houses forming its west side are on a low level in the park hierarchy Park Square East and Park Square West, themselves by no means the grandest terraces in Regent's Park, comprise substantial houses in sophisticated palace fronts. The scale reduces to the terraces facing Marylebone Road, namely Albany Terrace and Ulster Place. It reduces again in Albany Street where the original houses survive, including Nos. 11-29 on the appeals site. Even at such important corners as those between Park Square East and West and Marylebone Road, the smaller houses are allowed to abut the larger without transition, without, in my view, any harmful visual effect (Photograph 1/20). In less important positions in Georgian and Regency London it is commonplace for the smaller houses in subsidiary streets to abut the larger principal houses without transition. I do not, therefore, think that the problem of transition in Albany Street is one which demands such an elaborate solution in a relatively unimportant position.

8. There are many situations where obviously modern buildings are appropriate amongst older buildings. In the present location, however, where the new building would both form part of the Regent's Park complex and face an area which is architecturally very varied it seems to me to be important that the new building should be more closely related to the character of

the former, in order to strengthen its coherence in the face of the variety around it. For this reason I consider that the wholly glazed facade of scheme 1 would be an unacceptable intrusion; reflections, a pleasing feature in itself, would do nothing to reduce the inappropriateness of the overall glazing. The appellants' references to the use of fully glazed treatments at Coutts Bank and at 250 Euston Road seem to me to have little relevance, since in one case it involves a relatively narrow infill which constitutes the principal entrance of the building, and the other building is entirely free-standing adjoining a major road junction near other modern buildings.

9. Scheme 2, with its monumentalism and its 'evolved' classical detail seems to me to introduce a wholly inappropriate weight into the subsidiary Albany Street. Although it is no higher than Albany Terrace it appears to increase the scale of building next to Albany Terrace, contrary to the hierarchy of the Regent's Park development. For these reasons and because of the set-back I consider that scheme 2 also is unacceptable.

10. Scheme 3, although not set-back, suffers from defects similar to those of scheme 2, in that it re-introduces a more elaborate formality and decorative treatment than at Albany Terrace, stepping up in sophistication, if not in actual height, to the scale of Park Square East. A scheme based on designs by Nash need not, indeed should not on this site, reflect such grandeur, but should be appropriate to the place of Albany Street in the Regent's Park hierarchy.

11. I have, accordingly, come to the conclusion that none of the 3 schemes is acceptable in respect of their Albany Street frontages, except for the proposal for the new No. 11a with the vehicular entrance, matching the adjoining houses to the north. The rear elevation of scheme 1 is appropriate in the context of the brick buildings surrounding it, but that of scheme 2 is, like the front facade, too monumental in scale.

12. In respect of the redevelopment of 1-9 Albany Street the planning application is in outline. Normally it would not be appropriate to grant consent for such an outline proposal in a conservation area, but in the present case, the principle of redevelopment is acceptable, the proposed use is acceptable on the basis that it replaces existing office uses on the island site, and in the light of the arguments put forward by the parties and of my comments above I am satisfied that it is possible to design a satisfactory replacement for 1-9 Albany Street, I shall recommend that planning permission for the main site should include conditions requiring the replacement to maintain substantially the line of the existing street facade and to respect the position of Albany Street in the hierarchy of the Regent's Park development; these conditions need not preclude either the use of short set-back links to ease the insertion of a new building on the site or an appropriately designed modern building.

13. For similar reasons I consider that listed building consent for the demolition of 1-9 Albany Street should be granted, notwithstanding the advice of Circular 23/77, subject to a condition restricting demolition until a contract has been exchanged for the redevelopment of the site to an approved scheme.

#### The Diorama building

14. Consideration of the proposals for the Diorama building can be divided into 3 parts, whether or not the proposed office use satisfies the criteria of the statutory policies, whether or not there is any alternative use which,

taken in conjunction with the overall development proposals, would result in the satisfactory refurbishment of the Diorama building and the appeals site, and the nature of the works themselves.

