

Date  
29 October 2018

Planning Department  
Camden Council  
5 Pancras Rd,  
Kings Cross,  
London  
N1C 4AG

**By Portal**  
**FAO John Diver**

Daniel Watney LLP is a  
limited liability partnership  
regulated by RICS.

Registered in England  
Registered number OC356464  
Registered Office as address

Dear Sir / Madam

**Town and Country Planning Act 1990 (as amended)**  
**Application for Planning Permission and Listed Building Consent**  
**20 Theobald's Road, London WC1X 8PF**

Daniel Watney LLP is instructed on behalf of Fernglen Properties Ltd (Fernglen) to submit an application for full Planning Permission and Listed Building Consent at no. 20 Theobald's Road for the following:

*'Internal and external refurbishment of the Listed Building, including the reinstatement of historic features and removal of modern partitioning, to provide three one-bedroom residential units and one three-bedroom residential unit.'*

This application comprises:

- Application and Community Infrastructure Levy Forms;
- Site Location Plan;
- Existing and proposed drawings, prepared by Stephen Levrant Heritage Architecture Ltd; and
- Heritage, Design and Access Statement, prepared by Stephen Levrant Heritage Architecture Ltd.
- A photographic survey prepared by Stephen Levrant Heritage Architecture Ltd.
- A daylight and sunlight letter attached as an Appendix to this letter.
- An Energy Strategy Report prepared by MWL.

An electronic payment of £407 is made in parallel as the application fee (for alterations to 2 or more flats). This submission has been preceded by supportive pre-application advice from officers (John Diver and Colette Hatton) and its content also reflects the advice received.

## 1. Background and Summary Case

Fernglen acquired 20 Theobald's Road earlier this year. It has also acquired the wider terrace from 12 to 22, which is now under single ownership for the first time. Fernglen has been working with officers since the acquisition, in exploring the sensitive refurbishment of all of these properties as they have been the subject of unsympathetic and in some cases, unauthorised alteration and use in the past.

20 Theobald's Road is a grade II listed residential building that has been the subject of significant alteration and partitioning by a previous owner, leading to a very confused internal layout. Numerous bedrooms have been created and apartments merged in association with what appears to have been a form of unauthorised HMO use which does not comply with

modern housing regulations. The building is in a very similar condition to that of 22 Theobald's Road, at the time when the Council approved a similar application for that property, in 2017.

There will be heritage benefit through removing the partitioning, through aligning the layout much more closely to the original plan form and through repairing the significant damage that has occurred. In land use terms the proposal will clarify the layout; creating four self-contained flats in the form of three one-bedroom units and one three-bed maisonette. This will provide a mix of good quality, small and larger homes within the scheme whereas the existing accommodation does not currently meet modern housing regulations. It is also proposed to sensitively refurbish the exterior of the property.

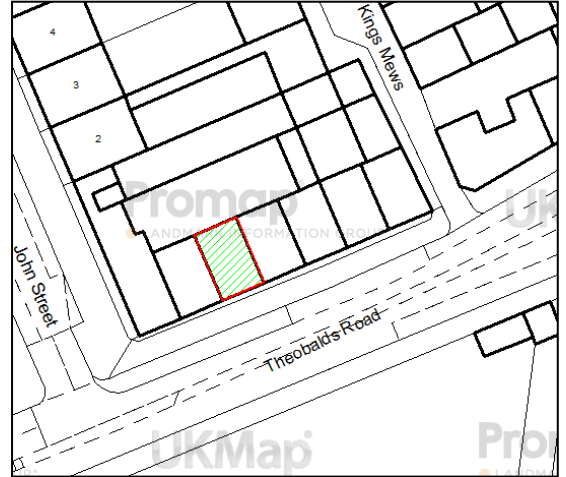
Further detail on the application submission is set out below:

**2. Site Description**

20 Theobald's Road is situated to the northern side of Theobald's Road, opposite Grays Inn Gardens. The area has a mixed-use character, including both offices and residential accommodation. Figure 1 below shows an aerial view of the site, whilst Figure 2 highlights its extent.



**Figure 1: Aerial View**



**Figure 2: Site Extent**

No. 20 Theobald's Road is a grade II listed former townhouse originally built c.1750 but now subdivided. The townhouse includes lower ground, ground and three upper floors, with generous attic and basement spaces including below pavement vaults.

