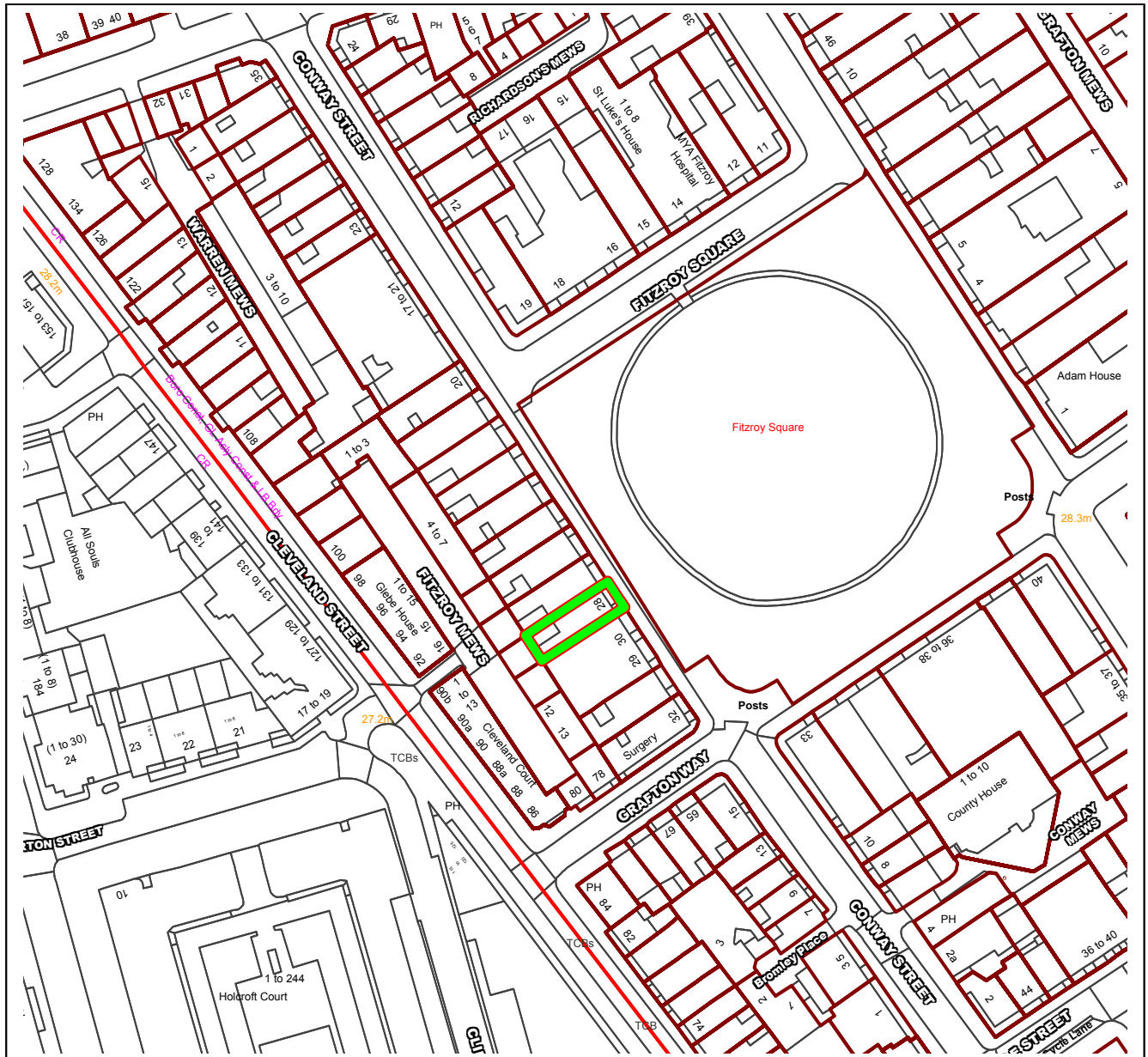


28 Fitzroy Square, W1T 6DD

Full planning and listed building consent applications - 2018/1361/P & 2018/1481/L



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28 Fitzroy Square, W1T 6DD

Site Photographs:

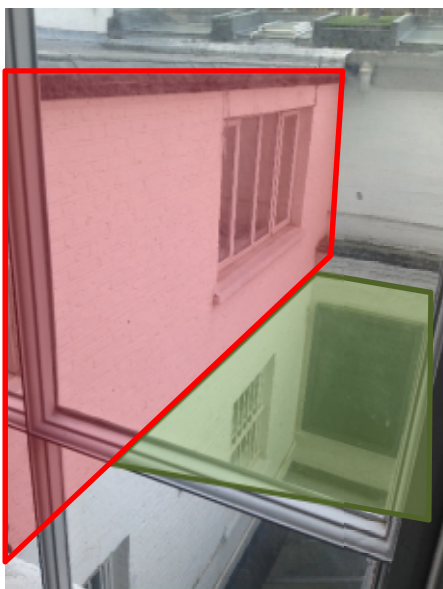
1. Aerial photo #1



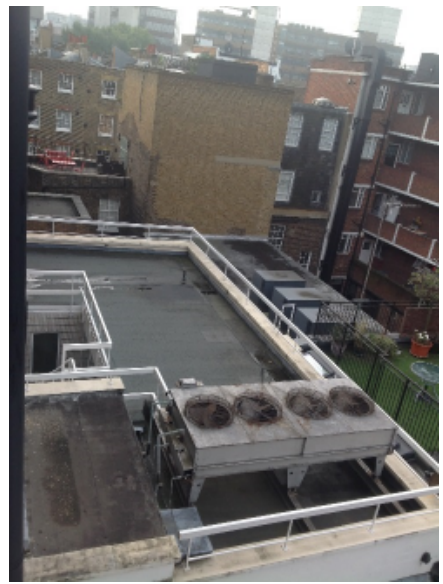
2. Aerial photo #2



3.- 5. Existing rear extension / rear lightwell (area of infill highlighted in green and demolition in red)