#### Proposed use of the Diorama building

15. In my opinion the proximity of the site to numerous public transport facilities and to the 2 Metropolitan roads justifies the view of the Greater London Council that the site satisfies the criteria of paragraph 4.15(ii) of the Greater London Development Plan for the location of offices. While there are no restraints based on floorspace figures in either statutory plan, one requires account to be taken of the attainment of planning advantages and the other requires the attainment of substantial planning advantages by office development. Accordingly, I must consider the planning advantages which it is claimed would be provided by the proposed development and the extent to which these are properly to be regarded as planning advantages and would not be provided in the absence of this development.
16. The appellants have put forward several benefits provided on the whole of the appeals site in justification of the office use of the Diorama building. In my view, the only one which might carry much weight is the restoration and refurbishment of the buildings on the appeals site.
17. The exhibition would be interesting but a relatively slight benefit; other benefits claimed for the public, namely open space, car parking, and the improved environment of Peto Place, seem to me to be inherent features of the development of the site, benefiting primarily the users. The buildings in Peto Place, although in poor condition, are not so poor in layout and design that their redevelopment amounts to a planning advantage: while the proposed development is a substantial improvement, retention and improvement of the buildings on the site would probably not be inherently unacceptable on the grounds of their layout and design. It is difficult to say whether or not there is an increase in the number of dwellings, but there appears to be no increase of residential floorspace calculated over the island site: all the residential units would be substantially improved, but no evidence was produced that these were directly dependent on the office use of the Diorama building.
18. I have come to the conclusion, therefore, that unless it can be demonstrated that the office use of the Diorama building is necessary in order to achieve the restoration and refurbishment either of that building or of the appeals site as a whole, the change of use would be contrary to the office policies of the statutory plans. I turn, therefore, to the question of alternative use.

#### Alternative use of the Diorama building

19. The appellants have attempted without success to find an alternative use which would be acceptable to them. The only alternative use which has been put forward in detail is that contained in the proposals of Diorama Arts; this was examined at considerable length during the inquiry. The appellants' view is that it is not viable, is environmentally unsatisfactory, and has no practical basis: it could affect the attractiveness of the development as a whole, with the result that the site might not be improved.
20. In my opinion, the appellants' assessment of its viability is vitiated by taking a 14-year term for repayment on the assumption that this is the longest period for which the courts could grant a tenancy: certainly the



proposal would not be viable and no work of the proposed magnitude could be justified for such a short term. Its viability must be looked at independently of other grounds of objection, and tested on the basis of a longer term. Diorama Arts has, in my view, under-estimated the total costs, but taking account of the knowledge which it and its consultants have of the special nature of the enterprise I accept that there is a good prospect that it would be viable on their 25-year basis. It would not be self-supporting, in the sense that reliance would be placed on grants and other non-commercial sources of finance, and there must be a degree of uncertainty attaching to such sources, but I do not consider that these factors justify a different conclusion on the viability of the proposal. I have no reason to consider that what Diorama Arts proposes would be inadequate for the proper preservation of the building.

21. The appellants consider that Diorama Arts' proposal would be environmentally unacceptable in the midst of the refurbished Grade I houses. It appears to me that there are 4 main aspects of this matter to consider, the impact of the activities within the building, the impact of the arrival and departure of the public, especially the theatre audiences, and of the regular users, the effect on the physical environment of Peto Place, and the effect of construction by a phased contract.

22. With regard to the first, there is clearly considerable potential for disturbance from noise transmitted through party walls into 17 and 19 Park Square East and through windows. The extent of transmission would depend on sound-proofing measures, which it would be possible for the freeholders to require as part of any works to the building. While I accept that studios and workshops might be satisfactorily sound-proofed, I do not consider that it would be possible to eliminate all transmission of noise into the adjoining houses from a dense crowd of people in the entrance hall and foyer, or to prevent the emission of some sounds of performances and audiences through roof-lights and windows, even with an auditorium seating only 200 people.

