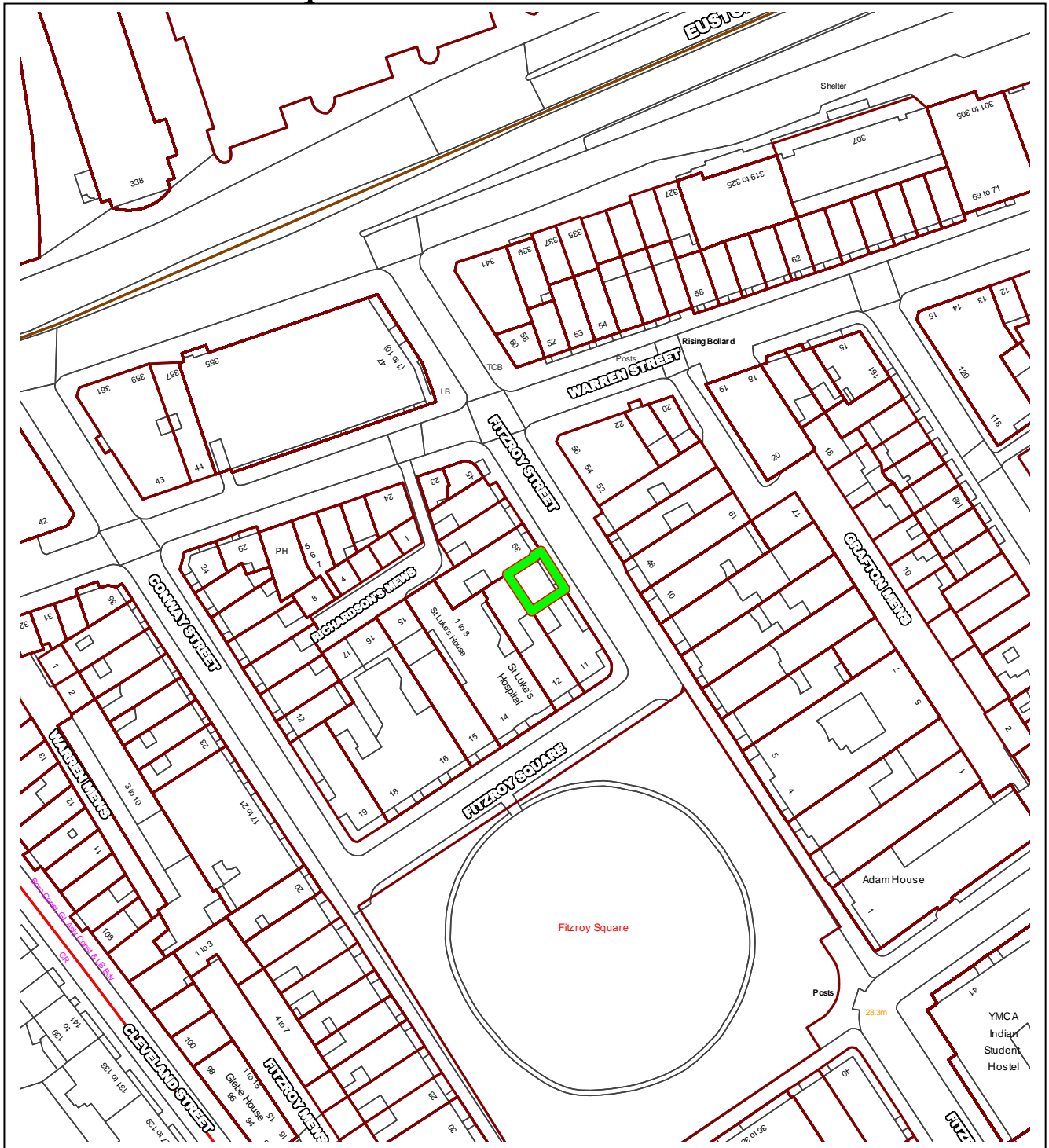


# 2016/3966/P & 2016/4418/L - 11A Fitzroy Square, London, W1T 6BU



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Bird's Eye view



Front Elevation





View of the rear from the roof



View along terrace



<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>12/09/2016</b>	
<b>(Members Briefing)</b>		N/A / attached		<b>Consultation Expiry Date:</b>		<b>12/09/2016</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Ian Gracie				1) 2016/3966/P 2) 2016/4418/L			
<b>Application Address</b>				<b>Drawing Numbers</b>			
11A Fitzroy Square London W1T 6BU				frs lp 001; pl x 001; pl x 002; e x 001; s x 001; s x 002; pl x d 001; pl x d 002; e x d 001; s x d 001; s x d 002; pl 101 C; pl 102 C; e 101 C; s 101 D; s 102 D; photos 12.07.16; Design and Access Statement prepared by Works Architecture dated 12/07/2016.			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
1) Erection of mansard roof extension with associated internal alterations and new window openings to the rear elevation to provide additional accommodation for existing 2 houses (Class C3). 2) Erection of mansard roof extension with associated internal alterations and new window openings to the rear elevation to provide additional accommodation for existing 2 houses							
<b>Recommendation(s):</b>		1) Grant conditional planning permission 2) Grant conditional Listed Building Consent					
<b>Application Type:</b>		1) Full Planning Permission 2) Listed Building Consent					

Conditions:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>00</b>	No. of responses	<b>07</b>	No. of objections	<b>07</b>
Summary of consultation responses:	<p>Site notices were displayed on 10/08/2016 (consultation end date 31/08/2016) and notices were placed in the local press on 11/08/2016 (consultation end date 01/09/2016).</p> <p>The owners/occupiers of no.11 and no.12 Fitzroy Square and St Luke's House have objected on the following grounds:</p> <ol style="list-style-type: none"> <li>1) Overbearing (<b>Officer response: please see paragraph 3.4 below</b>);</li> <li>2) Damage to the adjacent tree (<b>Officer response: please see paragraphs 5.1-5.4 below</b>);</li> <li>3) Impact on daylight/sunlight (<b>Officer response: please see paragraph 3.3 below</b>);</li> <li>4) Fluid extraction pipe has already been placed at no.11A without permission (<b>Officer response: This matter has been raised with our Planning Enforcement Team to investigate</b>);</li> <li>5) No provision has been made for kitchen and toilet odours which will enter the windows at no.12 (<b>Officer response: It is not considered that the odour impact of domestic cooking at this level