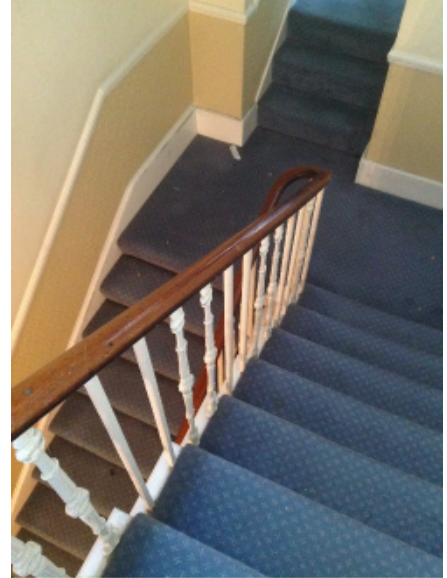
- 6..Relationship with no. 26 Fitzroy Sq
- 7. Relationship with nos. 9-11 Fitzroy Mews
- 8. Relationship with no. 29-30 Fitzroy Sq



9. – 11. Typical images of principal rooms



12.- 14. Typical details of significance



15.-17. Typical modern interventions (e.g. fire doors, lighting, windows, flooring)



EXAMPLES OF INVESTIGATIVE OPENING UP WORKS:
(Following requests by LB Camden Conservation Officers)



Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	11/05/2018
		N/A / attached	Consultation Expiry Date:	19/04/2018
Officer			Application Number(s)	
John Diver			i) 2018/1361/P ii) 2018/1481/L	
Application Address			Drawing Numbers	
28 Fitzroy Square London W1T 6DD			See draft decisions	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
		Charlie Rose (Principle Officer)		
Proposals				
<p>i) Rear extensions at ground floor level including roof terrace and new access door above following the demolition of first floor rear projection. Refurbishments to building incl. lowering of floor to front vault and installation of new AC plant all in association with the continued use of the building as an office (B1a)</p> <p>ii) External alterations to GII* listed property including ground floor rear extension and replacement window, demolition of existing first floor rear projection and provision of rear terrace (incl. access door and plant enclosure). Internal alterations incl. lowering of levels to front lightwell and refurbishments from basement to third floor levels incl. replacement of mechanical and electrical services, all in association with the continued use of the building as an office</p>				
Recommendations:		i) Grant conditional planning permission ii) Grant conditional listed building consent		
Application Type:		i) Full Planning Permission ii) Listed Building Consent		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notices			
Informatives:				
Consultations				
Summary of consultation:	<p>For both applications, multiple site notices for both applications were erected on the 29/03/2018 (consultation expiry date 19/04/2018).</p> <p>For both applications, press notices for were published on the 29/03/2018 (consultation expiry date 19/04/2018).</p>			
Adjoining Occupiers:	No. of responses	05	No. of objections	05
Summary of consultation responses:	<p>Letters of objection were submitted from, or on behalf of the owners/occupiers of nos.10 and 11 Fitzroy Mews and nos.15a, 25b and 25c Fitzroy Square. Their objection comment can be summarised as follows:</p> <ol style="list-style-type: none"> (1) Noise and vibration resulting from staff using the proposed rear terrace would detrimentally impact upon living conditions of adjacent dwellings, particularly during evenings. (2) Smokers using the rear terrace would cause nuisance to occupiers of adjacent dwellings, particularly to rooflight of no.10 Fitzroy Mews. (3) Noise and vibration from proposed A/C units would detrimentally impact upon living conditions of adjacent dwellings. (4) Concerns that measured existing background noise levels under estimate resulting impacts and that vibration impacts have not been discussed to party wall. Request for plant to be housed internally in front vaults. (5) Rear extensions would result in intrusion, sense of enclosure and would be visually overbearing (6) Loss of privacy from proposed extension/terrace (7) Light spill caused from proposed terrace would be harmful to neighbouring amenity (8) Overdevelopment of the site (9) Provision of terrace is inappropriate for listed building (10) Loss of historic garden space to listed building (11) Loss of historic fireplaces (12) Request for full survey of existing doors to ensure no historic element is lost. Object to design of replacement rear door to terrace. (13) Object to opening up of walls / partitions where fabric is historic (14) Lowering of ground levels harmful to historic building and could result in structural damage (15) Works to lower floor level could impact upon water table (16) Consent with neighbours under Party Wall Act requirements would be necessary (17) Previous history along terrace should not inform assessment (18) Would set a precedent for similar extensions in the future (19) Notification of application not received via letter <p><u>Officer's response:</u></p> <p>(1-4) The Council's Noise Officers confirm that the Acoustic Report has been produced using the appropriate methodology. Please see paras.5.5 – 5.7 of the main report for a full discussion of the resulting noise matters.</p> <p>(5-7) Please see paras. 5.2 – 5.4 of the main report.</p> <p>(8-13) Please see sections 2 and 4 of the main report</p> <p>(14 – 16) Please see section 6 of the main report</p> <p>(17 – 18) Each application must be assessed based upon its own merits. A review of recent history and its implications for the assessment is given in paras.4.10 – 4.13</p> <p>(19) Since Sept 2016, the Council has not issued letters to individual properties to</p>			

