

Planning and Heritage Statement

15-17 Goodge Street, NW5

December 2015

Turley

Contents

1.	Introduction	1
2.	Site and Surroundings	2
3.	Pre-application advice	4
4.	The Proposal	5
5.	Planning Policy Context	6
6.	Analysis of Proposed Development	7
7.	Assessment of the Impact on Designated Heritage Assets	9
8.	Conclusions	15

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Client
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Our reference
FENL3001

Dec 2015

1. Introduction

1.1 This Planning and Heritage Statement has been prepared by Turley on behalf of Fenton Property Management Company Ltd in support of a planning application for the following at 15-17 Goodge Street, London, W1T 2PQ (the 'Site' or 'Application Site'):

Change of use from restaurant (Class A3) to residential (Class C3) at third and fourth floors; associated external alterations to fenestration; provision of lead mansard roof, roof terrace and relocation of metal railings ('The Proposal' or 'Proposed Development').

1.2 The following summarises the key elements of the application:

- Change of use of third and fourth floors of building from restaurant and ancillary offices to self-contained, 2 bedroom residential dwelling;
- Alterations to fenestration at fourth floor level;
- Addition of shallow mansard roof;
- Creation of a roof terrace and relocation of railings (to be further set back from the roof edge);
- Installation of a wheelchair accessible lift for access to the residential unit;
- Removal of the external fire escape staircase at the rear of the building; and
- Removal of existing plant and lift overrun on roof and relocation of plant to the rear building.

1.3 This Statement should be read in conjunction with the other documentation submitted as part of this full application, including:

- Site Location Plan, prepared by Brookes Architects;
- Existing and Proposed Floorplans, Sections and Elevations prepared by Brookes Architects (Please see Appendix 1 for drawings schedule);
- Design and Access Statement, prepared by Brookes Architects; and
- Acoustics Report, prepared by Adnitt Acoustics.

2. Site and Surroundings

Site and Surroundings

- 2.1 Located in Fitzrovia within the Charlotte Street Conservation Area at the corner of Goodge Street and Whitfield Street, the Site currently comprises a four storey building with basement occupied by the 'Spaghetti House' restaurant. There are three entrances, the main entrance on the corner of Goodge Street and Whitfield Street, with two further entrances on Goodge Street and Whitfield Street respectively.
- 2.2 The third floor is currently an underused function room. Offices, a changing area and plant room occupy the fourth floor, whilst the lift overrun located on the roof is accessed through a hatch. A fire escape can be found to the rear.
- 2.3 The site is located within a vibrant area of the London Borough of Camden, with a mixture of uses. The neighbouring uses are similar, with restaurants on the ground floor and residential or office space above.
- 2.4 Many of the buildings along Whitfield Street have roof terraces. The frontage to Goodge Street is mostly made up of retail shops on the ground floor with offices or residential dwellings on upper floors. Whitfield Street is made up of restaurants or office spaces at ground floor level with flats or offices on upper levels. The immediate surroundings boast an average height of 4/5 storeys with buildings of varied character.

Relevant Planning History

On site

- 2.5 Planning permission (ref. 2011/6145/P) was granted permission on 15th October 2012 for the *"Replacement of windows with enlarged windows at ground floor level to Whitfield Street and Goodge Street elevations, replacement of entrance door, installation of 3x condenser units to main roof, 1x condenser unit at ground floor on rear elevation and new extract duct from basement to ground floor level of existing restaurant (Class A3) (Retrospective)."*

On surrounding sites

- 2.6 An application (2007/2452/P) was refused for redevelopment of 11-13 Goodge Street to create a building comprising 5 storey plus basement to provide 6 self-contained flats on upper floors and a retail shop at basement and ground floor level. The reasons for refusal included the range of proposed unit sizes being inappropriate, and the new building failing to preserve the conservation area.
- 2.7 Further to this refusal, two applications for the same site were submitted (2013/6455/P and 2013/6456/P) for the *"Erection of 1st to 4th floor levels above retained ground floor to form 5 storey building following demolition of upper floors, including new mansard across 11-13 Goodge Street to provide 3 x 2bed flats and 1 x 3bed flat and erection of 3 storey rear extension at first to third floor. (APPLICATION B: 2 COLOUR BRICKS)"* and the *"Erection of 1st to 4th floor levels above retained ground floor to form a 5 storey building following demolition of upper floors, including new mansard across 11-13 Goodge Street to provide 3 x 2bed flats and 1 x 3bed flat and erection of 3 storey rear extension at first to third floor. (APPLICATION A: SINGLE COLOUR BRICK)".* These

were granted at appeal in February 2015 and we understand this permission is currently being implemented on site.