will cause harm to the adjacent residential occupiers</b>);</li> <li>6) No consideration has been given for the increased level of noise from the windows (<b>Officer response: It is not considered that the creation of rear windows and level of use associated with existing residential units will cause any significant impact in terms of noise on any adjacent residential occupiers</b>);</li> <li>7) Overlooking (<b>Officer response: please see paragraph 3.2 below</b>);</li> <li>8) Impact on the conservation area (<b>Officer response: please see paragraphs 2.1-2.5 below</b>);</li> <li>9) Noise and disruption from the proposed works (<b>Officer response: An informative has been added to the decision notice which ensures that noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. Any works that can be heard at the boundary of the site must only be carried out 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</b>).</li> </ol>					
CAAC/Local groups comments:	No comments received.					

## Site Description

The application site relates to 2x single family dwelling houses located within a two storey (plus basement) building located on the north-eastern corner of Fitzroy Square and Fitzroy Street. There is a large London Plane tree immediately to the rear of the application site in the rear garden of no.12 Fitzroy Square.

The prevailing character of the built environment surrounding the site is similar in scale, form and design. The Fitzroy Square Conservation Area Appraisal and Management Strategy describes the surrounding area as follows:

*“The front elevations are generally uniform with a repeated pattern of vertically-proportioned door and window openings, generally two (sometimes three) bays wide. The largest window openings are at first floor level, reflecting the internal arrangement of the original houses decreasing in height on successive upper floors. The semi-circular arched door heads are a particular feature on properties that have not had shopfronts inserted. The windows are generally painted timber sliding sash windows with the sashes subdivided into small panes by slender glazing bars. The retained original glazed fanlights with delicate glazing bars are also a feature. The terraces generally have a strong and consistent parapet line above which elements such as party walls, mansards and chimneys can just be seen.”*

## Relevant History

(Application site)

**8870091** – Demolition and redevelopment of the site by the erection of a building comprising basement, ground and first floors as shown on drawing numbers P292.7 & P292.8 and one unnumbered drawing – **Granted Listed Building or Conservation Area Consent 19 October 1988.**