	<p><i>notify of development. The Council has however completed a process of public consultation for both applications in line with its statutory requirement (see above).</i></p>
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<p>Historic England:</p>	<p>An initial letter of comment was received from Historic England on the 16 April 2018. Their initial comments can be summarised as follows:</p> <ol style="list-style-type: none"> (1) Object to the partition proposed at GF level due to loss of plan form (2) Accept volume of replacement extension but concern over loss of historic fabric / plan form to rear wing (3) Concerns over routing to proposed HVAC system and potential damage to historic fabric – further information requested (4) Request further evidence to illustrate historic fabric to fully evidence potential impacts <p>Following a process of investigation and negotiation (see section 2), a revised scheme as received by the Council in July 2018. Historic England were issued with this scheme on the 20/07 and further comments were requested. A second response letter was received on the 27 July 2018. The updated comments can be summarised as follows:</p> <p>(5) <i>“The scheme has been amended to remove the glazed partition and retain a larger nib wall of the rear wing. Following opening up works, further information has been provided on the installation of services, showing that in general they will be able to be accommodated in existing pipe or cable runs, or else in appropriate locations which should not unduly disrupt the interiors. Historic England therefore no longer maintains any objection to the application on heritage grounds”.</i></p> <p><u>Officer’s response:</u> (1-4) <i>Please see sections 2 and 4 for further details of revisions secured to avoid harm to the listed building.</i> (5) <i>Noted. The acceptable nature of the revised scheme in terms of the listed building is discussed in section 4.</i></p>
<p>Georgian Group:</p>	<p>An initial letter of objection was received from the Georgian Group on the 17 April 2018 who had completed a site visit to the property prior to forming their comments. Their initial objections can be summarised as follows:</p> <ol style="list-style-type: none"> (1) Supportive of pre-application advice regarding permissible extent to rear extensions (2) Sub-division of GF front room would harm the plan form of house and would be an incongruous addition. This addition is objectionable in principle, regardless of reversible nature (3) Given the stated harm and lack of significant public benefit, the proposal is contrary to the requirements of para.134 of the NPPF and should be refused <p>Following a process of investigation and negotiation (see section 2), a revised scheme was received by the Council in July 2018. The Georgian Group were issued with this scheme on the 20/07 and further comments were requested. At the time of writing, no further response had been received.</p> <p><u>Officer’s response:</u> (1) <i>Noted</i> (2) <i>Following revisions, this element of the proposal has been omitted from the proposal. Please see section 2 for further details.</i> (3) <i>Please see sections 2 and 4 for further details of revisions secured to avoid harm to the listed building.</i></p> <p>Other than the Georgian Group, consultation letters were also sent to the other national amenity groups upon registration in line with statutory requirements. This includes the Victorian Society, the 20th Century society, SPAB, Council for Archaeology and the Ancient Monuments Society. Following a request for comment, no responses were received from these groups..</p>
<p>Charlotte Street Association:</p>	<p>Following a request for comment, no response was received.</p>

**Fitzrovia
Neighbourhood
Association:**

Following a request for comment, no response was received.

Site Description

The application site is a Grade II* listed, four storey (plus basement) former townhouse located on the west side of Fitzroy Square, W1T (list entry no. 1112996). The property sits within a terrace of 13 houses (nos.20-32) forming the western side of Fitzroy Square and dates to the 1830s. The application site is also located within the Fitzroy Square Conservation Area. There are no trees protected by tree preservation orders on the application site. As outlined in the history section below, the property's lawful use is for office purposes (Use Class B1a). Within the terrace, a high proportion of former houses have been used for commercial purposes including nos.27 - 31. Owing to its use as an office for a number of decades the building's condition has deteriorated somewhat and is in need of repair/maintenance, notwithstanding this the property still exhibits a large proportion of its original features.

Relevant History

The planning history relevant for this assessment can be summarised as follows:

No.28 (Application Site)

8970047: Listed building consent was granted on the 14/06/1989 for the '*Alterations to basement involving relocation and addition of lavatories alterations to partitions installation of new ceilings and services and redecoration*'

8770104: Listed building consent was granted on the 20/05/1987 for '*Works of repairs and maintenance and minor alterations at 3rd floor level*'

TP52752/25/09/61: Planning permission was granted on the 27/10/1961 for the '*The use of 28 Fitzroy Square as Embassy Offices (B1) on the basement, ground and first floors, and as a residential maisonette on the second and third floors*'

TP52752/12494: Planning permission was refused on the 28/10/1955 for the '*use of the third floor of No. 28, Fitzroy Square, St. Pancras, for office purposes*'
Reason for refusal:

1) *Such use does not accord with the Council's Development Plan in this area is allocated for residential use, and that the third floor of these premises is suitable for residential occupation and should continue to be so used.*

TP52752/8528: Planning permission was granted on the 09/09/1955 for the '*erection of an addition at first floor level at the rear of No. 28, Fitzroy Square and roofing over of the basement yard in connection with the use of the basement, ground, first and second floors as offices by the National Spastics Society*'