Whilst many original features remain, the building has been unsympathetically altered and damaged over time. A significant number of sub-dividing modern partitions are wide spread throughout the building, with principal rooms divided to create multiple bedrooms. These works were seemingly undertaken without approval and have created a very confused internal layout. Numerous bedrooms have been created and apartments merged in association with what appears to have been a form of unauthorised HMO use which does not comply with modern housing regulations. Externally the front façade is very tired.

**3. Planning History**

The available planning history for the site relates only to minor internal works. As referred to above, it is not clear that the extensive subdivision that exists within the building was approved by the Council. A similar proposal to this submission was approved by the Council for no.22 in 2017.

**4. Proposal**

The proposal is described in detail within the accompanying drawings and the Heritage, Design and Access Statement. In short, it is proposed to remove the modern partitioning across all

floors to enable improved readability of the original plan form and create three one-bedroom units at lower ground, ground and first floor levels and one three-bedroom maisonette across the second and third floors. The new bathroom and kitchen facilities will be combined in to high quality free- standing units that will be fully reversible. All existing original features will be retained, revealed where they have previously been concealed, and repaired. Shutters will be included internally and the landscaping within the rear court will be designed to ensure privacy at the lower levels.

It is also proposed to clean and repair the external elevations; repaint the front door and window frames and spandrels; and restore the front porch.

## 5. Planning Policy Context

The proposal for 20 Theobald's Road should be considered in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the Development Plan comprises the Minor Alterations to the London Plan adopted in March 2016 and the adopted Camden Local Plan approved in July 2017. Material considerations include a number of the Council's Supplementary Planning Documents (SPDs), the emerging policies of the New London Plan and the recently approved, revised National Planning Policy Framework (NPPF).

The planning policy context is interlinked with a statutory requirement for local authorities to consider the desirability of preserving features of special architectural or historic interest when considering applications for Listed Building Consent.

### Designations

The Council's adopted Policies Map shows that the property is located within the Central London Area, the Bloomsbury Conservation Area and a Designated View – Lateral Assessment Area. The relevance of these designations and key planning policies are referred to below.

## 6. Planning Assessment

### *Heritage*

Section 16 of the NPPF seeks to conserve and enhance the historic environment and paragraph 193 states that great weight should be given to an asset's conservation. London Plan Policy 7.8 includes that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Policy D2 (Heritage) of Camden's Local Plan includes 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. Part j of Policy D2 includes that the Council will resist proposals for alterations to a listed building where this would cause harm to the special architectural and historic interest of the building.

Fundamental to this proposal is that that the works will convert the property back in to self-contained housing with a plan form more closely aligned with the original form and repair damage that has occurred through the extensive modern partitioning. The Heritage, Design and Access Statement concludes that this will be a significant heritage benefit. New interventions in to the Listed Building fabric will be minimised and reversible through the use of high- quality free-standing units to accommodate the bathroom and kitchen facilities which will also result in flats sufficiently commercially attractive/ viable to deliver the overall heritage benefit.

Furthermore, it is considered that the external works of restoration proposed to the front elevation will be beneficial to both the Listed Building and to the character and appearance of the Bloomsbury Conservation Area.

*Land Use*

Policy H10 of the Local Plan seeks only to resist the loss of houses with shared facilities (HMO) where they meet the relevant standards and regulations. Officers have agreed that in this case, the loss of the accommodation at no.20, which appears to be a form of unauthorised HMO, will not be resisted because it is of very poor quality, as well as the heritage benefit. This was also the case in approving a similar proposal for no.22 in 2017.

Policy H7 of the Local Plan seeks to ensure that all conversions contribute to meeting the priorities set out in the Council's Dwelling Size Priorities Table, including a mix of large and small homes. Accordingly, the proposal will provide three one-bedroom units and one three-bedroom unit and will therefore include a mix of large and small homes.

*Other Matters*

Whereas the quality of the existing accommodation is very poor, the proposed converted units will exceed the minimum space standards of the London Plan. A Daylight and Sunlight letter prepared by Tft Consulting is attached as an appendix to this letter and concludes that the daylight and sunlight that the lower ground floor flat will receive will not be unusual. Design mitigation is provided to ensure privacy at the lower levels.

