

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	29/10/2018
		N/A / attached	<b>Consultation Expiry Date:</b>	29/10/2018
<b>Officer</b>		<b>Application Number(s)</b>		
Elizabeth Martin		(i) 2018/4199/P (ii) 2018/4598/L		
<b>Application Address</b>		<b>Drawing Numbers</b>		
3 New Square London WC2A 3RS		3NS-204 REV A A1 SECTION OS SITE PLAN 3NS-201 REV A A1 3NS-202 REV A A1 3NS-203 REV A A1 SK1A 3NS-101 REV A A1 3NS-102 REV A A1 HISTORIC STATEMENT DESIGN AND ACCESS STATEMENT		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposals</b>				
(ii) Installation of 1 x air conditioning unit within rear lightwell at third floor level.				
(ii) Refurbishment of 1st, 2nd and 3rd floors to include alterations to openings, removal of recently installed concrete hearths to fireplaces, installation of wood floor finish, installation of AC, replacement of entrance door and installation of new light fittings. Installation of suspended ceilings and associated indirect strip lights and recessed downlighters, emergency lights and smoke detectors (Retrospective).				
<b>Recommendation(s):</b>		(i) Refuse planning permission; (ii) Refuse listed building consent; (iii) That the Borough Solicitor be instructed to issue a Listed Building Enforcement Notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requiring the removal of the unauthorised suspended ceilings and associated indirect LED strip lights and recessed downlights, emergency lights and smoke detectors, and officers be authorised in the event of non-compliance to prosecute under Section 43 or appropriate power and/or take direct action under Section 42 in order to secure compliance with the notice.		
<b>Application Type:</b>		(i) Full Planning Application (ii) Listed Building Consent		

Conditions or Reasons for Refusal:	Refer to Decision Notices					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
			No. electronic	<b>00</b>		
Summary of consultation responses:	<p><u>Site Notice: Displayed 5<sup>th</sup> October until 29<sup>th</sup> October 2018.</u></p> <p><u>Press Advert: Published 11<sup>th</sup> October 2018, expired 4<sup>th</sup> November 2018/</u></p> <p>No consultation responses were received prior to the determination of this Application.</p>					
CAAC comments:	The Bloomsbury CAAC did not respond to the consultation.					

## Site Description

3 New Square forms one of 11 brown brick chambers with red brick dressings and stucco basements, dating from 1690-97. The group of buildings are Grade II\* listed and situated in the Bloomsbury Conservation Area. This conservation area covers approximately 160 hectares and is widely considered to be an internationally significant example of town planning, noted for its formally planned arrangement of streets and contrasting leafy squares.

## Relevant History

**2015/0227/L & 2015/0031/P**- Listed Building Consent and Planning Permission granted for Removal of existing lanyard mansafe system and installation of a new mansafe wire based system providing safe working environment for the maintenance staff at 1-13 New Square

**2007/1623/L**- Listed Building Consent granted for Works at roof level including the renewal of asphalt to flat roof areas and new slate roof to 2 New Square, replacement of slates at 3 New Square,

**9401551**- Planning Permission granted for The erection of a conservatory the replacement of a window by French doors and the installation of a cast iron staircase at the rear patio. as shown on drawing numbers 535/13D 800 and 801.

**9470305**- Listed Building Consent granted for The erection of a conservatory the replacement of a window by a French door and the installation of a cast iron staircase at the rear patio. as shown on drawing numbers 535/13D 800 and 801.

**9400330**- Planning Permission granted for Change of use of part of the third floor from residential flats to Chambers (Class B1) and part of the basement from B1 to residential flat as shown on drawing numbers C8M1 C8M2 C8M3 535/01 535/130E 535/15 535/16 & 535/17 revised by letters by 29 April 1994 17 May 1994 31 May 1994 and 6 July 1994.

**9470071**- Listed Building Consent granted for Installation of lift and additional staircase together with associated internal alterations and structural repairs

**9400352**- Planning Permission granted for Installation of glazed lantern over lift shaft as shown on drawings numbered 535/121B 125B 401C and 405C as revised on 29th April 1994 6th June 1994 15th June 1994 and 4th July 1994

## Relevant policies

### National Planning Policy Framework 2018

### The London Plan March 2016

### Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy A4 Noise and Development

Policy D1 Design

Policy D2 Heritage

### Camden Planning Guidance

CPG1 Design (July 2015, updated March 2018)

CPG Amenity (March 2018)

### Bloomsbury Conservation Area Statement 2011

## Assessment

### 1.0 Proposal

Planning permission and listed building consent are sought for the following proposed works:

- Installation of 1 x AC unit to rear lightwell
- Refurbishment of 1st, 2nd and 3rd floors to include alterations to openings
- Removal of recently installed concrete hearths to fireplaces
- Installation of wood floor finish
- Replacement of entrance door, and installation of new light fittings

Retrospective listed building consent is also sought for the following works:

- Installation of suspended ceilings and associated indirect strip lights and recessed downlighters, emergency lights and smoke detectors.

### 2.0 Assessment

The principle considerations in the determination of this application are as follows:

- Design (the impact of the proposal on the special character of the host Grade II\* listed building and wider Bloomsbury Conservation Area),
- Amenity (impact on neighbouring amenity in terms of daylight/sunlight, outlook, noise and privacy).

### 3.0 Design

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. Camden's Development Policies Document is supported by CPG1 (Design) and the Bloomsbury Conservation Area Statement.

Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") are relevant.

Section 16(2) provides that in considering whether to grant listed building consent for any works to a Listed Building special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.

The effect of these sections of the Listed Buildings Act is that there is a statutory presumption in

favour of the preservation of the character and appearance of Conservation Areas and the preservation of Listed Buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.

### Assessment

Whilst the interior of the building has undergone some insensitive alterations in the past, the historic plan form of the building is still legible and a number of interior features that are characteristic of Georgian chambers in London remain, providing a sense of the hierarchy of these rooms, their function and the original occupiers. The application seeks to subdivide one of the principal rooms (room 2) at first floor, extending the central corridor and creating a room of very odd proportions with the chimneybreast no longer central to the room. Subdivision of this room harms the legibility of the historic plan form which contributes to the build's significance, and is therefore not supported.

The application also seeks to widen the opening to the main reception area and insert a glazed double door. Whilst there are existing elements of modernisation, the interior retains a consistent and traditional material palette. The introduction of glazed doors will appear at odds with this historic character, adding an alien element to the internal spaces, contrary to Local Plan Policy D2. The enlarged openings elsewhere in the same room would appear as modern and disproportionately large features, out of keeping with the architectural and historic character of the host building. As such, the openings and glazed doors would harm the architectural and historic character of the host building which contribute to its significance.

The proposed air conditioning units to rooms 1 and 5 would result in alien modern intrusions being installed at ceiling level which would impact both the architectural and historic significance of these principal rooms and their spatial quality and proportions. The associated servicing would also require interventions through existing historic fabric. As above, these alterations would harm the architectural and historic character of the host building. The external units would be mounted on a brick wall within an internal courtyard; due to visible rebuilding of the wall and the concealed location of the units, there would be no adverse impact on the significance of the listed building.

Suspended and lowered ceilings are not supported in this building. The new MF suspended ceilings with recessed indirect LED strip lights which have been installed in the second and third floor corridors appear as modern, alien, bulky structures and adversely impact on the spatial proportions of the areas in which they have been installed. They fail to relate in any way to the architectural or historic character of the building and harm the significance of the listed building, contrary to Local Plan Policy D2.

The works to the bathroom and kitchen at second and third floor appear to replace earlier insensitive ceiling and lighting works and are therefore considered acceptable.

The proposed removal of structural walls, subdivision of larger rooms and the enlargement of existing openings would result in an unacceptable impact on the significance of the listed building, rendering the historic floorplan illegible however and cannot be supported.

Historic England objected to the applications on 24<sup>th</sup> October 2018. Their comments can be summarised as follows:

*These proposals would cause harm to the building's original plan form, and would result in the loss of original historic fabric. This harm has not been adequately justified in accordance with NPPF and in our view; the proposals do not offer substantial public or heritage benefits that would outweigh the harm.*

Historic England have not authorised the approval of the application.

#### **4.0 Amenity**

The only external alterations would be the installation of the external air conditioning unit. Due to the position of the unit within the internal lightwell, there would be no adverse impact on neighbouring outlook and privacy or daylight/sunlight levels.

A noise impact assessment was not submitted and it is therefore not possible to determine the potential noise levels to be produced by the air conditioning unit or whether it would comply with Camden's noise standards. As such, in the absence of this information, this would form a reason for refusal.

#### **5.0 Conclusion**

The historic plan form, proportions of rooms and openings, and the detailed architectural and historic character of the listed building, including the materials palette, all contribute to this building's significance. Many of the proposals undermine and cause notable harm to this significance, albeit less than substantial harm. Considerable weight has been attached to the harm caused, and in the absence of any demonstrable public benefits outweighing the harm, the proposal is unacceptable.

#### **Recommendations**

**Recommendation 1:** Refuse planning permission.

**Recommendation 2:** Refuse listed building consent.

**Recommendation 3:** That the Borough Solicitor be instructed to issue a Listed Building Enforcement Notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requiring the removal of the unauthorised MF suspended ceilings with recessed indirect LED strip lights and recessed downlights, emergency lights and smoke detectors and officers be authorised in the event of non-compliance to prosecute under Section 43 or appropriate power and/or take direct action under Section 42 in order to secure compliance with the notice.

#### **The notice shall allege the following breaches of listed building consent:**

Without listed building consent, the installation at second and third floor of suspended ceilings and associated indirect LED strip lights, recessed downlights, emergency lights, and smoke detectors ("the unauthorised ceiling works").

#### **WHAT ARE YOU REQUIRED TO DO:**

The Notice shall require that, within a period of three months of the Notice taking effect;

- (i) The removal of the unauthorised ceiling works to the corridors only ; and
- (ii) The corridor ceilings shall be reinstated to their former state to match the existing ceiling in terms of materials, colour and texture.

**PERIOD OF COMPLIANCE:**

Three months.

**REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE:**

Reasons for Issuing the Notice:

1. The work outlined above has been carried out to this Grade II\* listed building without the benefit of listed building consent.
2. The new suspended ceilings with recessed indirect LED strip lights which have been installed in the second and third floor corridors appear as modern, alien, bulky structures and adversely impact on the spatial proportions of the areas in which they have been installed. They fail to relate in any way to the architectural or historic character of the building and adversely harm the significance of the listed building contrary to policies D1 and D2 of the London Borough of Camden Local Plan 2017.