Other relevant planning history within terrace (nos.20-32)

No.26

2016/1779/P & 2016/2501/L: Planning permission and listed building consent were granted on the 05/08/2016 for the '*Change of use between 2nd and 4th floors from office (B1) and ancillary residential accommodation to form 2x residential units: 1bed at second and 2bed at third and fourth floors including replacement three storey rear extension and associated alterations.*'

No.27

2014/3044/P & 2014/3078/L: Planning permission and listed building consent were granted on the 14/07/2014 for the '*Erection of a single storey ground floor rear infill extension, new door opening in existing ground floor rear extension, new skylight in rear courtyard and alterations and additions to the front lightwell.*'

Nos.29-30

15438(R): Planning permission was granted on the 04/01/1973 for the '*Erection of a rear extension on basement, ground and 1st floors and installation of new lift*'

Relevant policies

National Planning Policy Framework (2018)

The London Plan (2016)

Camden Local Plan (2017)

- G1 Delivery and location of growth
- C5 Safety and security
- C6 Access for all
- E1 Promoting a successful and inclusive Camden economy
- E2 Employment premises and sites
- A1 Managing the impact of development
- A4 Noise and vibration
- A5 Basements and Lightwells
- D1 Design
- D2 Heritage

Camden Planning Guidance:

- CPG 1 – Design
- CPG 4 – Basements and lightwells
- CPG 6 – Amenity

Fitzroy Square conservation area appraisal and management strategy (2010)

Historic England Guidance: London Terrace Houses 1660-1860 (1996)

Assessment

1. The proposal

- 1.1. (Application i) Planning permission is sought for alterations to the rear including a partial demolition of the existing extension (1st floor level) and widening of extension at ground floor level, replacement to 1st floor window and creation of a terrace above proposed ground floor extension. Permission is also sought for the installation of mechanical ventilation equipment to the rear ground floor flat roof as well the lowering of the floor level to the front vault by 500mm. The works would not involve any subdivisions or changes of use.
- 1.2. (Application ii) Listed building consent is sought for all of the above works as well as internal works associated with the refurbishment of the existing building. These internal works would include service runs for the proposed ventilation equipment, the creation of a select number of openings and the replacement of certain internal doors.

2. Revisions

- 2.1. It should be noted that during the course of the assessment revisions to the proposed scheme were requested in order to appease concerns raised by officers'. The revisions made to the scheme were informed by multiple site visits by officers as well as the submission of details of selective opening up works. The changes made to the proposed scheme since submission can be summarised as follows:
 - Omission of ground floor partitions,
 - Nibs to be retained within wall rear wing of to maintain visual reference to historic plan form,
 - Full details supplied of routing for pipe and cable runs, including location and size of risers as well as direction of joists and existing under floor runs to be reused,
 - Balustrade to rear terrace to be of traditional design in painted black metal rather than glazed,
 - Full scheme of existing doors completed with historic doors labelled on plans as to be retained,
 - Full scheme of existing fireplaces, with historic features labelled on plans as to be retained,
 - Positioning of opening to 3rd floor spine wall updated in light of opening up works,

- Alterations to design of new sash windows to 1st floor rear elevation to feature more traditional proportions.

3. Assessment

3.1. The proposed development would not involve any changes of use or sub-division. The main issues to consider in this case are therefore as follows:

- Design and heritage (applications i & ii);
- Impact on the amenity of adjoining occupiers (i);
- Basement construction (i);
- Transport (i).

4. Design and Heritage (i & ii)

Local policy context

4.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that to preserve or enhance the borough's listed buildings, the Council will resist development involving substantial demolition, alterations or extensions where this would cause harm to the special architectural and historic interest of the building; and resist development that would cause harm to the setting of a listed building. Policy D2 also states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area. The Council's design guidance (CPG1) states that when assessing proposals involving listed buildings, we will consider the impact of proposals on the historic significance of the building, including its features, such as:

- original and historic materials and architectural features;
- original layout of rooms;
- structural integrity; and
- character and appearance (para 3.22)

4.2. CPG 1 continues to state that the Council would expect original or historic features to be retained and repairs to be in matching materials; and that proposals should seek to respond to the special historic and architectural constraints of the listed building, rather than significantly change them (para 3.23).

4.3. The Fitzroy Square conservation area appraisal and management strategy (FSqCAMS) (2010) describes Fitzroy Square as "*The principal focal point of the area..., planned in the latter quarter of the 18th century as the centrepiece for Charles Fitzroy's speculative development*". The Western (within which no.28 sits) and Northern terraces, being slightly later than the GI listed Southern and Eastern terraces are "*of the same scale and share similar common details [with the GI listed properties on N/W terraces] such as the rusticated ground floor, arched ground floor openings and decorative railings at first floor level*".

Special character of GII* property

4.4. The listing description of nos.20-32 (list entry no.1112996) describes the GII* listed terrace as follows:

"Terrace of 13 houses forming the western side of Fitzroy Square. c1832-35. Stucco with rusticated ground floor. EXTERIOR: 4 storeys and basements. 3 windows each. 3 windows at each end and centre 7 windows projecting. Round-arched ground floor openings linked by impost bands. Doorways with pilaster-jamb's carrying cornice-heads; fanlights (some radial patterned) and panelled doors. Sash windows in shallow, plain stucco recesses. Upper storeys with square-headed, recessed sashes. Continuous cast-iron balcony to 1st floor windows. Moulded 2nd floor sill band. Main cornice with plain frieze below attic storey. Cornice and blocking course. Central bays with 4 Ionic engaged columns in antis rising through 1st and 2nd floors. 1 bay to either side with pilasters rising through 1st and 2nd floors and recessed, tripartite sash windows, those on the ground floor being segmental-arched. No.32 with 3 window (all blind) return to Grafton Way".