3. Pre-application advice

- 3.1 At the heart of the NPPF is a presumption in favour of sustainable development which is to be seen as a 'golden thread' running through decision taking and plan making. Pre-application engagement is an obligation to commit to a better and more integrated way of working on emerging proposals.
- 3.2 The applicant and the project team have embraced this and undertaken a comprehensive programme of pre-application discussions with officers at London Borough of Camden in March 2015.
- 3.3 The initial proposal included a roof extension in the form of a conservatory. This addition has been omitted from the present proposal following the advice of the planning officer, subject to further consideration.
- 3.4 The principle of the conversion from ancillary restaurant space to residential use was considered acceptable, with no objection to the changes to the fenestration in the mansard roof and to the creation of a roof terrace. This is however subject to the use of appropriate and high quality materials and the requirement for the roof terrace to be set back from the parapet of the roof.
- 3.5 The case officer also made note of potential noise/vibration impacts on the residential units resulting from the relocated plant associated with the restaurant. The plant is now being relocated from the roof to the rear of the building. The impacts have been addressed in this submission within the accompanying acoustics report.

4. The Proposal

- 4.1 The proposal seeks to provide a new self-contained two bedroom unit on the third and fourth floor of 15-17 Goodge Street with a roof terrace. This will be provided through the change of use from the existing underused function room, office and changing room (ancillary to the current Class A3 restaurant use) to a single dwelling.
- 4.2 No car parking spaces will be provided with this development.
- 4.3 The proposal will also involve alterations to fenestration in the mansard roof. This will seek to match the existing third floor windows as closely as possible in terms of glazing patterns and proportions, opening method, materials and finishes, detailing and overall size of the window opening. This will increase the quality of the housing unit in terms of daylight and improve the aesthetics of the building located within the Charlotte Street Conservation Area. Internally, the flat will be arranged over three floors and a wheelchair accessible lift has been added to the proposal to serve the apartment from the ground floor. The unit will comprise a total floorspace of approximately 150.9 sq.m and will be designed to comply with Lifetime Home standards.
- 4.4 The proposal will involve the removal of the existing plant and lift overrun at roof level, as well as the external fire escape staircase to the rear.
- 4.5 A new staircase and sliding roof light will provide access to the terrace.
- 4.6 A new shallow mansard roof is added to the top of the existing roof to match that recently approved to the neighbouring buildings under a non-material amendment application.
- 4.7 The handrails around the roof terrace will be amended and set back further behind the line of the roof slope. The handrails will then be painted black to ensure its appearance is in keeping with the character and appearance of the host building.
- 4.8 The existing plant at roof level will be relocated to the rear of the building, where the impacts on noise and vibration are justified in the accompanying Acoustics Report.

5. Planning Policy Context

- 5.1 This chapter outlines aspects of planning policy relevant to these proposals. This includes relevant national, regional and local planning policy.
- 5.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.3 The Development Plan for the Site comprises:
- The London Plan (March 2015, consolidated with alterations since 2011);
 - Camden Council Core Strategy (2010);
 - Camden Development Policies 2010-2025 (2010);
 - Camden Planning Guidance (2011/2013)
 - Fitzrovia Area Action Plan (2014); and
 - Charlotte Street Conservation Area Statement (2008).
- 5.4 The National Planning Practice Guidance also provides specific guidance on various matters relevant to this application and is therefore considered relevant.
- Statutory Duty***
- 5.5 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that with regard to applications for planning permission within conservation areas:
- “In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*
- 5.6 The full planning policy context to this application is provided within **Appendix 1**.

6. Analysis of Proposed Development

- 6.1 This section considers the proposals in the context of the planning policy framework set out within Section 4. Accordingly it is considered that the Proposed Development is acceptable on the basis of our assessment below.
- 6.2 The overarching considerations are the principle of development and impact on local character and on the amenity of neighbouring properties.

Principle of Development

Creation of new residential unit

- 6.3 Policy DP1 (Mixed use development) contributes towards the implementation of policies CS1 and CS2. It states that the Council will seek a mix of uses in developments, where appropriate, including a contribution towards the supply of housing.
- 6.4 Furthermore, Policy DP2 contributes towards the implementation of policy CS6 and states that the Council will expect the maximum appropriate contribution to the supply of housing on underused site and resist alternative development of sites considered particularly suitable for housing.
- 6.5 The Fitzrovia Area Action Plan notes that within the Neighbourhood Centre, housing is the Council's preferred use above ground floor level and will be the expected future use of any vacant or underused areas. As such, the proposal is in line with the Council's aspirations for the area.

