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Planning

On behalf of Tamares Real Estate Ltd.

19 Fitzroy Square, WC1

Planning Statement

RJP: P5993

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Contents

1.0	Introduction	1
1.1	Summary	1
1.2	Planning Statement	2
1.3	Supporting Application Documents	2
2.0	The Application Site, Surrounding Area & Planning History	3
2.1	Site Description & Location	3
	3	
2.2	Surrounding Area	4
2.3	Relevant Planning History	4
3.0	The Proposal	6
4.0	Relevant Planning Policies	7
4.1	Government Guidance	7
4.2	The London Plan	8
4.3	London Borough of Camden's Development Plan	8
5.0	Planning Considerations	12
5.1	Principle of use	12
5.2	Heritage and Design	13
5.3	Sustainability	14
5.4	Access and Transport	14
5.5	Neighbouring Amenity	15
6.0	Conclusion	16

Appendices

Appendix 1 – Decision notice for application Ref: 2013/8207/P

1.0 Introduction

1.1 Summary

- 1.1.1 This planning statement has been prepared by Rolfe Judd Planning on behalf of Tamares Ltd ('the Applicant') in support of an application to the London Borough of Camden ('the Council') for the use of 19 Fitzroy Square as a single family dwellinghouse.
- 1.1.2 The application site as existing comprises a Grade II* Listed end of terrace property, which was formerly in use as an office. The building is located within the Fitzroy Square Conservation Area, which is largely comprised of predominately listed Georgian terraces which are predominantly residential in nature with a number of small businesses.
- 1.1.3 An application, ref: 2013/8207/P for the change of use to Class B1 (Office) to Class C3 (Residential) with internal and minor external alterations was approved in October 2014. Since this previous application the property has been purchased by a family who wish to occupy the building as a single family dwelling. This application seeks to make amendments to the consented application Ref: 2013/8207/P, to provide a high quality residential property.
- 1.1.4 For the purposes of the planning application, the proposed development is described as follows:

Amendments to planning permission 2013/8207/P granted for the change of use from Class B1 offices to Class C3 single family dwellinghouse incorporating internal alterations, including construction of a basement, and minor external alterations.

- 1.1.5 Careful consideration of the Local Development Plan and a thorough site analysis has resulted in a proposal that preserves and enhances the character of the conservation area within which the property is located, without harming the appearance or setting of the listed building or adjacent buildings; nor does it impact detrimentally upon neighbouring amenity.

1.2 Planning Statement

1.2.1 The purpose of this statement is to examine the planning considerations raised by the current proposals. In particular, this statement identifies and describes the key opportunities presented by the proposed change of use and alterations to 19 Fitzroy Square.

1.2.2 The statement also provides a comprehensive analysis of the relevant planning policy framework at national, strategic and local levels. As such, our planning statement is structured as follows:

Section 1: Introduction

Section 2: The Application Site and Surrounding Area – sets the context of the current proposal and provides a detailed description of the application site and its previous uses;

Section 3: The Proposal – describes the proposed development;

Section 4: Policy Context – summarises the planning policy relevant to this proposal at national, strategic and local levels;

Section 5: Planning Considerations – reviews the proposal in terms of the relevant policy context and other material considerations; and