4.5. Further to the above, Georgian London terraced houses comprise certain aspects common to all that make up their special interest. The degree to which these survive is an indication of their significance. These generally include (in no particular order);

- The architectural composition of the terrace facades;
- The detailed architectural treatment of the elevations including proportions, character, craftsmanship and roof form;
- The plan form of the interior – generally 2 rooms (front and back) per floor with the principal rooms located on the ground and first floors and stair compartment rising vertically within the back half of the house;
- The detailed architectural treatment of the interiors including mouldings and decorative features which relate to the hierarchy and architectural vocabulary throughout the house;
- Structural integrity and fabric –timber frame supported on load bearing masonry brick walls with load bearing central timber partition to support the roof (and joists if necessary dependent on size of house and direction of the joists) and lath and plaster walls and ceilings.

4.6. The assessment of the proposed scheme have been informed by the extent to which these elements exist at the site and having regard to national and local polices including Historic England guidance on London terrace townhouses.

4.7. The building is largely intact with regards to plan form and features one would expect for the building type of this era and forms a part of an important composition of terrace and square. The heritage statement confirms that *“internally the plan form remains in good condition, with the property displaying a typical room arrangement for a building of its type and age”* (paragraph 42) and goes on to say that *“numerous decorative features also remain, though a number of modern alterations have resulted in the loss of some of these features”*. The heritage statement confirms at paragraph 36 that *“The key alteration to the building has been the infilling of the rear courtyard and its subsequent upward extension at first floor to provide the current arrangement”*. The Council would agree that this is a key alteration to the original form of the property and would not like to see the situation worsen with a view to preserving the buildings special interest in line with Section 16 of the Planning (Listed building and conservation area Act 1990).

4.8. The main issues to consider therefore are the impact of the proposed infilling works of the rear courtyard; internal layout changes; lowering of level to front vault and the impact on the new a/c servicing.

Design and heritage appraisal:

Rear Courtyard works:

4.9. At present, the property features a full width rear extension at basement level as well as half width extensions at both ground and first floor levels. The works now proposed would involve the demolition of the existing 1st floor element and the reprovision of this volume at ground floor to make this element full width. At ground floor level, the rear lightwell would consequently be mainly filled, save for a retained lightwell measuring 3m x 1.5m.

4.10. Within the application row, the adjacent properties at nos. 26, 27 and 29-30 all feature rear extensions/additions of varying forms. No.29-30 features a full width (across both properties) rear extension at basement, ground and first floor levels. This extension was granted permission in the early 70's (ref. 15438(R)) and is considered to have caused harm to the interest of these adjacent listed properties. This decision was made outside of the current planning policy framework and officers feel that very limited weight should be given to this decision in this assessment.

4.11. Rear extensions/alterations have however been granted much more recently at nos.27 and 26 and are both examples which would be given weight in the assessment of the case. No. 26 is the most recent (2016) and was approved as a replacement two storey (above basement), part width extension which retained the pre-existing courtyard at ground floor level. Although this approval included an element at 1st floor level, the approval granted the replacement for an existing volume only and did not include substantial increased to the bulk/mass at the rear. The most recent approval at No. 27 (2014) did allow for the infill of the courtyard at ground floor level in a similar manner to the current proposal. Submitted statements have understandably used the later as a precedent for accepting the proposed works.

4.12. The main issue at play is the acceptability of further infilling to the rear courtyard and how this would impact the special interest of the listed building. Each site (no.s26-28) is slightly different but there is a consistent volume/level of infill which has been allowed across each of the sites. The Council has allowed the same amount infill across each of the adjacent buildings by allowing *either*:

- Full width infilling of the courtyard at ground floor level above basement (i.e. no.27); OR
- a two storey (above basement) part width infill extension (i.e. no.26) (See fig 1 below)



Figure 1: Diagram showing level of rear development as existing and proposed at nos.26-28

- 4.13. As outlined above, the proposal would not result in any uplift in volume to the rear of the site and would match the level of infilling to the rear as recently permitted at no.27. The demolition of the existing 1st floor, modern extension would allow for the replacement of traditional fenestration in this location and would, in the private views afforded towards the rear of the terrace, help to improve the uniformity of the terrace by reducing non-original projections in more visible areas. Considering that the original rear light well has already been fully infilled at basement levels and to the rear (to form Fitzroy Mews), officers are now satisfied that the replacement extensions would not undermine the character of the building and would remain subordinate. While the GF rear room would have an increased enclosure, the retained lightwell would ensure that its original fenestration, plan form and sense of internal space is maintained. While the 1st floor extension is more modern, the GF element below is much older. As such, where the existing flank elevation facing into the courtyard will be opened up at ground floor level, revisions were sought for nibs to be retained to help retain to visually retain reference to the original plan form in this location. Overall officers considered the replacement rear extension and would not cause harm to the listed buildings significance and would remain acceptable.
- 4.14. Situated above the GF extension would be a proposed terrace with no.2 rooflights as well as an enclosure to housing mechanical plant equipment. Given that the level of this terrace would sit approximately 2m below the level of the rear parapet to Fitzroy Mews and either adjoining sites, this terrace and these features would not be visible other than from either adjoining property (nos.27 and 29-30) and so would not impact upon the appearance of the listed terrace or conservation area. The terrace would be enclosed by a metal balustrade of traditional appearance to ensure that it would not disrupt views from within the host building (from 1st floor and above).