Loss of retail floorspace

- 6.6 As part of its ambition to promote Camden as a strong economy, the Council, through its Policy CS8 will supports Camden's industries by safeguarding existing employment sites and premises that meet the needs of modern industry and employers.
- 6.7 However, where a change of use has been justified, Policy DP13 will seek to retain some business use on site.
- 6.8 Policy DP12 seeks to promote its Town Centres and as such looks for uses which can create key locations for growth and cater for the existing community. As such, the proposed mix of the restaurant use at ground, first and second floor levels and the residential floorspace at third and fourth floors is considered acceptable.

Impact on local character and amenity of neighbouring properties

Creation of a roof terrace

- 6.9 The pre-application advice backed by Council policies has confirmed the acceptability of the roof terrace provided it is set back with traditional materials to match the existing character of the local area.
- 6.10 Camden Planning Guidance 1 (Design) provides a detailed assessment of the Council's requirements. The Council will accept roof terrace developments where the immediate surrounding as a similar established pattern of roof terraces.

- 6.11 The Council will accept roof alterations that are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form. As such the roof terrace will be appropriate as it is bordered by a black painted hand rail set back behind the line of the roof slope.
- 6.12 As per the pre-application advice, the proposed terrace is set back in order to avoid overlooking from the street that would result in adverse impact on the street scene.

Relocation of Plant

- 6.13 The relocation of plant to the rear facilitates the reduction in height at roof level and the accompanying reduction in impact on the street scene as requested by Policy DP25 and Camden Planning Guidance 1(Design) which seek to preserve the heritage and character of the conservation area.
- 6.14 The noise and vibration impacts of this relocation is justified against the relevant amenity policies by the accompanying Acoustics Report, which confirms that appropriate measures have been put in place to ensure noise and vibration levels are kept to an acceptable standard.

Other Considerations

CIL

- 6.15 The application is accompanied by the required CIL Additional Information Form, which details that as the entirety of the existing floorspace to be provided as residential floorspace has been in restaurant use for at least 6 months within the past 3 years the proposed development will not be chargeable.

7. Assessment of the Impact on Designated Heritage Assets

Introduction

- 7.1 This section of the Planning and Heritage Statement has been prepared to provide relevant and proportionate information to the local planning authority with regard to heritage impacts associated with proposed development on site, given the scale and extent of these proposals and their effect on the significance of any identified heritage assets; in this instance the Charlotte Street Conservation Area.
- 7.2 This is informed by the Planning (Listed Buildings and Conservation Areas) Act 1990 that places a duty upon the local planning authority in determining applications for development affecting conservation areas to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The National Planning Policy Framework (NPPF) 2012 also sets out that: *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”*
- 7.3 In compliance with these requirements, this section provides a focussed and proportionate description of the heritage significance of the designated heritage asset Charlotte Street Conservation Area, relevant to the site and proposals.
- 7.4 An assessment is also provided of the application proposals in terms of their impacts on the heritage significance of the conservation area, in light of the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy in the NPPF 2012 and supported by NPPG 2014, and local planning policy and guidance for the historic environment, as appropriate for the consideration by the local planning authority.

Heritage Assets

- 7.5 The National Planning Policy Framework (NPPF) 2012 defines a heritage asset as: *“a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.”* Designated heritage assets are those which possess a level of heritage interest that justifies designation and are then subject to particular procedures in planning decisions that involve them. These include conservation areas
- 7.6 The application proposals will affect the significance of the Charlotte Street Conservation Area, within the boundaries of which the site is located. The conservation area was first designated on 26 March 1974 with subsequent extensions in 1981, 1985 and 1999. The Charlotte Street Conservation Area Appraisal and Management Plan were adopted by the London Borough of Camden in July 2008.

- 7.7 It is assessed that the proposals would not affect the significance of any other designated or non-designated heritage asset within the local area, either directly or indirectly through change to setting.

Heritage Significance

- 7.8 The NPPF 2012 defines the significance of a heritage asset as: *“the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting”*.
- 7.9 Conservation areas are designated if they are of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. Historic England (formerly English Heritage) has published guidance in respect of conservation areas and this provides a framework for the appraisal and assessment of the special interest and significance of a conservation area.

Charlotte Street Conservation Area

- 7.10 The Charlotte Street Conservation Area Appraisal and Management Plan provides an overview of the special interest (significance) of the conservation area at section 3.0; considering the aspects of context and evolution, spatial character and views, building typology and form, prevalent and traditional building materials, characteristic details, and landscape and public realm.