**7. Conclusion**

The proposed conversion will deliver a heritage benefit which should hold weight. It will also create much higher quality housing, whereas the existing does not meet modern standards or regulations. We trust the enclosed documents allow the planning application to be validated, however should you require further information then please do not hesitate to contact us.

Yours faithfully,



**Daniel Watney LLP**  
Planning  
020 3077 3400

**Appendix A: Daylight and Sunlight Letter**

**To**  
Chelsie Rashti  
Morelands  
5-23 Old Street  
London EC1V 9HL

**From**  
Tuffin Ferraby Taylor  
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London EC1N 2LE  
+44 (0) 20 3479 77 77  
www.tftconsultants.com

**Date**  
16 October 2018

**Your reference**

**Our reference**  
CH/ce

Tuffin Ferraby Taylor LLP  
is a limited liability  
partnership registered  
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OC306766

Registered office:  
18 Holborn  
London EC1N 2LE

Dear Chelsie,

## **20 THEOBALDS ROAD, LONDON: DAYLIGHT ASSESSMENT**

I am writing with regards to our recent correspondence concerning the potential daylight levels within the proposed residential unit on the lower ground floor of 20 Theobalds Road, London. We have now had the opportunity to undertake the additional technical assessments requested and our findings are documented below.

### **Daylight and Sunlight Guidance**

The technical assessment has been undertaken in accordance with the methodology outlined in The Building Establishment Report “*Site Layout for Daylight and Sunlight 2011*” (BRE209). This BRE document is the principle guidance note when considering daylight, sunlight and overshadowing.

This is the document widely used by local authorities to help determine planning application. The advice given is not mandatory, although it gives numerical guidelines, these should be interpreted flexibly as natural lighting is only one of many factors in site layout design.

### **Internal Daylight Adequacy**

The Average Daylight Factor (ADF) method of assessment has been used to establish whether the proposed habitable rooms will receive adequate levels of daylight. The ADF measures the overall amount of daylight in a space. The calculation considers the VSC value, the size and number of windows serving a space, the overall size of the room and its intended use to give an overall percentage. BS 8206-2 *Code of practice for daylighting* recommends ADF values of 2% in kitchens, 1.5% in living rooms and 1% in bedrooms.

### **Planning Policy Guidance**

#### **London Borough of Camden Local Plan: Adopted 3 July 2017**

The Camden City Plan sets out the vision for the borough up to 2031 and puts in place a framework to deliver that vision. Section 6.5 of the plan states that the Council will take into account the Building Establishment Report “*Site Layout for Daylight and Sunlight 2011*” (BRE209) when considering the daylight and sunlight implication of a scheme.

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**National Planning Policy Framework: Adopted July 2018**

Since the initial daylight and sunlight report was submitted in June 2018, the updated National Planning Policy Framework (NPPF) has been adopted. The document sets out the Government’s planning policies and how these are intended to be applied, providing a framework for local authorities to use when producing their own distinctive local and neighbourhood plans.

Section 4 of the NPPF relates to decision making, setting out the principles to consider when determining applications. Paragraph 38 states that “*Local planning authorities should approach decisions on proposed development in a positive and creative way*”.

Paragraph 123 (c) mentions daylight and sunlight stating that local planning authorities “*when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight*”.

**Source Information**

The daylight study has been undertaken by constructing a detailed 3D model using the information listed below:

- Proposed Scheme: Stephen Levrant Heritage Architecture: N2420/290 & 203.
- Existing and surrounding buildings: Lane & Frankham Ltd: LF1159-22TR-FP-B rev A

**Daylight Result**

**Internal Daylight Adequacy**

The Average Daylight Factor method of assessment has been used to establish the light levels within the proposed habitable rooms on the lower ground floor. Attached drawing 180876/DA/402 shows the location of the rooms considered for assessment, with the results listed in the table below.