23. In my view the arrival and departure of an audience or other large gathering, especially its departure, in Park Square East could be a source of disturbance within what is otherwise a residential terrace. The coming and going of other users of the building would, on the whole, be no more disturbing than an office use.

24. The improvements and landscaping of Peto Place could equally well be carried out whether or not the rear wall is rebuilt. The demolition of the ancillary structures would not be prevented by Diorama Arts' proposals, so that substantially the same open space would be created in front of the new news houses as is proposed by the appellants. As I indicate below, I do not regard the existing buttressed walls, if they were improved, as less satisfactory visually than the proposed rebuilding, nor do I think their retention would harm the environment of Peto Place.

25. If, as Diorama Arts suggests, phased construction were to be carried out over a period of 18-24 months, it seems to me that this would not be likely to lag significantly behind the very extensive operations to be carried out on the rest of the appeals site.

26. The material objections to the Diorama Arts proposal on environmental grounds are, in my view, effectively limited to the disturbance which might arise from the proposed performance use. Bearing in mind that the site is

located at the very edge of Central London, close to the busy Marylebone Road, and opposite an area of landscaped garden, I take the view that the degree of nuisance would be slight, certainly not comparable with the effect of a similar use in a quiet unmixed residential area, and I do not consider that the proposal would have any material effect on the environment of houses not adjoining the Diorama building, and very little on those that do. I take the view, therefore, that the Diorama Arts proposal is not objectionable on environmental grounds.

27. Whether or not there is any practical basis for the Diorama Arts proposal, namely the agreement of the freeholders, is not a matter for the Secretary of State. What is relevant is that the appellants have not demonstrated to my satisfaction that their proposed office use of the Diorama building is the only viable and environmentally acceptable use which could achieve the satisfactory restoration and refurbishment of that building as part of the appeals site and is, therefore, necessary for that purpose. I am not convinced that refusal of consent for offices would jeopardise the general improvement of the appeals site and the restoration of the listed buildings. Accordingly, I conclude that the change of use of the Diorama building to offices would be contrary to the provisions of the statutory plans.

#### Proposed works to the Diorama building

28. Major alterations to this Grade I building, with demolition of a substantial part, would be inappropriate unless they are justified by the use to which it would be put: unless planning permission is granted for the office use, consents should not be given for the works to this building.

29. The appellants have proposed to retain the various surviving elements of the original Diorama building, but in my opinion the interest of the building is not confined to these, though they are the most important features. I have, at the very least, misgivings about the proposed rebuilding of the rear walls. The design itself is acceptable, but it seems to me that it would result in a loss rather than a gain in the architectural and historic interest of the building.

30. The appellants' design is built up from historical evidence of some elements of the original walls, but in my view it would not succeed in bringing back the feel and characteristics of the original exterior, since the very large windows, the principal element, are carried down to the ground, instead of stopping a considerable distance off the ground, a point on which the historical evidence, if it is accepted at face value, appears to be clear. It would be better to keep the existing interesting rear wall, repaired and improved as necessary, as a significant element of the historical development of this extremely unusual building than to replace it with a reconstruction, conjectural in part, which goes against the historical evidence in one very important point. If its demolition were necessary for an approved development this would be acceptable, but there seems to be no need to replace it, even if office use were introduced.

31. The Diorama site applications include Nos. 17 and 19 Park Square East. As the proposals relating to these houses are acceptable, I shall recommend a split decision for these applications.

#### Other matters

32. The council's second reason for refusal of the Diorama site planning application referred to the retention of the building for community purposes. In my view the continuity of community use is tenuous and does not provide good grounds for refusing planning permission. The uses for nearly 50 years up to 1975 were institutions which did not normally provide generally access for the public, and since that time until very recently the uses have been without benefit of planning permission.

