



Figure 6: Gates and railings along Great Cumberland Street

- 5.12 Clearly the proposed railings are a new addition to the building, and not a common feature within Fitzroy Square. In this respect, in policy terms, the proposal does have an impact on the setting of the listed building and the character and appearance of the conservation area.
- 5.13 However this is mitigated by the fact that the gates are entirely reversible and would cause no physical harm to the historic fabric of the building and the gates will remain fixed open for much of the time - considerably lessening their impact.
- 5.14 The client is also prepared to accept a condition requiring their removal if and when he moves out of the property in recognition of the unique circumstance he finds himself in. This would also therefore set no precedent for future applications.

## 6 Compliance with policy and guidance

- 6.1 This report has provided a detailed description and analysis of the significance of 34-35 Fitzroy Square and its heritage context, as required by Paragraph 128 of the National Planning Policy Framework. In addition, the report describes (in Sections 5) how the proposed scheme will affect that heritage significance. The effect is regarded as 'less than substantial', however mitigating reasons and elements have been identified.

The level of 'harm' caused by the proposed scheme

- 6.2 As outlined in Section 4, the NPPF identifies two levels of potential 'harm' that might be caused to a heritage asset by a development: 'substantial harm...or total loss of significance' or 'less than substantial'. Both levels of harm must be caused to a *designated* heritage asset – in this instance, 34-35 Fitzroy Square, other listed buildings or the Fitzroy Square Conservation Area.

34-35 Fitzroy Square

- 6.3 The proposals have attempted to preserve the special architectural and historic interest of the listed building and the character and appearance of the Fitzroy Square Conservation Area, and thus comply with S.66(1) and S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It does not lead to any meaningful harm to 34-35 Fitzroy Square, or any other heritage assets.

The National Planning Policy Framework

- 6.4 In respect of Paragraph 131 of the NPPF, the proposed scheme can be seen as part of the final element of the overall restoration and re-occupation of 34-35 Fitzroy Square for residential use. This overall aspiration can certainly be described as 'sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'.
- 6.5 The proposed scheme complies with Paragraph 133 of the NPPF - it certainly does not lead to 'substantial harm to or total loss of significance of a designated heritage asset'.

- 6.6 In respect of Paragraph 134 for the reasons given in detail earlier in this report – due to the fact that such railings are not a common feature in Fitzroy Square, the scheme can be regarded causing less than substantial harm although this has a relatively small effect on overall heritage significance. In turn, it is proposed that this is mitigated in a number of ways, including the ability to fix the gates open for much of the time, and acceptance of a condition requiring their removal when the current occupier sells the property.

#### Camden's Local Development Framework

- 6.7 The proposals positively address the requirements of Policy CS14, with a design of the highest standard that has been drawn up to respect the local context and character and elements of the design specifically incorporated to enable it to preserve and enhance Camden's rich and diverse heritage assets and their settings.
- 6.8 The Conservation Area Appraisal has been taken into consideration and care has been taken to attempt to preserve the character and appearance of the area as set out in Policy DP25 by ensuring that the gates can be fixed open and are fully reversible should the specific unique circumstances change.
- 6.9 Whilst it is accepted that very minor harm may be caused to the special interest of the listed building this is being mitigated and minimised through careful design. The proposed scheme does represent a small change to the building in that the gates would be visible for some of the time. This would be limited. It does not necessarily follow that change is harmful or unacceptable. For a limited time-frame, sensitively and appropriately designed and made railings can offer a solution to a problem faced by the current owner of the building while respecting the house's special interest. The current owner has fully and sensitively restored both houses at 34 and 35 Fitzroy Square, bringing about genuine public benefits to the grade I listed buildings. He is fully appreciative of the interest of the properties but now seeks to undertake a minor, reversible alteration that has been executed in

such a manner that it reflects the special interest and spirit of Fitzroy Square and its surrounding properties.

- 6.10 In terms of the Conservation Area Management Guidelines, care has been taken to make sure the correct materials and design have been use to match existing historic details.

## 7 Summary and conclusions

- 7.1 These proposals form the final part of the overall beneficial restoration and re-occupation of 34-35 Fitzroy Square. This particular element seeks to address a unique circumstance specific to the owner of this particularly property.
- 7.2 Externally, the overall outstanding significance of 34-35 Fitzroy Square remains the architectural set piece designed and built by the Adam Brothers in 1792.
- 7.3 The gates have been designed using exact historic details from the existing railings; designed to be fixed open when not in use and the house not occupied, and ultimately reversible so as to cause little harm to the special interest of the building.
- 7.4 The effect of the works on the heritage significance described earlier is regarded as less than substantial harm and mitigating measures have been incorporated into the proposal to counter this impact.
- 7.5 Notwithstanding this, the client is prepared to accept a condition that would require the gates to be removed when the property is sold in order to set no further precedent.
- 7.6 It is therefore felt that, on balance and subject to appropriate conditions, the proposals should be acceptable to the Council.

## Appendix A: List description

### Listing Description for 34-35 Fitzroy Square

FITZROY SQUARE 798-1/93/450 (South side) 10/06/54 Nos.33-40  
(Consecutive) The London Foot Hospital and attached railings

GV I

Symmetrical terrace of 8 houses forming the south side of Fitzroy Square, now in use as a hospital. c1792-8. By Robert and James Adam. Nos 36, 37 & 38 facades restored in facsimile following war damage. Portland stone with rusticated ground floor. Symmetrical facade with 3 bays in the centre and at each end projecting. EXTERIOR: 4 storeys and basements. 3 windows each. Nos 33 & 40 with 5 window returns (mostly blind) to Conway Street and Fitzroy Street respectively. Round-arched ground floor openings linked by impost bands. Doorways with pilaster-jambs carrying cornice heads; fanlights (some radial patterned) and panelled doors. Sash windows in shallow, plain recesses. Upper floors with square-headed, recessed sash windows, the 1st floor with continuous cast-iron balcony. Plain 2nd floor sill band. Main cornice with enriched frieze at 3rd floor level. Cornice above attic storey with blocking course. Centre projection with 2 recessed columns in antis through the 1st to 2nd floor. Above, a Diocletian window. Each bay to either side with pilasters rising from 1st to 3rd floor supporting the main cornice. Attic storey with 5 oculi, the outer 2 enriched with swags. End pavilions; 1st floor centre bay with 2 recessed Ionic columns in antis supporting a recessed architrave and enriched frieze. To either side, shallow, rectangular niches with roundels of Classical figures above. Main cornice at 3rd floor level with moulded, enriched panel. Central Diocletian window to attic storey. INTERIORS: mostly plain with enriched ceiling cornices, stone staircases with iron balustrades and some marble fireplaces. SUBSIDIARY FEATURES: attached cast-iron railings with urn finials to areas. Nos 33, 37 and 40 were listed on 14/05/74. (Survey of London: Vol. XXI, Tottenham Court Road and Neighbourhood, St Pancras III: London: -1949: 52-8).

Listing NGR: TQ2915482020