**9270198** – The demolition and reconstruction of 11A Fitzroy Square at basement ground and first floor level together with the extension of 11 Fitzroy Square at third floor level for offices and change of use of the second and third floors to offices and retention of residential at fourth floor level as shown on location plan 1691/SK8 and drawing numbers 1691/SK4D SK5D SK6E & SK7D revised by letters dated 10 March 1993 and 10 May 1993 – **Granted Listed Building or Conservation Area Consent 10 June 1993.**

**9201310** – The demolition and reconstruction of 11A Fitzroy Square at basement ground and first floor level incorporating offices at basement and two maisonettes at ground and first floors together with the extension of 11 Fitzroy Square at third floor level for offices the change of use of the second and third floors of 11 Fitzroy Square to offices and retention of residential at fourth floor level in 11 Fitzroy Square as shown on location plan 1691/SK8 and drawing numbers 1691/SK4D SK5D SK6E & SK7D revised by letters dated 10 March 1993 and 10 May 1993 – **Grant Full or Outline Per with Cond. 10 June 1993.**

**9570388R2** – Construction of partitions internally to facilitate change of use to residential and conversion to a one-bed unit in the basement and a five-bed unit on the upper floors of No.11, as shown on drawing numbers 413/1, /2, /3A, /4, /5B and /6 – **Grant LB Consent with Conditions 13 June 1996.**

**9502024R2** – Demolition and reconstruction of 11A Fitzroy Square at basement, ground and first floors incorporating two three-storey houses, together with change of use of basement to a one-bed residential unit in the basement and a five-bed unit on the upper floors of No.11, as shown on drawing numbers 413/1, /2, /3A, /4, /5B and /6. – **Grant Full Planning Permission 13 June 1996.**

**2015/6529/PRE** – Alterations to two dwelling houses including roof extensions with roof terraces, alterations to rear elevation fenestration and basement excavation and 2nd floor below ground level. – **Pre-application Advice Issued 04 February 2016.**

## Tree applications

**2014/2323/T – REAR GARDEN:** 1 x London Plane - Reduce back to previous reduction points. Clean out crown. Remove trunk growth. – **No Objection to Works to Trees in a Conservation Area 11 April 2014.**

## 33 Fitzroy Square

**2006/3347/P –** The change of use from hospital use (Class D1) to residential use (Class C3) to accommodate 2 residential units together with a mansard roof extension with roof terrace at rear first floor level on the Conway Street elevation, a lift enclosure extension at rear first to second floor levels, an enlarged roof access enclosure and parapet railing, and various external alterations. – **Granted Subject to a Section 106 Legal Agreement 05 February 2007.**

**2006/3348/L –** Internal and external works of conversion in association with the change of use from hospital use (Class D1) to residential use (Class C3) for the creation of 2 residential units together with a mansard roof extension at first floor level to the Conway Street, a lift enclosure extension at rear first to second floor levels, and enlarged roof access enclosure. – **Granted 08 September 2006.**

## **Relevant policies**

### **National Planning Policy Framework (2012)**

### **London Plan (2016)**

### **LDF Core Strategy and Development Policies (2010)**

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

DP24 – Securing high quality design

DP25 – Conserving Camden’s heritage

DP26 – Managing the impact of development on occupiers and neighbours

### **Camden Planning Guidance**

CPG 1 – Design (2015)

CPG 2 – Housing (2015)

CPG 6 – Amenity (2011)

### **Fitzroy Square Conservation Area Appraisal and Management Strategy 2010**

## **Assessment**

### **1. Proposed Development**

1.1 Planning permission is sought for:

*“Erection of mansard roof extension with associated internal alterations and new window openings to the rear elevation to provide additional accommodation for existing 2 houses (Class C3).”*

1.2 Listed building consent is sought for:

*“Erection of mansard roof extension with associated internal alterations and new window openings to the rear elevation to provide additional accommodation for existing 2 houses”*

### **2. Revisions**

2.1 Following comments from officers the following amendments were made to the proposal

throughout the course of the applications:

- The overall height of the mansard has been reduced by 15cm whilst still achieving the required head height of 2.3m for a mansard roof extension. This was achieved by lowering the internal floor levels. The slope of the mansard is 70 degrees;
- The central chimney stack is retained;
- The number of windows to the rear has been reduced from six at ground and first floor level to two at first floor level (one for each unit). The style of the windows has also changed from two-over-two to three-over-three;
- The height of the dormer windows has been lowered by approximately 33cm both to the front and rear. The style of the dormer windows has also changed from four-over-four to six-over-six;
- The number of skylights has been reduced from four to two and kept to the rear of the building.