33. The council seeks to secure a wider range of housing tenure on the appeals site. In my view, this is not a planning matter and it would be inappropriate to impose conditions relating to tenure or otherwise to refer to this subject in a decision.

34. The design of the new mews buildings appears to me to be attractive and not in any way inappropriate in the setting of the rather tall brick backs of the main buildings on the island site. While they do not conform with the pattern of the traditional modest 2-storey mews, I do not find this a reason for rejecting the design.

#### Conditions

35. Conditions should be imposed on any consents or planning permissions issued. In relation to the main site planning application (APP/X5210/A/83/008299) the conditions suggested by the council (Document 31a) appear to be generally appropriate with the following amendments: condition 2, relating to the design and external appearance of 1-9 Albany Street, should refer to approval by the council, and should be accompanied by conditions requiring the replacement to maintain substantially the line of the existing street facade and to respect the position of Albany Street in the hierarchy of the Regent's Park development (see paragraph 12, above); condition 1 should provide for the submission of details on the outline element, 1-9 Albany Street, in the usual way, and there should also be a condition limiting the gross office floor space of 4-6 Albany Terrace and 1-9 Albany Street to the amount being replaced on the island site, ie 52,200 sq ft; condition 4 should be amended to take account of the possible transfer of the residential accommodation at 11-29 Albany Street, as suggested by the appellants, in order to give greater flexibility.

36. With regard to the listed building consent applications relating to listed buildings on the main site the appellants take the view that most of those suggested are unnecessary. In the light of the appellants' compendious Document 30, in particular the 'General notes to all listed buildings' in Section 4 of the Addendum to that document, I accept that this is partly so. Accordingly, I consider that in relation to 11-29 Albany Street (APP/X5210/E/83/800014) the suggested condition 2, relating to obscured glazing, is the only condition needed; for 4-6 Albany Terrace (APP/X5210/E/83/800015) conditions 2, 3 and 4 should be imposed; for 1-3 Albany Terrace (APP/X5210/E/83/800012) conditions 2, 3, 4a, 4c and 5; for 20-24 Park Square East (APP/X5210/E/83/800013) conditions 2, 3 and 4.

37. With regard to the listed building consent applications for the demolition of unlisted buildings the condition suggested by the council in relation to 1-9 Albany Street (APP/X5210/E/83/800016) is appropriate, as its premature demolition would leave a most unsatisfactory gap in the street scene, but the condition is not necessary for the demolition of mews houses and other buildings in Peto Place, including the boiler house and other ancillary structures outside the Diorama building, (APP/X5210/E/83/800010) as their demolition would not leave any unsightly gaps.

38. In relation to the Diorama site planning application (APP/X5210/A/83/008298), it should, if approved in whole, be subject to conditions 1, 2 and 4 as amended by the appellants; condition 3 is unnecessary. The listed building consent application (APP/X5210/E/83/800011) should be subject to conditions 2 and 3 in relation to Nos. 17 and 19 Park Square East, and, if approved in whole, to condition 4 as well."

The Inspector recommended that appeal A be allowed and planning permission granted subject to conditions; appeals B-G be allowed and listed building consent be granted subject to conditions; appeal H be allowed and listed building consent granted subject to conditions in relation to Nos. 17 and 19 Park Square East and to dismiss the appeal in relation to No. 18 Park Square East; appeal I be allowed and planning permission granted in relation to Nos. 17 and 19 Park Square East and to dismiss the appeal in relation to No. 18 Park Square East.

3. Letters received too late for the Inspector's consideration have been noted, but are not considered to raise any new issue of fact or evidence which disposes the Secretary of State to alter his view of the main planning issues to which the Inspector refers in his conclusions.

