

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	04/09/2015
		N/A / attached	<b>Consultation Expiry Date:</b>	27/08/2015
<b>Officer</b>		<b>Application Number(s)</b>		
Laura Hazelton		2015/1899/P 2015/2319/L		
<b>Application Address</b>		<b>Drawing Numbers</b>		
7 Conway Street London W1T 6BL		Please refer to draft decision notice.		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Installation of wrought iron gate to front boundary (retrospective).				
<b>Recommendation(s):</b>		1. Refuse Planning permission 2. Refuse Listed Building Consent 3. Warning of enforcement action to be taken		
<b>Application Type:</b>		Full Planning Permission Listed Building Consent		

<b>Conditions or Reasons for Refusal:</b>	Refer to Draft Decision Notice					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>03</b>	No. of responses	<b>00</b>	No. of objections	<b>01</b>
			No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>The application was advertised in the local press on 06/08/2015 (expiring 27/08/2015) and a site notice was displayed between 05/08/2015 and 26/08/2015.</p> <p>No objections were received from neighbouring occupiers.</p>					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	<p>The application site is within the Fitzroy Square Conservation Area. However, there is no Conservation Area Advisory Committee.</p> <p>One objection was received from the Fitzrovia Neighbourhood Association:</p> <ul style="list-style-type: none"> <li>• The installation of gates across this doorway is totally inappropriate for this fine example of a Georgian building. The doorway is an important visual aspect of the simple and uncluttered form of this house.</li> <li>• We note that the heritage statement fails to make any justification on architectural or historic grounds to retain the ironwork.</li> </ul>					

## Site Description

The application site is a three storey end terrace property with a mansard roof with dormer and basement level. The property is located on the western side of Conway Street and occupied as a single family dwelling. The site is within the Fitzroy Square Conservation Area and forms part of a group of Grade II Listed Buildings, characterised by significant consistency in their architectural treatment: the use of materials, parapets, basements and cast iron front railings.

The cast-iron railings with spearhead finials to the front of the properties are included within their listing and are a characteristic feature of all properties in the surrounding terrace.

## Relevant History

**N12/3/C/1082** - Internal alterations in connection with the conversion of the premises from office to residential use. Listed Building Consent granted 12/11/1976.

**N12/3/C/2003** - Works of conversion and restoration to form residential accommodation comprising dwelling house with self-contained flat in the basement. Listed Building Consent granted 21/11/1978.

**N12/3/C/27090** - Change of use, involving works of conversion and renovation, from offices to residential comprising house with self-contained flat in the basement. Granted 21/11/1978.

**9501681** - The conversion of the basement flat and the upper floors to form a single family dwelling. Granted 10/11/1995.

**9570302** - Internal alterations including works to join existing basement flat and the upper floors to form one residential unit. Listed Building Consent granted 10/11/1995.

**2004/0013/L** - Internal alterations at ground, second and third floor to existing house. Listed Building Consent Granted 26/02/2004.

## Relevant policies

### National Planning Policy Framework 2012

### London Plan 2015, consolidated with amendments since 2011

### LDF Core Strategy and Development Policies

#### Core Strategy

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)

#### Supplementary Planning Guidance

Fitzroy Square conservation area appraisal and management strategy 2010

CPG1 (Design) 2015 – Chapter 6.

## Assessment

### 1.0 Proposal

1.1 Planning permission and Listed Building consent are sought for the erection of a new black wrought-iron access gate to the front boundary of the property in line with the existing cast-iron railings.

1.2 This is a retrospective application, following enforcement investigation reference EN14/0950.

### 2.0 Assessment

2.1 The main planning considerations in the assessment of this application are:

- Design (the impact that the proposal has on the character of the host property as well as that of the wider Fitzroy Square Conservation Area); and
- Amenity (the impact of the proposal on the amenity of adjoining occupiers).

### 3.0 Design and impact on the Conservation Area

3.1 Policy CS14 aims to ensure the highest design standards from developments. Policy DP24 also states that the Council will require all development, including alterations and extensions to be of the highest standard of design and to respect the character, setting, form and scale of the neighbouring properties as well as the character and proportions of the existing building. Furthermore, Policy DP25 seeks to preserve and enhance the character and appearance of conservation areas and recognises that this can be eroded through the loss of traditional architectural details such as historic windows and doors, characteristic rooftops, garden settings and boundary treatments (paragraph 25.3).

3.2 Although the Fitzroy Square conservation area appraisal and management strategy doesn't provide specific guidance relating to front boundary treatments, it expects development proposals to preserve or enhance the character or appearance of the Fitzroy Square Conservation Area and states that high quality design and high quality execution will be required of all new development at all scales. CPG1 (Design) expects boundary treatments around Listed Buildings or in a Conservation Area to preserve and enhance the existing qualities and context of the site and surrounding area (paragraph 6.38).

3.3 Boundary treatments along Conway Street are characterised by significant consistency in their boundary treatment. All residential properties in the surrounding area feature black or grey cast iron railings with spearhead finials around the front light well. The railings along the whole street contribute to its character and complement the simple Georgian architecture of the buildings. The railings are considered of such architectural importance to be included within their Listing.

3.4 Although the gate matches the appearance of the surrounding railings, the development is unacceptable in principle due to the harm caused to the character and appearance of the host property, the surrounding terrace and the wider Conservation Area. No other properties have installed such a gate, and consequently it appears out of character with the surrounding area, interrupting the uniformity and visual harmony of the rest of the terrace, to the detriment of both the special interest of the Listed Building and the character and appearance of the Fitzroy Square Conservation Area.

### 4.0 Amenity

4.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore, Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight.

4.2 The new gate would not have an adverse impact on the amenity on the adjoining residents in terms of privacy, loss of daylight, sunlight or outlook.

## **5.0 Conclusion**

5.1 The proposed access gate is considered unacceptable in principle due to the harm caused to the established pattern of boundary treatments of the surrounding terrace of Listed Buildings. The gate is out of character with the host building and surrounding area and is considered to harm the architectural and historic interest and setting of this Grade II Listed Building, the visual harmony of the streetscene, and the character and appearance of this part of the Fitzroy Square Conservation Area. The proposal is therefore contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

## **6.0 Recommendation**

6.1 Refuse planning permission and Listed Building Consent and warning of enforcement action to be taken. That the Head of Legal Services issue an Enforcement Notice under section 172 of the Town & Country Planning Act 1990 as amended, and officers be authorised in the event of non-compliance to prosecute under section 179 or appropriate power and/or take direct action under section 178 in order to secure cessation of the breach of planning control.

### **The Notice shall allege the following breach of planning control:**

Without Planning Permission:

The unauthorised installation of new access gate to the front boundary.

The Notice shall require that, within a period of three months of the Notice taking effect:

1. To totally remove the gate from the front boundary of the property
2. To reinstate the original railings or reinstate railings to match the existing railings
3. To make made good any damage.

### **Reasons for Issuing the Notice:**

**It appears to the Council that the above breach of planning control has occurred within the last 4 years. The proposed access gate, by reason of its location, form and design would be out of character with the host building, to the detriment of the special and architectural and historic interest and setting of the this grade II listed building, and would be harmful to the visual harmony of the streetscene and the character and appearance of this part of the Fitzroy Square Conservation Area. The proposal is therefore contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.**