### **3. Heritage and Design**

- 3.1 Policy DP24 states that developments will be expected to consider the “character, setting, context and the form and scale of neighbouring buildings” and “the character and proportions of the existing building, where alterations and extensions are proposed.”
- 3.2 With regards to conservation areas, policy DP25 states that the council will only permit development with conservation areas that preserves and enhances the character and appearance of the area. In terms of listed buildings, the council will only grant consent for alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building.
- 3.3 With regards to roof extensions, CPG1 provides further clarity to the policy and notes that additional storeys and roof alterations are likely to be acceptable where:
- “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.”*
- 3.4 Despite the site’s particular character, it is considered that the provision of a new roof on this site could be considered acceptable provided that the proportions and the character of the host building are not compromised. The design of the roof extension together with the proposed timber fenestration to the front and rear is considered to relate well to the host building and is considered acceptable. The choice of slate tiling to the roof and timber windows is considered appropriate.
- 3.5 As noted above, a number of amendments to the proposal have been made throughout the course of the applications. This was to ensure that the mansard is as recessive and subordinate as possible and that the architectural details carefully reflect the highly important listed building itself and the settings of the listed buildings which surround the application site. The specific elements that have achieved this include the alteration to the height of the mansard and the finer detailing of the windows to better reflect the character of the host building.
- 3.6 With respect to the internal works, they are considered minor in nature and are considered to preserve the special architectural and historic interest of the host building. The proposed removal of the roof structure is considered acceptable in order to facilitate the construction of the proposed mansard roof. In light of this, it is considered that the proposal would preserve the special historic and architectural interest of the host building.
- 3.7 Overall, it is now considered that the proposal would preserve the listed building and any features of special architectural and historic interest which it possesses; the proposal would



preserve the settings of nearby listed buildings; and it is considered that the proposal would preserve and enhance the character and appearance of the Fitzroy Park Conservation Area. The proposal is therefore considered to be acceptable in this respect. in accordance with policies CS14, DP24 and DP25 of Camden's Local Development Framework.

#### **4. Amenity**

- 4.1 Policy DP26 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. Factors to consider, and which are particularly relevant to this case, include overlooking, privacy and daylight.
- 4.2 A number of objections have been received with regards to the increased potential for overlooking towards the properties to the rear of the application site. In response to this concern, the proposed plans have been amended to ensure that all windows to the rear of the application site will be obscure glazed to ensure that the amenities of the surrounding residents are protected. Therefore, with regards to overlooking, it is considered that the proposal is acceptable.
- 4.3 A number of objections have also been received with regards to the proposal's impact on the level of daylight and sunlight to the surrounding properties. The application site is located north-east of nos. 12, 13, and 14 Fitzroy Square. By virtue of the location of the host property in relation to these neighbouring properties and the path of the sun, it is not considered that the proposal will have an appreciable impact on sunlight because the proposal will not block sunlight into these surrounding properties. As noted above, the proposal will introduce a mansard roof that is approximately 1m higher than the existing roof structure. Whilst, the proposal will indeed be more visually appreciable from the properties to the rear of the application site, it is not considered that the proposal will have a significant impact with regards to the level of daylight that will reach these properties.
- 4.4 With regards to the overbearing nature of the roof extension, it is not considered that the increase in height and bulk of the roof is such that it will cause a significant detriment to the amenities of the adjacent residential occupiers.
- 4.5 In light of the above, it is considered that appropriate measures have been implemented to protect the amenities of the surrounding residential occupiers and the proposal is therefore considered acceptable and accords with policies CS5 and DP26 of Camden's Local Development Framework.

#### **5. Trees**

- 5.1 A number of objections have been received with regards to the proposal's potential impact on the large London Plane tree immediately adjacent to the application site. A tree officer attended a site visit to assess the potential impact of the proposal on the tree. Whilst it was agreed that an Arboricultural Report was not required to support this application it was agreed that details of the tree protection measures during construction were required prior to the commencement of the development to ensure that no damage to the tree occurs during the construction process. A suitably worded condition is therefore recommended.
- 5.2 As the tree is in a conservation area but is not subject to a TPO, it is protected by the provisions in section 211 of the Town and Country Planning Act 1990. These provisions require people to notify the local planning authority, using a 'section 211 notice', 6 weeks before carrying out certain work on such trees, unless an exception applies. The work may go ahead before the end of the 6 week period if the local planning authority gives consent. This notice period gives the authority an opportunity to consider whether to make an Order on the tree.
- 5.3 A further condition is also recommended to ensure that the Plane tree is reduced back to its previous point of reduction only (LPA Ref. 2014/2323/T) and raised to provide 2 metres of clearance where necessary during construction.