4. The Secretary of State agrees with the Inspector's conclusions and notes his recommendation that appeals A-G be allowed subject to conditions and appeals H and I be allowed in part subject to conditions. With regard to the listed building consent applications relating to the listed buildings on the main site, the appellants take the view that the conditions, which in the view of the London Borough of Camden should be imposed on any consents granted, are unnecessary. The Secretary of State shares the Inspector's view that in the light of the appellants' comprehensive Document 30, in particular the 'General notes to all listed building' in Section 4 of the Addendum to that Document, that this is partly so. He also generally agrees with the choice of conditions which the Inspector recommends be imposed on any consents that might be granted. However, the Secretary of State is advised that it is outside the powers available to him to include as a condition of listed building consent that details of works be reserved for the approval, at a later date, of the local planning authority, in consultation with the GLC. For this reason he considers that listed building consent for appeals D, E & F cannot be granted.

5. The Secretary of State, therefore, dismisses appeals D (APP/X5210/E/83/800015); E (APP/X5210/E/83/800012); and, F (APP/X5210/E/83/800013) and hereby refuses listed building consent for:-

- i. the demolition of rear walls and part internal partitions and stairs and alterations associated with conversion into offices at Nos. 4-6 Albany Terrace, London, NW1;
- ii. the demolition of sundry rear extensions and some internal partitions and alterations associated with conversion into flats at Nos. 1-3 Albany Terrace, London, NW1; and
- iii. the demolition of sundry rear extensions and alteration for complete renovation at Nos. 20-24 Park Square East, London, NW1.

6. The Secretary of State accepts the Inspector's recommendations in relation to the other appeals. In relation to appeal A (APP/X5210/A/83/008299) the Secretary of State, therefore, hereby grants planning permission for the following developments:-

- i. Nos. 20-24 Park Square East and 13-16 Park Square East: refurbished with continued residential use.
- ii. Nos. 1-3 Albany Terrace: renovation and conversion into 7 flats.

iii. Nos. 4-6 Albany Terrace: renovation and conversion into offices linked to the new accommodation in Albany Street.

iv. Nos. 1-9 Albany Street: demolition of existing Dunlop building premises and construction of new office accommodation with car parking under for housing and offices.

v. Nos. 11-29 Albany Street: conversion of existing Grade II listed buildings into 25 flats and maisonettes with ground and basement level additions to improve space standards in the dwellings; 11A Albany Street: new residential accommodation.

vi. Peto Place Mews housing: existing substandard housing and garages demolished and provision of 5 new town houses with integral garages.

vii. Vehicle access: a new two-way road access point off Albany Street passing under the new offices adjacent to 11 Albany Street.

viii. Pedestrian access: a new pedestrian link between Peto Place and St. Andrews Place with key-operated gate access;

in accordance with application No. M11/3X/A(1)36927 dated 26 August 1983 and Plan Nos. PSE/PSE/001-005, 011-015, 021-025, 031/035, 041-045, PSE/A5/003, 040-042, 050-055, 056A, PSE/AT/006-006c, PSE/ATO/001B-005B, PSE/M/004A, 005A, 006B, subject to the following conditions:-

1. The development hereby permitted (except 1-9 Albany Street), shall be begun not later than 31 August 1989.
2. a. Approval of the details of the siting, design and external appearance of 1-9 Albany Street, the means of access thereto, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority. The replacement building for 1-9 Albany Street should maintain the line of the existing street facade, and should respect the position of Albany Street in the hierarchy of the Regent's Park development;  
b. Application for approval of the reserved matters shall be made to the local planning authority not later than 31 August 1987.
3. The development hereby permitted shall be begun on or before whichever is the later of the following dates:-
  - i. 31 August 1989; or
  - ii. The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
4. The gross office floorspace of 4-6 Albany Terrace and 1-9 Albany Street shall not exceed 52,200 sq. ft.
5. Before any work commences details of the facing materials and arrangements for goods delivery to and refuse collection from the proposed office block at 1-9 Albany Street shall be submitted to and approved by the local planning authority.

6. Prior to the occupation of the office premises herein permitted at 1-9 Albany Street, the residential accommodation proposed for 11-29 Albany Street shall be completed and ready for occupation. This condition shall not apply in the event of the proposed residential accommodation being transferred to a local authority, housing association or similar body.