Section 6: Conclusion

1.3 Supporting Application Documents

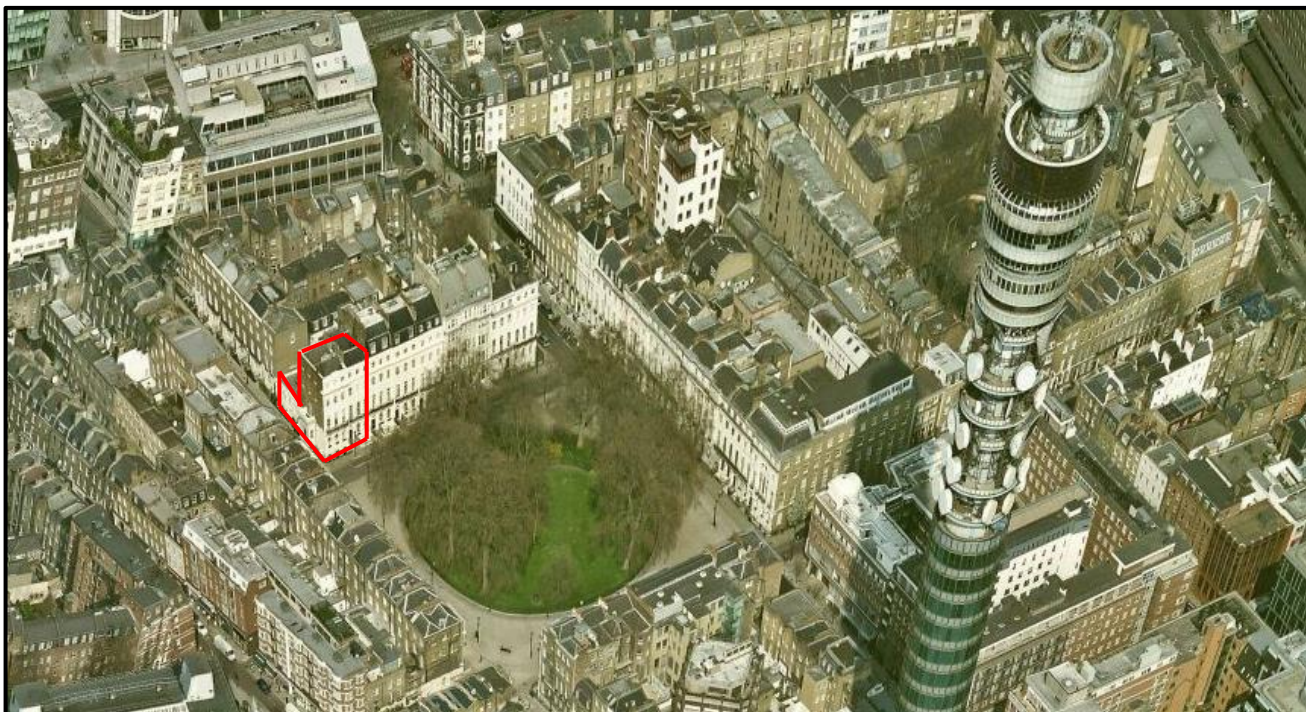
1.3.1 This planning statement should be read in conjunction with the following additional documents, which accompany the application:

- Design & Access Statement including Lifetime Homes Assessment – prepared by Andrew Lett Architects
- Environmental Noise Survey and Plan Noise Assessment Report prepared by Hann Tucker Associates.
- Heritage Statement- prepared by DLG Architects.
- Basement Impact Assessment- prepared by RWA London
- Construction Management Plan- prepared by IDL
- Preliminary Assessment BREEAM Domestic Refurbishment- prepared by Eight Associates.
- Daylight Analysis- prepared by Eight Associates.
- Energy Assessment- prepared by Eight Associates.
- Schedule of Works- Within the Design and Access Statement prepared by Andrew Lett Architects

2.0 The Application Site, Surrounding Area & Planning History

2.1 Site Description & Location

- 2.1.1 The site is a 5 storey end of terrace Grade II* listed building located on the northwest corner of Fitzroy Square, within the Fitzroy Square Conservation Area. The existing building, which has a gross internal floor area of 548 sqm, is currently vacant, with a previous use as office accommodation at the basement; ground, first, second and third floors.
- 2.1.2 The majority of the building is comprised of individual rooms which reflect the historic form and layout of the buildings original residential use. The entrance to the property is at ground level from Conway Street. The property has a generous lightwell which extends around the Fitzroy Square frontage and along the Conway street elevations. There is access to the lightwell from the lower ground floor of the house and via an external staircase.
- 2.1.3 The property has a rear wing at lower ground and ground floor that has been much altered since its original construction. The building has been in use as offices since the 1950s when the property was substantially altered and some of the existing floors were reinforced with steel beams and columns.
- 2.1.4 The site does not lie within a Flood Risk Zone. The site has a public transport accessibility level (PTAL) of 6b, on a scale of 1a-6b (6b being the best). The site therefore has excellent access to public transport. The site is located within 300 metres walk of Great Portland Street underground station and a 350 metres walk to Warren Street underground station. The site is also within a short walk to Euston National Rail station.



Aerial view of the property, outlined in red.

2.2 Surrounding Area

2.2.1 The property is within a traditional Georgian residential terrace fronting Fitzroy Square. The surrounding area is predominantly made up of large Georgian terraces, most with 5-storeys with lower ground floors and front lightwells. The majority of the properties in Fitzroy Square are either Grade I or II* listed.

2.2.2 The property is located within Fitzroy Conservation Area which is characterised by the Conservation Area Appraisal as having a broad mix of residential uses, generally small-scale businesses and independent retail premises with predominantly residential uses on the upper floor of buildings. The Conservation Area Appraisal notes there are also number of buildings that are not listed but that are considered to make a positive contribution to the Conservation Area.



View of the terrace looking west.



View of Fitzroy Square looking south.

2.2.1 To the north of the site is Euston Road (A501) which is lined with high rise office blocks and leisure uses. Regents Park is located to the North West of the site, accessed within a short walk. To the East of the site lie the University College London Hospital and the University College London Campus. The West of the site comprises lower rise Georgian terraces with a broad mix of residential and leisure uses.