Internal Layout changes

- 4.15. Further to the external alterations proposed, the scheme would also include a number of internal alterations to facilities the use of the building as a modern office. This would include some alterations to partitions at basement level, selective replacement or upgrading of doors to stair for fire safety purposes as well as two new openings at both second and third floor levels. Some alterations to features such as joinery and fireplaces in certain areas are also proposed. These internal changes have been the subject to scrutiny by officers and the scheme had been heavily revised in this regard to address initial concerns. Internal openings proposed have been reduced and have been located so as to avoid significant intervention into that historic timbers. Internal elevations for these openings have been submitted which evidence that the original plan form of the rooms would be retained via retained nibs. As these new openings would be at 2/3rd floor levels (away from the principal GF/1st floors) these openings are accepted in light of these changes. Similarly, the alterations to partitions proposed at basement levels would involve alterations to modern elements only and would not affect the hierarchy of spaces across the principle floors of the building. A full scheme of doors has been produced, with all historic doors annotated on drawings as to be retained and rehung, although some will require upgrading to make fire compliant. Where modern, some doors will also be replaced. Following the close inspection of the affected doors, conservation officers have now confirmed that they are satisfied that these works would not lead to a loss of or harm to surviving historic features. Similarly, where alteration to joinery or fireplaces are proposed officers have examined these areas to ensure that no original features are lost – with labels added to plans to confirm their retention. Where replacement fireplaces are accepted to replace modern additions, full details of their re-provision will be secured via condition. While the applicant's intentions with regard to lighting and power/data cable runs have been discussed and agreed in principle, as full details have not been provided at this stage a further condition is recommended. Overall, officers now accept that, subject to the conditions recommended, the revised internal arrangements would avoid harm to the historic significance of the listed building and are appropriate.

New mechanical ventilation equipment

4.16. While the external plant equipment/housing was not of concern due to its concealed siting, during negotiations officers raised significant concerns over the initial lack of information regarding the routing for proposed route for A/C pipes. This was shared by Historic England who raised similar concerns in their initial response. Following the request of officers, opening up works were completed to ascertain the location of existing vertical risers, direction of joists to all floors above ground as well as the location of existing notches. With this information, routes for all A/C pipes have now been updated to avoid any significant loss of historic fabric or intervention into features of significance. The proposed plans have accordingly been annotated to, showing that in general they will be able to be accommodated in existing pipe or cable runs, or else in appropriate locations which would not unduly disrupt the interiors. The second response from Historic England confirmed that they too were satisfied with the updated scheme in this regard. Subject to works being carried out in accordance with these details this element of the works is now considered acceptable in terms of its impact to the listed building. In order to be confident that this routing will be adhered to, a condition is recommended.

Lowering of front vault floor

4.17. The proposal would include the lowering of the existing floor level of the front vault by 500mm in order to bring this room into use. Such works have been previously allowed to properties within the terrace and during the site visits, it was noted that the floor to this area was modern (see photo 17). The existing vault's height is not considered to be key in the properties significance and as such conservation officers did not raise concern in relation to the removal of the modern floor and its replacement at a lower level. As discussed later in the report, the application was supported by a basement impact screening report which did not identify any risk of structural movement to the host building or neighbouring sites. Given that the vault area is separated from the main building by a lightwell of 2.5m depth, these internal works are not considered to result in harm to the significance of the host building. Given that the use of the vault would require damp proofing to be installed, a condition is recommended for the submission of details of a physical barrier system (newton 500 or similar) to ensure that the historic stone work would not be harmed by this element.

Design and heritage conclusion

4.18. As outlined above, the scheme of works hereby proposed has been heavily negotiated with significant input from the Council's Conservation Officers, including multiple site visits as well as selective opening up works. As a result, officers are now of the view that all areas of potential harm to the listed building have been closed out or mitigated against via the careful consideration of the works proposed and their interaction with the historic building – this is also reflected in the second submission from Historic England. Considering that officers no longer consider there to be any harm to the listed building, the requirements set out in para.196 of the NPPF need not apply. Notwithstanding this, as the works would help to ensure the long-term use of the listed building in a sympathetic manner, the works would include some heritage benefit for the listed building. The proposed external works are considered to remain subordinate to the host building and would act to preserve the character and appearance of the host building and Bloomsbury conservation area.

4.19. Subject to the recommended conditions, it is considered that the proposed works would not cause a detrimental impact upon the character and appearance of the host property and would preserve the special character of the conservation area. Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area and the historical significance of the listed building, under s.16 and 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

5. Residential Amenity

5.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development. Policy A4 seeks to ensure that residents are not adversely impacted upon by virtue of noise or vibrations.