7. Details of the landscaping of all unbuilt upon areas, including areas for parking, and of the fencing or other means of enclosure shall be submitted to and agreed by the local planning authority and the laying out and planting in accordance with the agreed scheme shall take place within one year of the agreement of the said scheme or the completion of the development whichever is the later.

8. All trees on the site shall be retained and protected against damage, unless the council's express approval has been granted for their removal. Details of the methods to be adopted to protect the trees during construction works shall be submitted to and approved by the local planning authority before any works are commenced.

9. Of the basement car-parking to be provided, no more than four spaces shall be allocated to the user of the office building. The remaining spaces shall be retained permanently for the parking of vehicles of residential occupiers of properties within the scheme.

10. Before any work commences on Nos. 11-29 Albany Street details of alterations to the external appearance of these buildings shall be submitted to and approved by the local planning authority.

11. Peto Place shall be used for ingress only to the proposed development with the exception of vehicles over 4 metres high which may use Peto Place as an egress from the proposed development.

7. In relation to appeal B (APP/X5210/E/83/800014) the Secretary of State hereby grants listed building consent for the demolition of sundry rear extensions and alterations and extensions for conversion of single dwellings into flats and maisonettes at 11-29 Albany Street in accordance with application No. HB3327 dated 26 August 1983 and Drawings Nos. PSE/AS/003, 040-042, 050-056 subject to the following conditions:-

1. The works to which this consent relates shall be begun not later than 31 August 1989.

2. No obscure glazing shall be used in any windows on the elevations to Albany Street.

8. In relation to appeal C (APP/X5210/E/83/800016) the Secretary of State hereby grants listed building consent for the demolition of Nos. 1-9 Albany Street in accordance with application No. HB3326 dated 26 August 1983 subject to the following conditions:-

1. The works to which this consent relates shall be begun not later than 31 August 1989.

2. The buildings shall not be demolished before a contract for the carrying out of works of redevelopment of the site has been made, and planning permission has been granted for the redevelopment for which the contract provides.

9. In relation to appeal G (APP/X5210/E/83/800010) the Secretary of State hereby grants listed building consent for the demolition of Nos. 4-11 Peto Place and ancillary buildings in accordance with application No. HB3331 and Drawing Nos. PSE/M/004-006 dated 26 August 1983, subject to the following condition:-

1. The work to which this consent relates shall be begun not later than 31 August 1989.

10. In relation to appeal H (APP/X5210/E/83/800011) the Secretary of State hereby (i) grants listed building consent for the partial demolition, reconstruction and alteration of Nos. 17 and 19 Park Square East in accordance with Drawing Nos. PSE/D/001-002 subject to the following conditions:-

1. The work to which this consent relates shall be begun not later than 31 August 1989.

2. Provision shall be made to allow the Historic Building Commission to photograph the interiors of all the buildings before any work is commenced on site.

3. No obscure glazing shall be used in any window on the front or side elevations; and,

(ii) refuses listed building consent in respect of No. 18 Park Square East.

11. In relation to appeal I (APP/X5210/A/83/008298) the Secretary of State hereby (i) grants planning permission for the residential use of Nos. 17 and 19 Park Square East subject to the following condition:-

1. The use hereby permitted shall be begun not later than 31 August 1989; and,

(ii) refuses planning permission in respect of No. 18 Park Square East.

12. Attention is drawn to the fact that where any condition imposed upon the grant of planning permission requires any consent, agreement or approval of the local planning authority the applicant has a statutory right of appeal to the Secretary of State if approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period. Attention is also drawn to the enclosed Note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970.

13. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than Sections 23, 55 and 56 of the Town and Country Planning Act 1971.

I am Gentlemen,  
Your obedient Servant

D A ROBINSON  
Authorised by the Secretary of State  
to sign in that behalf