2.3 Relevant Planning History

2.3.1 Outlined below are the historic planning applications of most relevance to the current proposal:

Application Ref: 2013/8205/P- Approved October 2014 for the: 'Change of use from offices (B1) to 2 flats (C3) (1x2 bed and 1x4 bed) with associated alterations to internal walls, replacement of 1 window with door to side elevation at ground floor level, replacement of roof of rear addition and first floor rear external stair and balcony and associated alterations'.

Application Ref: 2013/8207/P- Approved October 2014 for the: 'Change of use from offices (B1) to single dwellinghouse (C3) with associated alterations to internal walls, replacement of roof of rear addition and installation of new rooflights, insertion of window to rear elevation, replacement of first floor rear external stair and balcony and associated alterations.' The decision notice for this application is attached within Appendix 1.

Application Ref: 2014/0237/L- Approved October 2014 for the : 'Alterations to internal walls, replacement of 1 window with door to side elevation at ground floor level and replacement of roof of rear addition and first floor rear external stair and balcony'.

Application Ref: 2014/0238/L- Approved October 2014 for the: Alterations to internal walls, replacement of roof of rear addition and installation of roof lights, insertion of new rear window and replacement of first floor rear external stair and balcony'.

Application Ref: M12/28/B/31703- Approved June 1981 for the: '(a) Change of use of the third floor of 19 Fitzroy Square from residential to offices, and (b) Redevelopment of the site of 12 Conway Street by the erection of a basement, ground and 3 storey building containing 2 maisonettes & 1 flat'.

Application Ref: M12/28/B/30099- Approved July 1980 for the: '(1) Change of use to the basement and ground floors of 12 Conway Street from office to residential use; and (2) The continued use of basement, ground and first floors of 19 Fitzroy Square and the basement and ground floors of 12A Conway St. for office use'

Application Ref: TP56919/2430- Approved July 1958 for the: 'The erection and retention for a limited period of an extension at the rear at ground floor level at No. 19 Fitzroy Square, St. Pancras'.

2.4 Pre-application advice

2.4.1 This proposal has been the subject of pre-application discussions with Council Officers. A pre-application letter ref: 2015/447/PRE was received on 30th October 2015 and is summarised below:

- The excavation of a sub-basement could be acceptable in principle. There should be no excavation below the historic closet wing.
- The excavation of a basement by the lowering of the floor by one riser's depth is considered acceptable providing no historic features are adversely affected.
- The access bridge to a new front door is considered acceptable, subject to detailing and giving it a secondary character. More of the rear wall of the house should be retained. The lift is considered acceptable and locating the kitchen in the non-historic part of the house is welcome.
- The proposed alterations to the first floor and third floor appear acceptable. The proposal to install two ensuite bathrooms in the rear bedroom is considered unacceptable. Instead, the dressing room of bedroom one should be used as a bathroom.
- The proposal will not have any detrimental impact to residential amenity.
- Advised to enter into consultation with local residents at this stage.

- 2.4.2 In response to the pre-application advice given, the basement design has been modified so that it does not extend underneath the historic part of the building. Other advice provided including; layout, types of doors, wall openings have been incorporated into the design.
- 2.4.3 Discussions with neighbouring residents also took place between January and March 2016 to ensure residents understood the proposals and any concerns could be addressed before the application was submitted.
- 2.4.4 A copy of the pre-application advice letter can be found in Appendix 1.

3.0 The Proposal

- 3.1.1 This application for full planning permission seeks to change the use of a former office building to a residential single dwelling house, the creation of a lower ground floor basement extension, internal alterations and a new entrance door access bridge facing Conway Street.
- 3.1.2 The proposal will include the following:
- Alterations to the internal layout of the property to return the property to its original single residential use and enabling the traditional internal form of the main body of the house to be retained. The historic part of house will retain the historic layout of the property, with the main room at the front of the property overlooking Fitzroy Square, with a smaller room to the rear. The ground floor will retain the existing entrance lobby, hall with main staircase and two principle reception rooms. The second and third floors will retain the historic internal layout in principle, with the addition of some smaller rooms for bathrooms, wardrobes, storage space etc. The rooms on the top floor of the house will remain as existing.
 - The rear addition of the building, which has previously been altered and extended, will also be subject to internal alterations. The ground floor of the rear addition will contain the kitchen and formal dining room. The lower ground floor will a living area and bathrooms/changing areas, stairs to the proposed basement, a small lift area which allows step free access from lower ground floor to the ground floor.
 - The excavation of a basement floor below the lower ground floor, with plunge pool, gym and bathroom facilities. The basement will extend underneath the rear addition of the property, and not underneath the historic part of the building. A narrow glazed panel close to the wall of the lower ground floor will allow some natural light to the basement.
 - As part of the basement construction, the roof and facade of the rear addition will be rebuilt. It is noted that these form part of the previously altered rear addition and are not an original feature of the property. The new roof will be at the same level and surfaced with asphalt, as existing. A proposed single linear roof light will replace the two existing roof lights on the flat roof of the rear addition. The new façade will replicate the fenestration, height and detailing of the existing façade.