Historic Development

- 7.11 Section 5.0 of the Charlotte Street Conservation Area Appraisal describes the historical development of this area of “Fitzrovia” in detail from its urban origins in the 18th century and later evolution of phased rebuilding up to the present day. This was originally a primarily residential quarter that was developed speculatively during the mid to late 18th century; characterised by a largely cohesive townscape of brick built terraced houses on a tight grid of streets north of Oxford Street and west of earlier established Bloomsbury across Tottenham Court Road.
- 7.12 It was from the end of the 18th century and during the 19th century that the use of the area evolved to become more mixed and its status reduce, with residential use declining in favour of a greater component of commercial uses alongside. Accordingly, this shift in the pattern of uses is also reflected in the more varied scale and architectural character of buildings that is found today; resulting from the replacement or redevelopment of earlier terraced properties and amalgamation of original plots.

Character and Appearance

- 7.13 Section 6.0 of the Charlotte Street Conservation Area Appraisal describes the character and appearance of the conservation area in looking at the pattern of uses and prevailing townscape and building characters. It describes the importance of the early established tight grid pattern of primary streets and a finer network of secondary streets and spaces in defining its strongly urban character. Also the high survival of remnant streets and blocks of the late Georgian brick built terraced townhouses, with their finer grain, domestic scale and classically influenced proportions and detailing relative to the

generally larger scale later 19th and 20th century infill or replacement developments; often introducing new materials and architectural features.

- 7.14 The existing mix and diversity of uses across these streets is a key feature, which contributes to the characteristic vibrancy and vitality of the conservation area. Earlier established residential uses remain part of the character, alongside concentrations of commercial spaces: offices, shops, public houses, restaurants etc. It is also an urban area with a richly diverse architectural appearance and multi-layered history. This history remains clearly legible in the distinctive street and block plan and the varied types, styles, scales, forms and materials of the buildings and groups of buildings representing each key phase of its evolution.
- 7.15 The early terraces still have a strong influence on the character and appearance of the area, with stock brickwork and classically derived elevational design and features remaining a strong feature. These terraces are generally four storeys in height, not including roof forms or storeys. Other materials now form part this townscape including red brick, terracotta, stone and concrete, for both cladding and detailing to later buildings. Later 19th and 20th century buildings generally adopt a larger relative scale; both through amalgamation of earlier plots and or storey heights of six or more to some of the primary streets or more modern complexes. Goodge Street is representative of this multi-phased and now more varied townscape. The Appraisal describes that:
- “Along Goodge Street there is greater consistency in the scale of building frontages which are predominantly four storey, mainly terraced townhouses which have a strong parapet line and ground floor shopfronts; few of the frontage railings remain. There are a couple of 20th century blocks of slightly larger scale whose height and the horizontal emphasis of the fenestration disrupt this pattern. The prevailing materials are yellow brick with occasional red brick and stucco. Clutter resulting from advertising (A-boards and estate agents signs) is an issue in some parts of the street and there is a gap in the built fabric at nos. 5-7 which detracts.”*
- 7.16 There is variation in the form and materials of roofs across the conservation area, including later roof additions and alterations, although many traditional butterfly (V-shaped), m-shaped and mansard roofs remain to earlier buildings and groups. Along Goodge Street there is also a mix of traditional and more modern roof forms and elements, with variation to the roof lines and forms of terraces on both sides of the street; in particular relatively taller building heights and a greater concentration mansard and other modern roof storeys or additions to the east end beyond the junction with Whitfield Street.
- 7.17 The application building rising on its corner site up to five storeys in height (including mansard storey but not additional roof elements) forms part of this shift along Goodge Street. An additional mansard storey across the neighbouring pair of 11 and 13 at a comparable fourth floor level has recently been approved, and provides further context.

Contribution of Site

- 7.18 The Charlotte Street Conservation Area Appraisal (map) does not identify the site or building as a positive contributor to the character or appearance of the conservation area. The existing building dates from the post-war period and a phase of reconstruction

of part of this and the nearby urban block following severe bomb damage to earlier terraced properties during WWII. The building replaced two 19th century terraced buildings on this corner site (15 and 17). It is not a building of architectural or historic interest and at best makes a neutral contribution to the significance of the conservation area; as part of the background architecture of this now more mixed age and character of built townscape.

Assessment of Heritage Impacts

- 7.19 The application proposals will have a direct impact on the significance of the designated heritage asset of the Charlotte Street Conservation Area through external alterations to the existing building. The approach and effects of these proposals, in design and heritage terms, are described here. This includes a review of proposed change as a whole on the significance of the conservation area in light of the relevant statutory duty of the Planning Act 1990, national policy within the NPPF 2012 and supporting NPPG 2014, and the relevant regional and local planning policy and guidance for the historic environment.