Extension and terrace

- 5.2. Due to the lack of any change / intensification of use on site and the limited scope of external works proposed, the main elements that have the potential to result in harm to neighbouring amenity would be those works proposed to the rear lightwell. As nos.27 – 31 Fitzroy Square are all in commercial uses according to tax records, the closest residential occupiers to the works proposed are the occupiers of Fitzroy Mews and no.25 Fitzroy Square. This would accord with the comments received from neighbours.
- 5.3. In terms of natural light and outlook, the proposed ground floor extension would infill an area of the rear lightwell which is already surrounded by built form (see photos 3-5). The retained area of rear light well at GF level would match the depth of that at no.27 exactly, and the height of the proposed infill extension would remain below the parapet level to all shared boundaries (both sides and rear). Given this full enclosed existing context, the proposed extension would not result in any loss of natural light or outlook to the detriment of any adjoining occupier. The perceived sense of enclosure would also not be increased to neighbouring properties by virtue of the existing surrounding built form. Due to the siting of the proposed GF rooflights in relation to surrounding built form, these glazed elements would not result in any harmful light pollution to surrounding residents.
- 5.4. In terms of privacy, the main area for concern is the proposed terrace situated above the ground floor extension. Given that the closest residential property in the terrace (no.25) is some 15.5m from the terrace and views towards this rear elevation from the terrace would be oblique, users of the terrace would not be afforded direct views to habitable room windows or result in a harmful loss of privacy to these neighbouring residents. Adjacent to the rear party wall are a series of rooflights providing light to habitable rooms within Fitzroy Mews as well as a private roof terrace (see photo 7). Given that submitted sections show that the level of the terrace would be 2.8m below the parapet height to the shared boundary with Fitzroy Mews, users of the terrace would not be able to look into these rooflights or over the existing roof terrace. Overall, it is not considered that the works proposed would result in any harmful loss of privacy.

Noise and vibration

- 5.5. As the proposed works would involve the installation of mechanical ventilation equipment to the rear lightwell, the resulting impacts upon adjoining occupier was of initial concern given the proximity to mews dwellings and the quiet, enclosed nature to the rear of the terrace. In order to evidence the resulting impacts of the plant installation, an Environmental Noise Assessment was submitted alongside the application. This report was produced by a firm of reputable acoustics consultants and its methodology aligns with the Council adopted Local Plan (Appendix 3) and CPG 6 (Amenity).
- 5.6. This has considered the cumulative impact from the plant proposed and assessed against existing background levels. The report concludes that in order to adhere to the maximum noise thresholds outlined in the Local Plan, noise mitigation measures involving an acoustic housing would be required for the plant equipment at ground floor level. Subject to the installation of these measures in line with the recommendations, the report concludes that the cumulative noise emissions from the equipment proposed would remain less than 13dB below the lowest background sound level assessed at 1m outside the windows of the nearest affected noise-sensitive property and as such would not result in disturbance from noise. This report has been reviewed by Noise Officers from the Council's Environmental Health department who confirm that subject to the installation of the mitigation measures suggested, the cumulative noise level at the most affected noise sensitive receivers would comply with the required noise emission limits. In order to ensure that this remains the case, a condition stipulating the installation of mitigation measures and maximum thresholds will be applied. In order to ensure that the plant equipment is installed in a manner to prevent structure born sound / vibration, a further condition requiring the use of anti-vibration mounts is also recommended.
- 5.7. Further to the above, objection comments received have raised concerns over the resulting impacts from noise from users of the proposed rear terrace. Although the terrace would be for the sole use of the office and would remain of modest size (27sqm), given the proximity of this terrace to habitable rooms in Fitzroy Mews, officers accept that if used in sensitive hours breakout noise could result in disturbances. In order to address this potential harm, a condition is recommended that would limit the use of the external terrace outside of the following hours: 09:00-20:00 Monday – Friday only, excluding public holidays. Given its limited size, it is considered that the use of the terrace within these restricted hours would not result in a level of disruption that might warrant a reason for refusal.

6. Basement construction

- 6.1. Although the proposed development would not include the excavation of a basement, the lowering of levels

to the front vault requires full consideration against the Council's Basement policy (A5 - adopted June 2017). The lowering of levels would be fairly minor (500mm) and the affected area does not adjoin the main terrace due to the light well separation. It is also the case that similar works have been completed without resulting harm to other properties within the square. Notwithstanding this, a Basement Impact Assessment screening report has been submitted alongside the application to evidence the potential impacts to neighbouring properties, structural, ground, or water conditions of the area. This report was produced by a well-known engineering consultancy firm, with the authors possessing relevant qualifications. The report has completed a screening exercise to test the resulting impacts of the lowering of the floor level against matters of surface water and flooding; groundwater flows and slope stability. This report concludes that the works would not adversely affect any of these elements, remaining in accordance with the Council's basement policy A5 and CPG4. Given that no adverse impacts would result and such works would still require consideration under separate legislative regimes (e.g. building control and party wall act), the proposed works are considered to remain in accordance with the Council's policies.

7. Transport

7.1. The proposed development would not include any changes of use and the overall quantum of existing floorspace would not be significantly altered. The site has a public transport accessibility rating of 6b which is the highest level possible. In line with London Plan and Local Plan (T1) policies, office floorspace is usually expected to be accompanied by adequate, step-free cycle parking to service the trip creation. In this instance, however, there would be limited scope for the installation of cycle parking at street level in a manner which would not disrupt the setting of the listed building/terrace. Submitted plans indicate that one of the front vaults could be used for storage which could include cycles. It is noted that access to this level with a bicycle would be difficult, however no objection is necessary raised to this proposal. Given the limited scope of operational works proposed, a construction management plan would not be required to mitigate off-site construction matters in this instance. The proposed works would not result in any transport related concerns.