- A proposed access bridge and access door located on Conway Street, allowing direct access into the kitchen on the ground floor. Both of these elements formed part of the approved application Ref: 2013/8205/P. The existing external access platform and staircase at the rear of the first floor is proposed to be replaced with a more sympathetic steel staircase painted in black.
- Overall, the proposal reflects the policy objectives as set out in the London Plan, The Camden Core Strategy and The Camden Development Management Policies Document. The proposal will enable the property to return to its original use as a single dwelling and allow the historic form of the building to be retained. The proposal will not detrimentally impact the amenity of neighbouring properties and will not harm the appearance or setting of the listed building. The proposal preserves the architectural and historic interest of the listed building and the character of the Conservation Area which it is sited.

4.0 Relevant Planning Policies

4.1 Government Guidance

- 4.1.1 The National Planning Policy Framework (NPPF) sets out the Government planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.
- 4.1.2 Paragraph 126 states that Local planning authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. Local Planning authorities should take into account:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - The desirability of new development making a positive contribution to local character and distinctiveness; and;
 - Opportunities to draw on the contribution made by the historic environment to the character of a place.
- 4.1.3 Paragraph 128 states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

4.2 The London Plan

Principle of use/development

- 4.2.1 Policy 3.14 states that boroughs should promote efficient use of the existing stock by reducing the number of vacant, unfit and unsatisfactory dwellings, including through setting and monitoring targets for bringing properties back into use. In particular boroughs should prioritise long-term empty homes, derelict empty homes and listed buildings to be brought back into residential use.

Heritage and Design

- 4.2.1 Policy 7.8 states that development should identify value, conserve, restore, re-use and incorporate heritage assets, where appropriate. Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 4.2.2 Policy 7.9 states that wherever possible heritage assets (including buildings at risk) should be repaired, restored and put to a suitable and viable use that is consistent with their conservation and the establishment and maintenance of sustainable communities and economic vitality.

4.3 London Borough of Camden's Development Plan

- 4.3.1 The London Borough of Camden's Development Plan comprises The Core Strategy (2010-2025), Camden Development Policies (2010-2025), and Camden's Draft Local Plan (2016). Supplementary Planning Documents: Camden's Planning Guidance 1: Design, Camden Planning Guidance 4: Basements and Light Wells.

- 4.3.2 Paragraph 216 of the NPPF states that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- 4.3.3 Camden's Draft Local Plan (2016) is therefore a material consideration.

Principle of use

- 4.3.4 Although the principle of the change of use from offices to residential has already been established through approved planning applications ref: 2013/8205/P and 2013/8207/P, for the purposes of this application the loss of office space will be considered below.
- 4.3.5 Policy CS8 of the Core Strategy seeks to safeguard existing employment sites and premises in the borough that meet the needs of modern industry and other employers. Paragraph 8.8 states that the future supply of offices in the borough can meet the projected demand. Consequently, the Council will consider proposals for other uses of older office premises if they involve the provision of permanent housing.
- 4.3.6 Policy DP13 of the Development Policies Document states that The Council will retain land and buildings that are suitable for continued business use and will resist a change to non-business unless:
- a) it can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for its existing business use; and
 - b) there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time.

When it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential uses or community uses.

- 4.3.7 Paragraph 13.5 of the Development Policies Document states that where a change of use to a non-business use is proposed, the applicant must demonstrate to the Council's satisfaction that there is no realistic prospect of demand to use the site for an employment use. The applicant must submit evidence of a thorough marketing exercise, sustained over at least two years.
- 4.3.8 Policy E2 of the Draft Local Plan states that the Council will resist development of business premises for non-business use unless it is demonstrated to the Councils satisfaction:
- a) The site or building is no longer suitable for its existing business use
 - b) And the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time.
- 4.3.9 Policy CS6 of the Core Strategy seeks to maximise the supply of additional housing to meet or exceed Camden's target of 5,950 homes from 2007-2017, including 4,370 additional self-contained homes.

4.3.10 Policy H1 of the Draft Local Plan also seeks to maximise the supply of housing, exceeding the target of 16,800 additional homes from 2015-2030 including 11,130 additional self-contained homes.

4.3.11 Policy DP2 states the Council will seek to maximise the supply of additional homes in the borough, expecting the maximum appropriate contribution to supply of housing on sites that are underused or vacant, taking into account any other uses that are needed on the site and resisting alternative development of sites considered particularly suitable for housing.

