

Mr. Drew Meakin
Thomas Croft Architects
9 Ivebury Court
325 Latimer Road
London
W10 6RA

Application Ref: **2016/4282/P**
Please ask for: **Elaine Quigley**
Telephone: 020 7974 5101

24 August 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted Subject to a Section 106 Legal Agreement

Address:
33 Fitzroy Square
London
W1T 6EU

Proposal:

Demolition of existing external lift enclosure and Conway Street annex behind retained front façade of existing dwelling house and erection of three storey annex building behind the retained façade with raised parapet, raised mansard roof with 3 dormer windows and raised sills at first floor level; creation of first floor external terrace with 2m high trellis on eastern side elevation.

Drawing Nos: 090 (Site location plan); 120D; 121D; 122G; 123F; 124D; 125C; 130C; 131D; 132C; 133; 140A; 141E; 150; 151A; 220; 221; 222, 223, 224, 230, 231, 240, 241, 900, 901, 902 rev A; 903 rev A; 904; 905; Planning and Heritage Statement produced by Montague Evans dated July 2016; Daylight and sunlight assessment produced by Behan Partnership Ltd dated 25th July 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 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 policies 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- 090 (Site location plan); 120D; 121D; 122G; 123F; 124D; 125C; 130C; 131D; 132C; 133; 140A; 141E; 150; 151A; 220; 221; 222, 223, 224, 230, 231, 240, 241, 900, 901, 902 rev A; 903 rev A; 904; 905; Planning and Heritage Statement produced by Montague Evans dated July 2016; Daylight and sunlight assessment produced by Behan Partnership Ltd dated 25th July 2016.

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

- 4 The second floor staircase window on the eastern rear elevation of the annexe building shall be obscure glazed and fixed shut to an internal height of 1.7m and shall be permanently retained and maintained as such thereafter.

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.

- 5 The use of the part of the first floor roof as a terrace hereby approved shall not commence until the 2m high timber trellis, as shown on the approved drawings, has been constructed. The trellis shall be permanently retained and maintained thereafter. The remainder of the roof at that level shall not be used as a roof terrace at any time.

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 Reasons for granting permission.

The proposal includes internal alterations to the main Grade I listed house and demolition and external and internal alterations to the annex building to the rear that fronts onto Conway Street.

Design

The proposed alterations to the rear extension facing Conway Street are motivated mainly by a desire to enable the continuation of living space from the rear of the main house into these buildings. This raises the risk of a conflict between the contribution of historic and architectural interest made by the more modest room volumes, which allow its historic evolution and separate function to be read, and the equivalent contribution of the grander volumes in the main house. The extension also has its own significant historic associations, with the Omega Group, for instance, and makes an important and typical contribution to the Fitzrovia townscape; these qualities are no longer associated with the largely modern fabric of its interior, but mean that the retention of its patina, quality and architectural and townscape integrity is highly desirable.

Historic England advised that they are not opposed to the realignment of floor levels and the raising of the ridge height in the extension if this can be reconciled with the above. It is critical that the extension retains integrity, character and patina as it is perceived from the street. Its existing floor structures and rear elevation have been entirely reconstructed but retain appropriate internal volumes that were formally disconnected but more recently ancillary. By careful management of window openings, sash and box dimensions, floor levels aligned with those on the principal floors of the historic house can be accommodated behind the façade of the rear extension. On the first floor, there will be sufficient clearance between the finished floor level and the glazing to maintain acceptable views of activity within from Conway Street, where other historic elevations contain windows of different scales and dimensions. Otherwise, the proportions, roof form, proposed rear balcony and glazing of the rear extension will all preserve the existing relationship of the rear extension with the historic house. The revised roof elevation with an additional dormer window will preserve the character of the streetscene and conservation area.

Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, and to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

- 2 The proposal would include the replacement of the side and rear elevations of the annex building following its demolition. The works would mainly affect the neighbouring property at no. 34-35 Fitzroy Square which is a single family dwelling. The proposed replacement three storey section of the annexe, which originally contained the lift adjoining the boundary with no. 34, would be lower in height by 0.5m. However, it would be longer in its project from the main rear façade by 0.9m.

The impact of the extension on the windows at basement, ground and first floor level at the rear of no. 34-35 remains unaltered from the existing extension. The impact on the second floor window in the rear elevation closest to the boundary with the application site would be improved as this part of the replacement annexe would be lower and would continue to preserve outlook and daylight to this window.

There is a large two storey extension at the rear of no. 34-35 that covers most of the rear garden area. It has windows at first floor level approximately 2.1m from the eastern boundary of the application site. There is also external area of terracing surrounded on three sides by 2.5m tall glazed privacy screens. The daylight to and outlook from these windows is already compromised by the application building and boundary treatment including a 1.8m high trellis at second floor level and high level planting. The second floor of the annexe building would have full height glazed door openings on the eastern rear elevation facing onto the rear extension at no. 34-35. The annexe would be 0.7m higher than the existing building; however a replacement 1.8m trellis on the boundary with no. 34 would restrict any overlooking between the properties. The increase in the height of the replacement building along this shared boundary would not result in additional harmful loss of outlook to the windows in the rear elevation of the main house or the two storey rear extension at no. 34-35 above that which is currently experienced at present.

A daylight and sunlight study has been submitted in support of the application to assess the impact on the neighbouring windows overlooking the development. The majority of the windows pass the criteria for daylight levels using the Vertical Sky Component (VSC) analysis recommended by the national BRE guidelines. The study acknowledges that the daylight received into two of the windows in the two storey rear extension of no. 34-35 is already poor: a living room window in the ground floor western side elevation and a kitchen window in the first floor western side elevation. However the proposed VSC is not significantly worse than existing and the difference complies with BRE recommendations, thus the proposal would not result in further harmful loss of daylight to these windows.

Balconies would be located at first and second floor levels on the eastern rear elevation. The first floor balcony would be enclosed by a 2m high trellis. This would prevent any overlooking into nos. 34-35 and a condition would be attached to ensure it is installed prior to the use of the balcony. There is an existing balcony at second floor level within 1.2m of the boundary with nos. 34-35. The proposed replacement balcony at this level would be set back 1.4m and would be enclosed by metal railings. The balcony would not introduce any further harmful overlooking than already currently exists. Therefore a condition requesting an obscure glazed screen is not considered necessary in this instance.

- 3 It is also proposed to install window openings in the second floor eastern side elevation of the part of the annexe closest to the boundary with no. 34-35 that serves the new staircase. It is proposed to obscure glaze these windows and this would be secured by condition.

The proposal is not considered to cause any adverse impacts on the amenity of

any other adjoining residential occupiers.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

Due to the extent of the demolition and the fact that this is a Grade I listed building, there is likely to be significant impacts on highway, transport and amenity conditions arising out of construction, thus a Construction Management Plan would be required. This would be secured by a S106 legal agreement. A highways contribution would also be required to ensure that any damage caused to the footway during construction is repaired.

As such, the proposed development is in general accordance with policies CS5, CS14, CS15 and CS19 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP20, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with the relevant policies of the London Plan 2016 and the National Planning Policy Framework.

- 4 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).
- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 6 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 Noise and Licensing Enforcement Team, 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.
- 7 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

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive style with a large 'D' and 'J'.

David Joyce
Director of Regeneration and Planning