8. Recommendation

- 8.1. Grant conditional Planning Permission
- 8.2. 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 6th August 2018, 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 and search for 'Members Briefing'.

Simply Planning
15 Buckingham Gate
London
SW1E 6LB

Application Ref: **2018/1481/L**Please ask for: **John Diver**Telephone: 020 7974 **6368**

1 August 2018

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted

Address:
28 Fitzroy Square
London
W1T 6DD

DECISION

Proposal: External alterations to GII* listed property including ground floor rear extension and replacement window, demolition of existing first floor rear projection and provision of rear terrace (incl. access door and plant enclosure). Internal alterations incl. lowering of levels to front lightwell and refurbishments from basement to third floor levels incl. replacement of mechanical and electrical services, all in association with the continued use of the building as an office

Drawing Nos: (Prefix: SKK2131/) 002 rev A, 101 rev H, 102 rev H, 103 rev J, 104 rev J, 105 rev J, 109 rev E, 110 rev H, 111 rev C, 112 rev B, 113 rev B, 114 rev A, 115 rev A, 120 rev A.

Supporting files: Basement Impact Assessment Screening Report (ref.C12496), Covering Letter (dated 13.03.18), Environmental Noise Assessment (ref.103558.ph.Issue1), Heritage statement (ref.3184) dated March 2018, Opening-up works report (ref.3184) dated July 2018, Sketch of pipe route (rev A).

Executive Director Supporting Communities



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.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: (Prefix: SKK2131/) 002 rev A, 101 rev H, 102 rev H, 103 rev J, 104 rev J, 105 rev J, 109 rev E, 110 rev H, 111 rev C, 112 rev B, 113 rev B, 114 rev A, 115 rev A, 120 rev A.

Supporting files: Basement Impact Assessment Screening Report (ref.C12496), Covering Letter (dated 13.03.18), Environmental Noise Assessment (ref.103558.ph.Issue1), Heritage statement (ref.3184) dated March 2018, Opening-up works report (ref.3184) dated July 2018, Sketch of pipe route (rev A).

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 All new external and internal works, finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition attached to this consent.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 4 Before the relevant part of the work is begun, 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:

- a) Plan, section and elevation of the all new fireplaces to be replaced including elevation to show width of the chimney breast and photographs of the fireplaces to be replaced shall be submitted to and approved in writing by the council

- b) Detailed drawings and manufacturers details of all new light fittings along with accompanying floor plans

- c) Detailed drawings and manufacturers details of all power and data distribution along with accompanying floor plans

- d) Details of a damp proofing system to the front vaults

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 D2 of the London Borough of Camden Local Plan 2017.

- 5 All architectural features including e.g. cornices, architraves, skirting, floorboards, balustrades, and fireplaces shall be retained and repaired to match the original work unless shown on the drawings hereby approved.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

DRAFT

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

Director of Regeneration and Planning

DECISION

Application ref: 2018/1361/P
Contact: John Diver
Tel: 020 7974 6368
Date: 1 August 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

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www.camden.gov.uk

Simply Planning
15 Buckingham Gate
London
SW1E 6LB

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
28 Fitzroy Square
London
W1T 6DD

DECISION

Proposal: Rear extensions at ground floor level including roof terrace and new access door above following the demolition of first floor rear projection. Refurbishments to building incl. lowering of floor to front vault and installation of new AC plant all in association with the continued use of the building as an office (B1a)

Drawing Nos: (Prefix: SKK2131/) 002 rev A, 101 rev H, 102 rev H, 103 rev J, 104 rev J, 105 rev J, 109 rev E, 110 rev H, 111 rev C, 112 rev B, 113 rev B, 114 rev A, 115 rev A, 120 rev A.

Supporting files: Basement Impact Assessment Screening Report (ref.C12496), Covering Letter (dated 13.03.18), Environmental Noise Assessment (ref.103558.ph.Issue1), Heritage statement (ref.3184) dated March 2018, Opening-up works report (ref.3184) dated July 2018, Sketch of pipe route (rev A).

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: (Prefix: SKK2131/) 002 rev A, 101 rev H, 102 rev H, 103 rev J, 104 rev J, 105 rev J, 109 rev E, 110 rev H, 111 rev C, 112 rev B, 113 rev B, 114 rev A, 115 rev A, 120 rev A.

Supporting files: Basement Impact Assessment Screening Report (ref.C12496), Covering Letter (dated 13.03.18), Environmental Noise Assessment (ref.103558.ph.Issue1), Heritage statement (ref.3184) dated March 2018, Opening-up works report (ref.3184) dated July 2018, Sketch of pipe route (rev A).

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

- 4 Prior to its first use, the air handling equipment shall be provided with sound attenuation measures in accordance with Section 6.3 and Table 3 of the approved Acoustic Report (ref. 103558.ph.Issue1) and anti-vibration measures. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy G1, A1, A4, D1 and CC1 of the London Borough of Camden Local Plan 2017.

- 5 The cumulative sound level from the proposed external building services and fixed plant shall be at least 13B (due to perceived impulsivity) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation, assessed at 1m outside the windows of the nearest affected noise-sensitive property at any time.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 6 The external rear terrace at first floor level shall not be used outside of the following hours: 09:00 - 20:00 Monday - Friday and not during weekends or bank holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1 and A4 of the London Borough of Camden Local Plan 2017

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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 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.

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

David Joyce
Director of Regeneration and Planning