Heritage and Design

4.3.12 Policy CS14 of the Core Strategy states that the Council will preserve and enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. The Council seeks the highest standards of access in all buildings and places by requiring schemes to be designed to be inclusive and accessible.

4.3.13 Policy DP24 (Securing high quality design) of the Development Policies Document states that developments are expected to consider:

- The character, setting, context and the form and scale of neighbouring buildings
- The character and proportions of the existing building
- The quality of materials to be used

4.3.14 Policy DP25 (Conserving Camden's Heritage) of the Development Policies document states that development will only be permitted within conservation areas where it preserves and enhances the character and appearance of the area. To preserve or enhance the boroughs listed buildings, the Council will 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 development which would not cause harm to the setting of a listed building.

4.3.15 Policy D2 of the Draft Local Plan states that the Council will not permit the loss of, or substantial harm to a designated heritage asset unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Sites within conservation areas should preserve or enhance the character or appearance of the area. The Council will resist proposals involving the change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building, and resist development that would cause harm to significant of a listed building through an effect on its setting.

4.3.16 Camden Planning Guidance 1: Design, Section 3: Heritage states that Camden will only permit development within conservation areas that preserves and enhances the character and appearance of the area. Original or historic features of a listed building should be retained and repairs must be in matching materials.

4.3.17 Policy DP27 (Basements and light wells) of the Development Policies document states that the Council will require an assessment of the schemes impact on drainage, flooding, groundwater conditions and structural stability where appropriate. The Council will only approve basement and other underground development that does not cause harm

to the built and natural environment and local amenity and does not result in flooding or ground instability. The Council will consider whether schemes:

- Harm the amenity of neighbours;
- Lead to the loss of open space or trees of townscape of amenity value;
- Provide satisfactory landscaping, including adequate soil depth;
- Harm the appearance of setting for the property of the established character of the surrounding area; and
- Protect important archaeological remains

4.3.18 Camden Planning Guidance 4: Basements and lights wells states that the Council will only permit basements and other underground development where the applicant can demonstrate it will not cause harm to the building and natural environment and local amenity. Applications must accompanied by a Basement Impact Assessment.

Sustainability

4.3.19 Policy CS13 of the Core Strategy states that all development must minimise the effects of climate change and to meet the highest feasible environmental standards that are financially viable during construction by:

- Promoting the efficient use of land and buildings
- Minimising carbon emissions by implementing in order all the elements of the following energy hierarchy:
 - Ensuring developments use less energy
 - Making use of energy from efficient sources
 - Generating renewable energy onsite

4.3.20 Policy DP22 of the Development Policies Document requires development to demonstrate how sustainable development principles have been incorporated into the design and proposed implementation and incorporate green or brown roofs and green walls wherever suitable. The Council will expect developments of 500sqm of residential floorspace to achieve 'very good' in EcoHomes assessments prior to 2013 and encouraging 'excellent' from 2013.

4.3.21 CPG 3: Sustainability encourages all developments to be designed to reduce carbon dioxide emissions Sensitive improvements can be made to historic buildings to reduce carbon dioxide emissions. Developments involving a change of use or a conversion of 500sqm of any floorspace will be expected to achieve 60% of the un-weighted credits in the Energy category in their BREEAM assessment. Special consideration will be given to buildings that are protected e.g. listed buildings to ensure that their historic and architectural features are preserved.

Transport

- 4.3.22 Policy DP16 states that the Council will seek to ensure that development is properly integrated with the transport network and is supported by adequate walking, cycling and public transport links. The Council will expect proposals to make appropriate connections to highways and street spaces, in accordance with Camden's road hierarchy and to public transport networks.
- 4.3.23 Policy DP18 of the Development Policies Document states that the Council will expect development to be car free in the Central London Area. Cycle parking should be 1 storage space per unit, with a maximum of 0.5 car parking spaces per dwelling.
- 4.2.24 Policy T2 of the Draft Local Plan states that the Council seeks to limit the availability of parking and require all new developments in the borough to be car-free. The Council will limit on-site parking to; spaces designated for disabled people where necessary and/or essential operational or servicing needs.

Neighbouring Amenity

- 4.2.25 Policy DP26 of the Development Policies Document seeks to manage the impact of development on occupiers and neighbours. The Council will consider: visual privacy and overlooking; overshadowing and outlook; sunlight, daylight and artificial light levels; noise and vibration levels; odour, fumes and dust; microclimate and the inclusion of appropriate attenuation measures. Policy A1 of the Draft Local Plan reflects the principles of Policy DP26, with the additional considerations of the transport impacts, the construction phase and the use of Construction Management Plans and the impact upon water and wastewater infrastructure.
- 4.2.26 Policy DP28 of the Development Policies Document seeks to ensure that noise and vibration is controlled and managed by refusing planning permission for developments likely to generate noise pollution, or development sensitive to noise in locations with noise pollution, unless appropriate attenuation measures are provided.
- 4.2.27 Camden Planning Guidance 6: Amenity, expects developments to be designed to protect the privacy of existing dwellings, requires all developments to limit their impact on air quality and expects developments to limit noise and vibration emissions.