Application Proposals

- 7.20 The application proposals include alteration to the existing fenestration pattern to the mansard storey at fourth floor level to both Goodge Street and Whitfield Street elevations. At roof level above the existing unsightly plant element will be removed and replaced by a new glazed access rooflight within the depth of the plan, and new metal balustrading defining the amenity terrace area that will be set back from each elevation behind a shallow lead clad roof pitch. Other alterations to the rear elevation, servicing ducts and external staircase of the building, which are completely confined within the depth of the plan and block, will not affect the character or appearance of the conservation area surrounding. Importantly, these proposals represent a now revised scheme design that has been closely informed by pre-application discussions with the local planning authority.
- 7.21 At fourth floor level the existing strip of modern metal windows to both street elevations will be extended modestly in matching materials / design to align directly with the existing bays of windows on the floor below. This will not disrupt the existing elevational composition or hierarchy of the building, but will rationalise and improve its appearance through introducing a greater sense of balance. A matching circular window will be introduced to the Whitfield Street elevation deliberately above the secondary entrance and line of stair windows.
- 7.22 The existing roof plant element is an unsightly feature that is visible above the main roofline of the building in longer public views from surrounding streets. This element will be removed as part of these proposals, which is an enhancement to the character and appearance of the host building and area. An amenity terrace area will be formalised within the depth of the plan at roof level, which will be accessed by a low lying access rooflight that will slide to open to the reconfigured staircase internally. This access rooflight will not be visible in public views from the surrounding streets below.
- 7.23 The terrace area will be defined by a new minimal height open metal balustrade positioned well back from each of the street elevations and roof edge. The existing

modern safety railing will be removed. This modest change will have a very limited impact on the character and appearance of any wider views within the area. Additional screening will be provided by a shallow lead clad roof pitch along the edges of the existing mansard. This will visually integrate and also appear as part of a traditional double-pitched mansard form to the host building in views.

- 7.24 Overall, the proposed external alterations will improve the character and appearance of the existing building as appreciated in both public and private views. The elevational design will be better balanced and the roofscape rationalised in a sympathetic manner to its townscape context. The significance of the conservation area will be enhanced. This is a heritage benefit, as defined by the NPPF and NPPG.

Review in light of Heritage Legislation and Policy

Statutory Duty

Planning (Listed Building and Conservation Areas) Act

- 7.25 It is demonstrated that the proposals will accord, even exceed, the statutory duty of the 1990 Act and will both preserve and enhance the character and appearance of the conservation area. No harm will be caused.

National Policy

NPPF

- 7.26 In accordance with the requirements of paragraph 128 of the NPPF 2012 the significance of the conservation area, and also the effects of the application proposals on this, have been described.
- 7.27 It is demonstrated that the proposals accord with the principles of paragraph 131, which encourages local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets; the positive contribution that the conservation of heritage assets can make to sustainable communities, including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.
- 7.28 In accordance with paragraph 132 great weight has been given to the conservation of the conservation area through proposed change that will sustain and also enhance its significance. No harm will be caused.
- 7.29 The proposals also accord with paragraph 137, which states that local planning authorities should look for opportunities for new development within a conservation area to enhance or better reveal its significance, i.e. to deliver heritage benefits. Importantly, these proposals represent such an opportunity to improve the character and appearance of the existing building and its contribution to the significance of the conservation area.

Local Policy and Guidance

London Plan

- 7.30 The proposals are in accordance with the principles of Policy 7.8, through conservation of the conservation area through appropriate new design.

Camden Core Strategy DPD

- 7.31 The proposals are in accordance with the aims of Core Strategy Policy CS14, which seeks to preserve or enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.

Camden Development Policies DPD

- 7.32 The proposals are also in accordance with Policy DP25 (and its relevant criteria) of the Development Policies DPD, which seeks to conserving Camden's heritage through preservation or enhancement of conservation areas.

Camden Planning Guidance SPD

- 7.33 The proposals will be in accordance with the principles / key messages set out in Planning Guidance with regard to heritage and the design of alterations to existing buildings.

8. Conclusions

- 8.1 At the pre-application stage, the Council has stated that the loss of retail floor space, creation of residential unit should be acceptable given the local policy context.
- 8.2 Given the above considerations in the planning and heritage assessments of this statement, it is considered that the proposed change of use from restaurant (Use Class A3) at third and fourth floors to a dwelling (Use Class C3), external alteration to fenestration and the formation of a roof terrace at roof level, will be acceptable and contribute appropriately towards the Tottenham Court Road growth area and Charlotte Street Conservation Area.
- 8.3 Finally, the development is sustainably located within close proximity to public transport links therefore contributing towards achieving a successful central London and as such contributes towards the objectives set out in the London Plan and NPPF.

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Appendix 1: Planning Policy Context

National Planning Policy Framework (NPPF)

- 8.4 The Framework was issued on 27th March 2012 and replaces PPS5: Planning for the Historic Environment. The Framework provides a full statement of Government's planning policies with regard to achieving sustainable development with the protection of the historic environment as an integral element of environmental quality, which should be cherished and allowed to thrive and grow.

