

Hazelton, Laura

Subject: FW: 27/29 Whitfield Street App Ref 2017/6922/P

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From [REDACTED]
Sent: 02 February 2018 15:47

[REDACTED]
Subject: 27/29 Whitfield Street App Ref 2017/6922/P

Dear Ms Hazelton

I am writing as the owner occupier and architect of 1CP where I have lived since 1964 and was listed Grade II in 2000. This new application submitted following my successful legal challenge needs to be assessed with a fresh eye. 1.0. Conservation and Design My objections relate to the design of the proposed two storey roof extensions and changes to the ground floor Colville Place elevation. The proposed roof extension will because of its height and bulk be seriously harmful to the setting of the adjoining listed house which it will overwhelm, it would rise over 4m above my house and 6.5m above the terrace at 1CP which would be directly overlooked. This difference in levels makes it inevitable that any roof extension will dominate the listed house.

Key views would be seriously compromised, that from the terrace at 1CP, the outlook from the Park to which the views of the house makes an important contribution and the long views from Whitfield st. looking north. Self-evidently it would also cause immense harm to the quality of the Conservation Area.

No 1 CP is, apart from the telecom tower, the only modern listed building in Fitzrovia. More importantly it is a rare example of a modern building knitted into an 18th century terrace. The qualities that achieve this, simplicity of design, proportion (golden mean), restrained palette of traditional materials. The EH Listing citation describes the House as "an immaculately detailed, minimal house, a rare example of a modernist infill scheme of sophistication and careful taste." These qualities would be very seriously compromised by the proposed top heavy intruder which would seriously harm the setting of this listed house Colville Place Ground Floor Elevation. The proposal to substantially increase the size of the ground floor windows to Colville Place is damaging not only to the setting of the listed house but to the terrace as a whole.

It disregards the traditional hierarchy of window openings thereby detrimentally changing the balance between solid and void. This harmful impact would be readily understood had the Applicants been required to provide a contextual drawing. This change would also be damaging to the scale and special character of this corner of the Conservation Area. The paved area with trees is part of the POS people sitting there would feel like being in a goldfish bowl.

There is also a concern about noise nuisance from such large opening windows.

Disability access

A1&D1 uses are proposed for the ground floor, consequently it would be unconscionable not to provide disabled access. Due to the difference in levels the steps to the proposed new entrance would be even steeper than those to the existing Heritage Assets. Previous Applications: An application for an additional two floors 27/29 was first made in 2013. This was in March 2015 the subject of a serious breach of protocol, when although referred by Members Panel to the Committee for determination was spirited away by Officers.

A fresh Application made in 2016 was approved by Committee on 9 July 2017. This was subsequently quashed following a legal challenge conceded by the Council on the grounds inter alia that the Officer's approach to the assessment of the damage to the setting of the listed building at 1CP was fundamentally flawed in their application of the sequential requirements of NPPF and consequently the Officer's had misdirected Members in respect of the consideration of public benefit. Current Application: The Council has a statutory duty to protect the setting of this listed house. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires inter alia that the Council in the case of a listed building - - shall have special regard to the desirability of preserving the building or its setting - - NPPF 132 "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."

No such justification has been offered.

Attention was drawn in the conceded legal challenge that there is no evidence that viability is dependent on the grant of this permission.

The Applicants in their submission do not plead viability as an obstacle to the completion of the refurbishment of this building, and the Council have not pursued the matter. In the absence of clear and convincing justification for allowing harm to the setting of this listed building the test of NPPF134 is not met and there can be no grounds for accepting damage to the setting of the listed house nor can public benefit be argued since there is no evidence that to complete the refurbishment of this building the sweetener of these extensions is warranted. The application should be refused.

Max Neufeld