5.0 Planning Considerations

5.1 Principle of use

- 5.1.1 The principle of the change of use from offices to residential has already been established through the approved planning applications ref: 2013/8205/P and 2013/8207/P. However for the purposes of this application the loss of office space will be considered below.
- 5.1.2 The Core Strategy details the likely demand and supply requirements of office floorspace to meet the needs of the borough up until 2026. Para 8.8 states that the provision outlined in the Core Strategy "*means that the future supply*

of offices in the borough can meet projected demand". Consequently, the Council will consider proposals for other uses of older office premises if they involve the provision of permanent housing.

- 5.1.3 Policy DP13 sets out the Council's policy for the retention of employment land and uses within the Borough. This policy resists any changes of use that results in a loss of a non-commercial use unless it can be demonstrated that the site is no longer suitable for its existing business use, and there is evidence that the possibility of retained, reusing or redeveloping the site or building for similar or alternative business use has been explored. The policy also states that when it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential uses or community uses.
- 5.1.4 As per the previous application Ref: 2013/8205/P it was demonstrated that the site had been marketed for over one year in accordance with the guidance contained in the supplementary planning document CPG5 and that of officers during pre-application discussions. At present there have been no offers from those wishing to take the space for office/business use.
- 5.1.5 The principle of change of use from office to residential has previously been established, the proposal is in accordance with Policy CS8 of the Core Strategy, Policy DP13 of the Development Policies Document, and will be in accordance with emerging Policy E2 of the Draft Local Plan.

5.2 Heritage and Design

- 5.2.1 Camden's local policies CS14 of the Core Strategy, DP25 of the Development Policies Document, Policy D2 of the Draft Local Plan and CPG1 of the Supplementary Planning Document state that listed buildings and conservation areas will be preserved and enhanced, and alterations or changes of use will only be granted where they would not cause harm to the special interest of the building and the setting of a listed building.
- 5.2.2 The proposed redevelopment involves structural alterations to convert the existing building from an office building back into a single family dwelling house. As part of the redevelopment a new basement is proposed and will be excavated and constructed below the rear addition. It will not extend under the original historic building nor will it affect adjoining buildings. The basement will accommodate a small plunge pool, gym and plant for the house. The basement perimeter walls will be offset inside the existing perimeter part walls. A basement construction report and impact assessment has been submitted as part of this application and concludes that the proposed basement will not have a negative effect on existing foundations or water courses.
- 5.2.3 The internal layout of the main house will remain as consented applications ref: 2013/8207/P where possible the proposals seek to reinstate the original terrace form with a main room at the front facing the square and a smaller room behind on each floor. The rear addition of the house 'the rear wing' was previously altered and extended and created its own independent entrance at street level from Conway Street. This access will be reinstated as part of this proposal, to provide direct access to the kitchen in the rear wing.
- 5.2.4 The lower ground floor and basement floor will be accessed via a staircase and small lift within the rear wing, allowing step free access between the lower ground and ground floor. This has been located here so that it is not

immediately visible from the historic part of the building. The new basement will not be visible externally other than a small glazed panel which provides natural light into the new basement.

- 5.2.5 Policy DP6 of the Development Policies Document requires all housing to meet Lifetime Homes standards. The subject property was constructed in 1827-28 and is Grade II* listed, as a result there are limits to the criteria it can meet, particularly the criteria relating to wheelchair accessibility.
- 5.2.6 A heritage statement has been prepared and accompanies this application. The heritage statement concludes that the conservation of the external elevations as part of a sustainable reversion of the building makes a positive contribution to the character and appearance of the Conservation Area and will protect the significance of the listed building itself.
- 5.2.7 It is considered that the change of use of the property to its original residential use will enable the historic form of the building to be retained. The proposal preserves the architectural and historic interest of the listed building and character of the Conservation Area. It is therefore considered that the proposals meet policies CS14 of the Core Strategy, DP25 and DP27 of the Development Policies Document 4.3.11, Policy D2 of the Draft Local Plan and CPG1: Design.