Presumption in Favour of Sustainable Development

- 8.5 The National Planning Policy Framework (NPPF) advises that the *"presumption in favour of sustainable development"* should be a *"golden thread running through both plan-making and decision taking"* and should be applied by local planning authorities in assessing and determining development proposals.
- 8.6 The *"three dimensions of sustainable development: economic, social and environmental"* are to be balanced and not treated in isolation (paragraph 7). The adverse impacts of development should only carry weight where the adverse impacts of allowing the development would significantly and demonstrably outweigh the benefits of the proposal. A scheme might therefore be sustainable even if there is a conflict with one aspect of policy.
- 8.7 As a result, *"unless material considerations indicate otherwise"*, Local Planning Authorities should *"approve development proposals that accord with the development plan without delay"* (paragraph 14).

Ensuring the Vitality of Town Centres

- 8.8 The Government's key objective is to support the vitality and viability of town centres as the heart of their communities and promoting competitive town centres. As such, paragraph 23 states that local planning authorities should recognise that *"residential development can play an important role in ensuring the vitality of centres"*.

Delivering a wide choice of high quality homes

- 8.9 The NPPF advises that applications for housing should be considered in the context of the presumption in favour of sustainable development. Paragraph 51 states that LPAs should normally approve planning applications for change of use to residential from commercial land uses where there is an identified need provided there is not a strong economic reason why this would be inappropriate.

Promoting Sustainable Transport

- 8.10 Paragraph 32 states that decisions should take account of whether *"the opportunity for sustainable transport modes have been taken up [...] to reduce the need of major transport infrastructure"*.

Requiring Good Design

- 8.11 Paragraph 56 of the NPPF states that:

"The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

8.12 However specifically, paragraph 61 notes that:

“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[...].”

Conserving and Enhancing the Historic Environment

8.13 Paragraph 128 outlines the information required to support planning applications affecting heritage assets, stating that applicants should provide a description of the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset’s importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

8.14 Paragraph 129 sets out the principles guiding the determination of applications affecting designated and non-designated heritage assets, and states that:

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.”

8.15 Paragraph 131 elaborates that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, putting them into viable uses consistent with their conservation, as well as the desirability of new development making a positive contribution to local character and distinctiveness.

8.16 Paragraph 132 regards the determination of applications affecting designated heritage assets. It outlines that great weight should be given to the asset’s conservation when considering the impact of a proposed development on the asset’s significance. The more important the heritage asset, the greater the weight should be.

8.17 Paragraph 132 goes on to specify that any harm or loss should require clear and convincing justification. It states that;

“Substantial harm to or total loss of significance of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”*

8.18 Paragraph 133 outlines that Local Planning Authorities should refuse consent where a proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, unless it can be demonstrated that this is necessary to deliver substantial public benefits that outweigh such harm or loss or all of the following apply:

“The nature of the heritage asset prevents all reasonable uses of the site; and

- *No viable use of the heritage asset can be found in the medium term through appropriate marketing that will enable its conservation; and*
- *Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and*
- *The harm or loss is outweighed by bringing the site back into use."*

8.19 Paragraph 134 concerns proposed development which will lead to less than substantial harm to the significance of a heritage asset. It outlines this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Policy outlined in paragraphs 132–134 of the Framework should be interpreted in light of the statutory duties relating to statutorily listed buildings and conservation areas as set out in the Planning (Listed Buildings & Conservation Areas) Act 1990.

8.20 With regard to applications affecting conservation areas and the setting of heritage assets, paragraph 137 states:

"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."

8.21 Paragraph 138 outlines that not all elements of a conservation area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the area should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole.

National Planning Policy Practice Guidance (NPPG) 2014

8.22 National Planning Practice Guidance 2014 has been issued by the Government as a web resource and living document, including a category on conserving and enhancing the historic environment. This is intended to provide more detailed guidance and information with regard to the implementation of national policy set out in the NPPF 2012.

English Heritage (now Historic England) Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment 2015

8.23 GPA Note 2 provides information to assist in implementing historic environment policy in the National Planning Policy Framework (NPPF) and the related guidance given in the National Planning Practice Guidance (NPPG). These include; assessing the significance of heritage assets, using appropriate expertise, historic environment records, recording and furthering understanding, neglect and unauthorised works, and marketing.