**Average Daylight Factor Results**

Average Daylight Factor (ADF)					
Floor Level	Room Name	Room use	Window No.	Proposed	Room Pass Rate
<b>20 Theobalds Road</b>					
Lower Ground	R1	LKD	W1	1.46	1.50
			W2		
			W3		
	R2	Bedroom	W4	2.41	1.00
			W5		

The results shown in the table above indicates that the proposed bedroom will comfortably comply with the BRE target values and benefit from good levels of light. The Living/Kitchen/Diner facing the courtyard to the rear of the building will marginally fall short of the suggested BRE target value of 1.5%,

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however an ADF of 1.46% should be deemed to represent a sufficient level of light for a dense urban location.

20 Theobalds Road is a listed building and therefore the architects are unable to make external amendments such as increasing the structural openings, which would improve the potential light levels in the proposed condition.

20 Theobalds Road is a listed building which predominately contains residential units. Due to the dense urban location of the site and the constraints involved with converting a listed building, the light levels to the Living/Kitchen/Dining area should be deemed acceptable in planning terms, especially when considering the light levels are greater than several other habitable spaces in the Borough.

### **Summary and Conclusions**

TFT have undertaken a daylight assessment to establish the proposed daylight levels within the lower ground floor residential rooms at 20 Theobalds Road.

The Average Daylight Factor method of assessment has been used in accordance with the advice given in the Building Establishment Report "*Site Layout for Daylight and Sunlight 2011*" to consider the proposed light levels.

The assessment indicates that the Living/Kitchen/Dining space will marginally fall below the suggested standard, whereas the bedroom will comfortably exceed the BRE target values in daylight terms.

The BRE guide suggests a flexible approach should be adopted when considering daylight in an urban area. The findings indicate that the proposed scheme by Thirdway Architecture will adhere to the intentions documented in the BRE guide and is therefore in accordance with the aims of the London Borough of Camden planning policy in daylight terms.

I trust the above is sufficient but if you have any questions please do not hesitate to contact me.

Yours faithfully



**Chris Harris**  
Technical Partner  
For and on behalf of Tuffin Ferraby Taylor LLP

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Enc: 180876/DA/402





**Disclaimer:**

This drawing should not be scaled.  
The contractor is to check all dimensions on site and inform the contract administrator/project manager of any discrepancies.  
This drawing is to be read in conjunction with all other contract drawings and specifications.  
This drawing is copyrighted and must not be reproduced in any format or disclosed to any third party without the written consent of Tuffnery Taylor LLP.

 Room Number/ADF Result

 Non-Compliant Rooms

Rev Date	Details	By

**Source Information**

Existing & Surrounding Buildings:  
Land & Frankham Ltd:  
Dwg No: LF1159-22TR-FP-B rev A.

Proposed Scheme:  
Stephen Levant Heritage Architecture:  
Dwg No: N2420/290 & 203.

**Notes**

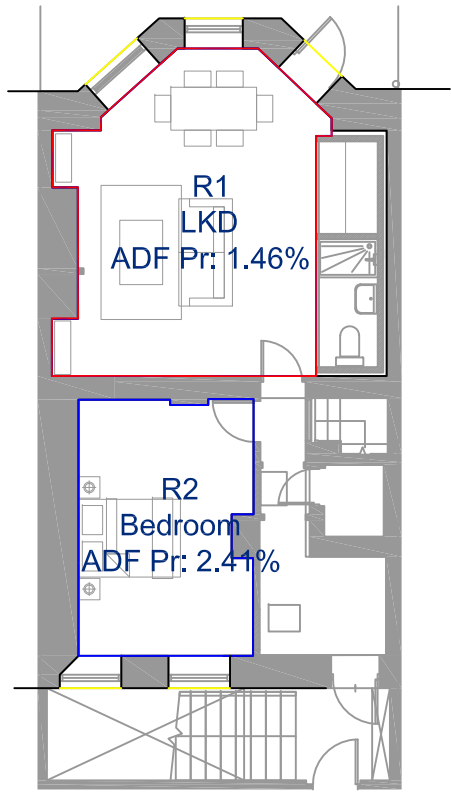
Client: **Fernglen Properties Ltd**

Project:  
**20 Theobalds Road  
London  
WC1X 8PF**

Drawing Title:  
**Daylight Adequacy Assessment**

Drawn: <b>CH</b>	Date: <b>16/10/18</b>	Scale: <b>1:100@A3</b>
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Dwg No: <b>180876/DA/402</b>	Rev: <b>-</b>
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**Lower Ground Floor**