5.3 Sustainability

- 5.3.1 Policy DP22 of the Development Policies Document and CPG 3: Sustainability requires development with a floor space of 500sqm to achieve 'very good' in the EcoHomes assessment, encouraging 'Excellent' and 'very good' in BREEAM assessments and 'Excellent' from 2016. CPG 3 also states that special consideration will be given the buildings that protected e.g. listed buildings to ensure that their historic and architectural features are preserved.
- 5.3.2 A BREEAM Domestic Refurbishment Pre-Assessment has been prepared which demonstrates the proposed dwelling will aim to achieve a BREEAM 'Excellent' rating. In order to achieve this rating enhancements to the building are required, including secondary glazing to a number of the windows and insulated walls and roof on various floors. There will be no insulation applied to existing wall finished where original cornices exist at ground and first floors.
- 5.3.3 The proposal meets the provisions of Camden's sustainability policies; Policy DP22 Development Policies Document and Policy CS13 of the Core Strategy.

5.4 Access and Transport

- 5.4.1 Policy DP18 of the Development Policies Document and Policy T2 of the Draft Local Plan and expects development to be car free in the Central London Area, and to provide two cycle spaces for a dwelling of this scale. The proposal would provide four on-site cycle spaces significantly exceeding this requirement. Policy DP16 Development Policies Document states that development should be properly integrated with the transport network, making appropriate connections to highways and street spaces.

- 5.4.2 The property has excellent access to public transport, within close proximity to Warren Street and Great Portland Street underground stations and access to a number of bus routes. The site is also within close proximity to the cycle hire docking stations at both underground stations and Westminster car clubs.
- 5.4.3 The proposal will provide four accessible and secure cycle spaces, which are located in the centre under pavement vault on the lower ground floor, and therefore exceeds the requirements of Local Policy and the London Plan. No additional car parking spaces will be provided. Waste and recycling provision will be segregated and are located within the light well of the lower ground floor, hidden from the street. The proposal meets the provisions for cycle storage and car parking is therefore in accordance with policy DP16 and DP18 of the Development Policies Document.
- 5.4.4 The proposal is accessed via two steps to the main entrance and one internal step to the ground floor. A lift is proposed internally which will aid movements between the ground and lower ground floors for people with mobility difficulties. Altering the external access to the property would result in significant alterations which would impact detrimentally on the historic character of this listed building and as such has been avoided.

5.5 Neighbouring Amenity

- 5.5.1 Policy DP27 (Basements and light wells) of the Development Policies Document states that the Council will consider whether schemes will harm the amenity of neighbours. Policy DP26 of the Development Policies Document and Policy A1 of the Draft Local Plan seek to manage the impact of development on occupiers and neighbours and protect amenity. In particular, the Council will consider the visual privacy and overlooking, overshadowing, sunlight/daylight, noise and vibration levels, odour, fumes and dust and impacts of the construction phase. Policy DP28 Development Policies document also seeks to ensure that noise and vibration is controlled and managed.
- 5.5.2 A Basement Impact Assessment accompanies this application. The proposed basement excavation will be within 5metres of public pavement and neighbouring properties. Ground movements will be controlled during temporary and permanent works to ensure no adverse impacts to the stability of the surrounding ground and structures. The site will be supported by piled walls during construction with a basement box constructed inside the piles which will ensure that the adjacent land is adequately supported in the temporary and permanent construction
- 5.5.3 The proposal does not extend the present form of the building above ground level and there are no proposed additional external spaces at upper levels. As such, there will be no additional impacts to neighbouring properties in terms of sunlight, daylight, overlooking or loss of privacy. The pre-application advice given by council officers on 30th October 2015 also considered that the proposal will not have a detrimental impact on neighbouring amenity, as summarised in point 2.4 of the pre-application letter (see Appendix 1).
- 5.5.4 An Environmental Noise Survey and Plant Noise Assessment report has been undertaken and accompanies this application. The survey was undertaken over a 24 hour period in order to establish the prevailing environmental noise climate around the site. An assessment has also been carried out to determine the plant noise emissions at the nearest noise sensitive window. The assessment concludes that the proposed plant should be capable of achieving the requirements of the Local Authority at the nearest noise sensitive residential window.

5.5.5 It is considered that the use of this property as a single dwelling will be less intensive than the former office use. As such the proposal will not have a detrimental impact on the residential amenity of neighbouring properties in terms of loss of privacy, overlooking, daylight/sunlight, noise and vibration levels, odours, fumes and dust. The proposal is therefore in accordance with Policy DP27, DP26 and DP28 of the Development Management Policies and Policy A1 of the Draft Local Plan.

6.0 Conclusion

6.1.1 Planning permission has previously been granted for the change of use of the building from an office to a single family dwellinghouse; as such the loss of office accommodation has already been established. The proposal is in accordance with Policy CS8 of the Core Strategy, Policy DP13 of the Development Policies document, and will be in accordance with emerging Policy E2 of the Draft Local Plan.

6.1.1 It is considered that the change of use of the property to its original residential use will enable the historic form of the building to be restored. The proposal preserves the architectural and historic interest of the listed building and character of the Conservation Area. It is therefore considered that the proposals meet policies CS14 of the core strategy, DP25 and DP27 of the Development Policies Document and CPG1: Design.

