

Delegated Report		Analysis sheet		Expiry Date:		13/12/2011	
		N/A		Consultation Expiry Date:		24/11/2011	
Officer				Application Number(s)			
Nicola Tulley				2011/5143/P & 2011/5144/L			
Application Address				Drawing Numbers			
27-29 Fitzroy Street London W1T 6DS				Site location plan; Drawing no: 1230_00_101, 102,& 3; 1230_10_101, 102, 103;			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Installation of glass balustrading and timber decking and retention of staircase enclosure at roof level in connection with the creation of a terrace to the residential property (Class C3) (Retrospective).							
Recommendation(s):		1. Refuse planning permission & Listed Building consent 2. Listed Building Enforcement Action to remove stair enclosure					
		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	14	No. of responses	01	No. of objections	01
				No. electronic	00		
Summary of consultation responses:		A site notice was displayed from 26/10/2011 to 16/11/2011. Press notice of the application was advertised on 03/11/2011.					
CAAC/Local groups* comments: *Please Specify		Bloomsbury CAAC has raised objection to the application stating the inappropriate use and materials.					

Site Description

The subject site is a four storey building with basement and mansard, located on Fitzroy Street towards the junction of Maple Street. The property dates from c1790 and is a Grade II listed building and located within Bloomsbury Conservation Area.

Relevant History

EN07/0582: Unauthorised works to a listed building including a roof terrace and an air conditioning unit.

2007/2749/P & L: Refused, Replacement of three timber sash windows with timber casement windows, plus erection of 'Juliet' style balconies to existing dormers at rear roof level.

2007/1193/P & L: Refused, Alterations to existing rear dormers to create two new balconies.

2006/4352/P & 2006/4353/L: Refused appeal allowed, The revision of planning permission reference 2006/2070/P dated 08/09/2006 for a change of use from office to residential with a two storey rear extension; to include an additional floor on the rear extension at third floor level to form a larger residential unit.

2006/2070/P & 2006/2072/L. Granted, The erection of a half width first and second floor rear extension, excavation and alterations to the rear elevation at basement level including the provision of new french doors and windows in connection with the change of use of the basement, ground, first and second floors from Office Use (Class B1a) to form 4 x 2 bedroom residential units (Class C3)

Relevant policies

The London Plan: Spatial Development Strategy for Greater London: 2011

LDF Core Strategy and Development Policies 2010

Core Policies

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

Development Policies

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011

CPG1 Design

CPG6 Amenity

Fitzroy Square conservation area appraisal and management plan

Assessment

Design & appearance

The application follows enforcement action to remove an unauthorised metal mesh enclosure at roof level to provide a roof terrace. At present the subject site has an existing stair enclosure which provided access to the now removed roof terrace screening. The stair enclosure is 2m high above the mansard roof, metal clad, and is highly visible, particularly in views from Maple Street.

The roof terrace proposed would be sited to the rear half of the mansard roof, set in approximately 3.45m from the frontage and encompassing 19m² of 75m² of the roof area. The proposed roof terrace would be screened by a glass balustrade 0.95m high above the mansard, with a stainless steel trim.

Fitzroy conservation area appraisal and management plan states that the conservation area as existing retains many historic rooflines which it is important to preserve. As such, fundamental changes to the roofscape and insensitive alterations can harm the historic character of the roofscape which is unacceptable. Although it is recognised that roof terraces provide private outdoor amenity space in areas that have limited access to outside space, the potential impacts of the proposed terrace requires consideration: impact on neighbouring occupiers and whether the design complements the elevation to which it is located.

Conservation & design comments

Whilst there is no objection to the principle of a roof terrace, a roof terrace should not be visible from any public views at street level. The permitted mansard means that the subject site is already higher than neighbouring listed buildings, Numbers 31-37 Fitzroy Street, and the stairwell enclosure and proposed roof terrace would thus be significantly prominent. The stair enclosure projects well above the roofline of the mansard and the raised brick party wall, given its: profile; colour; and siting the enclosure appears as an incongruous and visually disruptive feature. The subject building is terminated by the modern mansard, which is relatively sympathetic to the host building and the stair enclosure and screening would prove an unattractive and discordant addition to the building which harms the significance of the listed building and the character and appearance of this part of Bloomsbury conservation area.

Conclusion

The proposed roof terrace, associated screening and the existing stair enclosure would harm the special architectural and historic interest and the character and appearance of the listed building and street-scene within Bloomsbury conservation area, contrary to policies: CS5; DP24; DP25 of Camden's LDF and Fitzroy conservation area appraisal and management plan.

Recommendation

Recommend refusal and removal of stair enclosure.

1. Refuse planning permission.

That the Head of Legal Services be instructed to issue a **Listed Building Enforcement Notice** under Section 38 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended, requiring enforcement action against the unauthorised works to this listed building as set out below, and to pursue any legal action necessary to secure compliance and officers be authorised in the event of non-compliance to prosecute under Section 43 and/or appropriate power and/or take direct action under Section 42 respectively, in order to secure the cessation of the breach of planning control.

The Notice shall allege the following breach of planning control:

The erection of staircase enclosure on the roof of 27-29 Fitzroy Street.

The Notice shall require within a period of 6 months of the Notice taking effect:

Remove the stair enclosure and fixtures from the roof of the building (Class C3).

REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE.

The existing stair enclosure does not have the benefit of listed building approval and would be unacceptable for the following reasons:

1. The siting and elevated height of the staircase enclosure is visually prominent and harms the special architectural and historic interest of the Listed Building contrary to Core Policies CS14 Promoting high quality places and conserving our heritage and Development Policies DP24 Securing high quality design; DP25 Conserving Camden's heritage of Camden's Local Development Framework 2010.

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