8.24 With regard to design and local distinctiveness, advice sets out that both the NPPF (section 7) and NPPG (section ID26) contain detail on why good design is important and

how it can be achieved. In terms of the historic environment, some or all of the following factors may influence what will make the scale, height, massing, alignment, materials and proposed use of new development successful in its context:

- *The history of the place*
- *The relationship of the proposal to its specific site*
- *The significance of nearby assets and the contribution of their setting, recognising that this is a dynamic concept*
- *The general character and distinctiveness of the area in its widest sense, including the general character of local buildings, spaces, public realm and the landscape, the grain of the surroundings, which includes, for example the street pattern and plot size*
- *The size and density of the proposal related to that of the existing and neighbouring uses*
- *Landmarks and other built or landscape features which are key to a sense of place*
- *The diversity or uniformity in style, construction, materials, colour, detailing, decoration and period of existing buildings and spaces*
- *The topography*
- *Views into, through and from the site and its surroundings*
- *Landscape design*
- *The current and historic uses in the area and the urban grain*
- *The quality of the materials*

English Heritage (now Historic England): Understanding Place: Conservation Area Designation, Appraisal and Management 2011

- 8.25 This document sets out a series of conservation principles and guidance regarding the management of Conservation Areas. It outlines the fundamentals of designation, and, importantly, puts in place processes for character appraisals which may be used to manage development in the area moving forward. It sets an over-arching objective for character appraisals as documents which understand and articulate why the area is special and what elements within the area contribute to this special quality and which don't. Having done this, it outlines an approach to assessments of special interest which uses desk and field-based inquiry

The London Plan

- 8.26 The London Plan provides a spatial development strategy which sets out the growth for London to 2031. The London Plan draws together social, environmental and economic policy to create a London-wide approach to strategic issues.

- 2.13 Opportunity Areas and Intensification Areas
- 2.15 Town Centres
- 3.3 Increasing Housing supply
- 3.4 Optimising Housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing Choice (as amended)
- 3.9 Mixed and balanced communities
- 7.1-7.7 inclusive, relating to design
- 8.2 Planning obligations
- 8.3 Community Infrastructure Levy

8.27 Additionally, the London Plans sets out policies regarding the historic environment in London, including Policy 7.8 (Heritage assets and archaeology) which states that:

“Strategic

A) London’s heritage assets and historic environment, including listed buildings, registered historic parks and gardens and other natural and historic landscapes, conservation areas, World Heritage Sites, registered battlefields, scheduled monuments, archaeological remains and memorials should be identified, so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.

B) Development should incorporate measures that identify, record, interpret, protect and, where appropriate, present the site’s archaeology.

Planning decisions

C) Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.

D) Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

E) New development should make provision for the protection of archaeological resources, landscapes and significant memorials. The physical assets should, where possible, be made available to the public on-site. Where the archaeological asset or memorial cannot be preserved or managed on-site, provision must be made for the investigation, understanding, recording, dissemination and archiving of that asset ...”

Local Planning Policy and Guidance

8.28 The following designations apply to the application site:

- Charlotte Street Conservation Area;
- Central London Area;
- Fitzrovia Central London Area;
- Clear Zone Area;
- Strategic View Cone;
- Strategic View Wider Setting;

- Fitzrovia Area Action area; and
- Fitzrovia Neighbourhood Centre.

Core Strategy

- 8.29 The Camden Council Core Strategy was adopted on 8 November 2010. Core Strategy policy CS14 regards the conservation of Camden's heritage. It outlines the objective of preserving and enhancing Camden's rich and diverse heritage assets and their settings.

Housing

- 8.30 Policy CS6 sets the Borough's over-arching objectives in terms of providing quality homes and states that the Council will make full use of Camden's capacity for housing.
- 8.31 Policy CS9 further adds that the Council will seek to secure further housing. The Council wishes to focus growth in the most suitable and highly accessible parts of the city.

Town Centres

- 8.32 Policy CS7 seeks to guarantee that the vibrancy and vitality of Camden's centres is protected and enhanced by maintaining a range of shops and entertainment uses. The Council will nonetheless ensure that these do not cause harm to residents and the local area.
- 8.33 The Council wishes to retain A1/A3 uses at ground floor level and encourages residential uses on upper floors. As such, the proposal is in line with the Council's aspiration and contributes towards the Council's housing supply, a priority outlined in Policy CS6.
- 8.34 Policy CS14 sets out the Council's strategy on promoting high quality places and conserving the Borough's heritage. Camden seeks to enforce a high quality of design on new developments that respects local context and character.
- 8.35 Policy CS3 seeks to focus growth in the most highly accessible areas of Central London, displaying a presumption in favour of sustainable development.

Sustainability

- 8.36 Policy CS13 requires all development to take measures to mitigate the impact of climate change. As such, the Council will support the efficient use of land and buildings.
- 8.37 Furthermore, the Council will promote sustainable modes of transportation (Policy CS11) and encourage developments around public transport links.