6.1.2 The proposal will aim to meet BREEAM 'excellent', which demonstrates the environmental credentials of the proposal, in accordance with Policy DP22 and Policy CS13.

6.1.3 It is considered that the use of this property as a single dwelling will be less intensive than the former office use. The proposal will not impact detrimentally on the residential amenity of neighbouring properties in terms of loss of privacy, overlooking, daylight/sunlight, noise and vibration levels, odours, fumes and dust. The proposal is therefore in accordance with Policies DP27, DP26 and DP28 of the Development Management Policies and Policy A1 of the Draft Local Plan.

Miss Grace Liu
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Regeneration and Planning
Development Management
London Borough of Camden
Town Hall
Judd Street
London
WC1H 8ND

Tel 020 7974 4444
Textlink 020 7974 6866

planning@camden.gov.uk
www.camden.gov.uk/planning

Application Ref: 2013/8207/P
Please ask for: **Seonaid Carr**
Telephone: 020 7974 2766

21 October 2014

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
19 Fitzroy Square
London
W1T 6BU

Proposal:

Change of use from offices (B1) to single dwellinghouse (C3) with associated alterations to internal walls, replacement of roof of rear addition and installation of new rooflights, insertion of window to rear elevation, replacement of first floor rear external stair and balcony and associated alterations.

Drawing Nos: 12103_PL_01 Rev A, 12103_PL_02, 12103_PL_03, 12103_PL_04, 12103_PL_10, 12103_PL_11, 12103_PL_12, 12103_PL_13, 12103_PL_14, 12103_PL_15, 12103_PL_41 Rev A, 12103_PL_42 Rev A, 12103_PL_43, 12103_PL_44 Rev A, 12103_PL_50 Rev A, 12103_PL_51 Rev A, 12103_PL_52 Rev A, 12103_PL_53, 12103_PL_54, 12103_PL_70, 12103_PL_71 Rev A, 12103_PL_72, 12103_PL_73 Rev A, 12103_PL_74, 12103_PL_75 Rev A, 12103_PL_76 Rev A, Design and Access Statement by Andrew Lett Architects date 10/04/14, Energy Assessment by Eight Associates dated 17/12/13, Heritage Assessment by dlj architects dated September 2012, Marketing Report by Knight Frank and Environmental Noise Survey by Hann Tucker dated 03/10/12.

The Council has considered your application and decided to grant permission subject to the following condition(s):



Director of Culture & Environment
Ed Watson

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 12103_PL_01 Rev A, 12103_PL_02, 12103_PL_03, 12103_PL_04, 12103_PL_10, 12103_PL_11, 12103_PL_12, 12103_PL_13, 12103_PL_14, 12103_PL_15, 12103_PL_41 Rev A, 12103_PL_42 Rev A, 12103_PL_43, 12103_PL_44 Rev A, 12103_PL_50 Rev A, 12103_PL_51 Rev A, 12103_PL_52 Rev A, 12103_PL_53, 12103_PL_54, 12103_PL_70, 12103_PL_71 Rev A, 12103_PL_72, 12103_PL_73 Rev A, 12103_PL_74, 12103_PL_75 Rev A, 12103_PL_76 Rev A, Design and Access Statement by Andrew Lett Architects date 10/04/14, Energy Assessment by Eight Associates dated 17/12/13, Heritage Assessment by dlj architects dated September 2012, Marketing Report by Knight Frank and Environmental Noise Survey by Hann Tucker dated 03/10/12.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Detailed plans at a scale of 1:10 of the new metal work to be used on the rear platform balcony;

c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site); and

d) Details of any new service runs and how they are integrated in to the historic fabric.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the special interest of the listed building and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 [and DP25 if in CA] of the London Borough of Camden Local Development Framework Development Policies.

- 6 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the future occupiers, adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Prior to occupation of the hereby approved development, the cycle storage as shown on the Basement Floor Plan Proposed shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 8 No development shall take place, until a Construction Management Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The

Statement shall provide for:

- i. The parking of vehicles of site operatives and visitors
- ii. Details of proposed parking bays suspensions and temporary traffic management orders.
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- vi. wheel washing facilities
- vii. measures to control the emission of dust and dirt during construction
- viii. a scheme for recycling/ disposing of waste resulting from demolition and construction works.

Reason: To safeguard the amenity of adjacent residents, ensure efficient and safe use of the highway and in the interests of air quality having regard to policies CS5, CS11 and CS16 of the Core Strategy and policies DP20, DP21, DP26 and DP32 of the Development Policies.

- 9 The flat roof of the rear addition shall not be used for amenity purposes.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which

adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 4 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Ed Watson
Director of Culture & Environment

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