5.4 As such, the proposal is considered to comply with policy DP24 of Camden's Local Development Framework.

## **6. Conclusion**

6.1 Based on the above, it is considered that the proposal would preserve the listed building and any features of special architectural and historic interest which it possesses; it is considered that the proposal would preserve the settings of adjacent listed buildings; and it is considered that the proposal would preserve and enhance the character and appearance of the Fitzroy Square Conservation Area, whilst ensuring that the residential amenities of the nearby occupiers would not be significantly harmed.

## **7. Recommendation**

7.1 Grant conditional planning permission.

7.2 Grant conditional listed building consent

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 9<sup>th</sup> January 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Mr Jeremy Southgate  
Works Architecture  
16 Upper Montagu Street  
London  
W1H 2AN

Application Ref: **2016/3966/P**  
Please ask for: **Ian Gracie**  
Telephone: 020 7974 **2507**

4 January 2017

**DRAFT**

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

**Full Planning Permission Granted**

Address:  
**11A Fitzroy Square**  
**London**  
**W1T 6BU**

**DECISION**

Proposal:

Erection of mansard roof extension and new window openings to the rear elevation to provide additional accommodation for existing 2 houses (Class C3).

Drawing Nos: frs lp 001; pl x 001; pl x 002; e x 001; s x 001; s x 002; pl x d 001; pl x d 002; e x d 001; s x d 001; s x d 002; pl 101 C; pl 102 C; e 101 C; s 101 D; s 102 D; photos 12.07.16; Design and Access Statement prepared by Works Architecture dated 12/07/2016.

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

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

Executive Director Supporting Communities



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 Details including sections at 1:10 of new dormer windows (including jambs, head and cill) shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun. 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 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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans- frs lp 001; pl x 001; pl x 002; e x 001; s x 001; s x 002; pl x d 001; pl x d 002; e x d 001; s x d 001; s x d 002; pl 101 C; pl 102 C; e 101 C; s 101 D; s 102 D; photos 12.07.16; Design and Access Statement prepared by Works Architecture dated 12/07/2016.

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

- 5 The pruning of the lower branches of the off-site London plane tree over the roof of no. 11a only are to be reduced back to the previous points of reduction only (see ref no. 2014/2323/T) and raised to give up to 2m clearance where necessary.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 6 The windows on the rear elevation, as illustrated by drawing no. s 101 D, shall be obscure glazed and permanently retained thereafter.

Reason: To protect the amenities of future and neighbouring occupiers in accordance with the requirements of policies CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbour) of the London Borough of Camden

## Local Development Framework Development Policies.

### Informative(s):

- 1 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.
- 2 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).

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

Executive Director Supporting Communities



Works Architecture  
16 Upper Montagu Street  
London  
W1H 2ANApplication Ref: **2016/4418/L**Please ask for: **Ian Gracie**Telephone: 020 7974 **2507**

4 January 2017

**DRAFT**

Dear Sir/Madam

**DECISION**

Planning (Listed Building and Conservation Areas) Act 1990

**Listed Building Consent Granted**Address:  
**11A Fitzroy Square**  
London  
**W1T 6BU****DECISION**

## Proposal:

Erection of mansard roof extension with associated internal alterations and new window openings to the rear elevation to provide additional accommodation for existing 2 houses  
Drawing Nos: frs lp 001; pl x 001; pl x 002; e x 001; s x 001; s x 002; pl x d 001; pl x d 002; e x d 001; s x d 001; s x d 002; pl 101 C; pl 102 C; e 101 C; s 101 D; s 102 D; photos 12.07.16; Design and Access Statement prepared by Works Architecture dated 12/07/2016.

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

## Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Executive Director Supporting Communities



- 2 The works hereby approved are only those specifically indicated on the drawing(s) referred to above.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 All new work and work of making good shall be carried out to match the original work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 Details including sections at 1:10 of new dormer windows (including jambs, head and cill) shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun. 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 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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.

You can find advice about your rights of appeal at:

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

Yours faithfully

Executive Director Supporting Communities