Development Policies

- 8.38 The Camden Council Development Policies DPD was adopted on 8 November 2010.

Housing

- 8.39 The Council will seek homes of different sizes in order to contribute towards the creation of mixed and inclusive communities (Policy DP5).
- 8.40 Policy DP6 states that 10% of homes developed should meet wheelchair housing standards. The development proposal exceeds that standard by providing one out of one wheelchair adapted dwelling.

- 8.41 Policy DP24 requires new development to be of the highest standard of design and to consider the local character and scale of building.
- 8.42 Policy DP26 considers the impact of development with regards to occupiers and neighbours and will ensure that development is not detrimental to amenity. The following factors will be considered:
- a) *visual privacy and overlooking;*
 - b) *overshadowing and outlook;*
 - c) *sunlight, daylight and artificial light levels;*
 - d) *noise and vibration levels;*
 - e) *odour, fumes and dust;*
 - f) *microclimate;*
 - g) *the inclusion of appropriate attenuation measures.*

Town Centres

- 8.43 The Council will resist a change of use to non-business use unless it can be demonstrated, to the Council's satisfaction, that the site or building is no longer suitable for its existing business use; and there is enough evidence to show that the retention, re-use or redevelopment of the site has been fully explored over an appropriate period of time. Where a change of use has been justified, the Council will seek to retain some business use on site.
- 8.44 Policy DP12 states that the Council will consider the effect of non-retail development on the character of the centre in which it is located.
- 8.45 The Council will ensure that 'the development of town centre uses does not cause harm to the character, function, vitality and viability of the centre, local area and amenity of neighbours'. In this respect, the Council will consider:
- The effect of non-retail development on the character of the centre in which it is located;
 - The impact of development on nearby residential uses and amenity, and any prejudice to future residential development; and
 - Noise and vibration generated either inside or outside the site.

Sustainability

- 8.46 Policy DP22 requires development to incorporate sustainable design and construction measures to be incorporated within development proposals.

Heritage

- 8.47 Policy DP25 from Camden's Development Policies DPD regards conserving Camden's heritage and states that to preserve or enhance the borough's conservation areas and listed buildings, Camden Council will:

"A) Take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;

B) Only permit development within conservation areas that preserve and enhances the character and appearance of the conservation area;

C) Prevent the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention;

D) Not permit development outside of a conservation area that causes harm to the character and appearance of that conservation area; and

E) Preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden's architectural heritage.'

F) Prevent the total or substantial demolition of a listed building unless exceptional circumstances are shown that outweigh the case for retention;

G) 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 listed building;

H) Not permit development that it considers would cause harm to the setting of a listed building."

Supplementary Planning Documents

Camden Planning Guidance

8.48 The London Borough of Camden's planning guidance provides further information on the application and implementation of policies contained within the Development Plan.

8.49 Camden Planning Guidance 1 (Design) states that roof alterations are likely to be acceptable where:

- *"There is an established form of roof addition or alteration to a terrace or group of similar buildings and where continuing the pattern of development would help to re-unite a group of buildings and townscape;*
- *Alterations are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form;*
- *There are a variety of additions or alterations to roofs which create an established pattern and where further development of a similar form would not cause additional harm."*

8.50 The Guidance argues that roof terraces can provide valuable amenity space for flats that would otherwise have no or little exterior private space. These can however cause nuisance and consideration should therefore be accompanied by screening or planting to prevent overlooking.

- 8.51 The Guidance further states that in Conservation Areas, original single glazed windows should be maintained but there may be some instances where double glazing can be installed in a design that matches the original.
- 8.52 Camden Planning Guidance 5 states that the Council will seek to maintain the mixed use character of the Central London Area.
- 8.53 Camden Planning Guidance 2 sets out the housing standards as addressed in the accompanying Design and Access Statement.

Fitzrovia Area Action Plan

- 8.54 The Fitzrovia Action Plan advises that new development should respond positively to the predominant form of immediate context in terms of scale and grain. The site is located within the Fitzrovia Neighbourhood Centre where the existing mixed use character forms an important part of its identity.
- 8.55 The site is within Fitzrovia Area Action Plan (FAAP), which identifies the neighbouring site, 11-13 Goodge Street and 61-63 Tottenham Court Road as opportunity sites to provide retail uses along the frontages, with residential uses on upper floors. Additionally, it notes that within the Neighbourhood Centre, housing is the Council's preferred use above ground floor level and will be the expected future use of any vacant or underused areas.

The Charlotte Street Conservation Area Statement

- 8.56 The Charlotte Street Conservation Area Statement (2008) details the character of the Conservation Area and important features to preserve and respect.

Turley