

FORMER BELSIZE PARK FIRE STATION - TOWER 36 LANCASTER GROVE, LONDON NW3 4PB

APPEAL STATEMENT OF CASE

LONDON BOROUGH OF CAMDEN
LPA REF: 2019/4604/P & 2019/4965/L

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1.0 INTRODUCTION

1.1 This statement accompanies an appeal against the decision by the London Borough of Camden (*"the Council"* hereafter) to refuse planning permission and listed building consent for works to the fire station tower at the former Belsize Park Fire Station, Camden.

1.2 The proposed development seeks conversion of the tower to provide a self-contained, 1-bed residential unit (LPA Refs: 2019/4604/P & 2019/4965/L).

Background

1.3 Belsize Park Fire Station closed on 9th January 2014, as part of the strategic planned closures by the London Fire and Emergency Planning Authority (LFEPA).

1.4 Belsize Park Fire Station is a Grade II* listed building. Such buildings are important assets. Vulcan Properties recognises that they are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance.

1.5 In that regard, in 2017, Vulcan Properties secured listed building and planning consents 2016/0745/P, 2016/1128/L, 2016/5813/P, 2016/6119/L, allowing the *alteration and change of use of the former fire station to provide 18 self-contained residential units, including replacement single storey side extension to east elevation and erection of two single storey side extension to west elevation and insertion of roof dormers, with associated external alterations, landscaping and parking*. The approved works retain the intrinsic character of former fire station and secures the listed building's long-term future and condition.

1.6 The appellants are in the process of implementing the above permissions with an expected completion this year.

1.7 The tower was unaffected by the above and was to remain unused. However, after further consideration, it is considered that a high quality, sensitive conversion of the space would enhance the heritage asset, whilst creating an additional and unique dwelling within this remarkable building.

1.8 The appellants applied for planning and listed building consent for the conversion of the tower to a 1 bed flat in 2018 (application refs 2018/4394/P & 2018/4910/L). However, those initial applications were refused for a number of reasons.

1.9 The decisions were subsequently appealed but dismissed (APP/X5210/Y/19/3222128 & APP/X5210/W/19/3222123). Many of the reasons for refusal were found to be acceptable; the principal reason for the dismissal was that the proposals resulted in too great a loss of heritage fabric.

1.10 Accordingly, the appellants submitted a revised application which took on board the concern and proposed a much lighter-touch conversion of the tower. Despite the positive changes made to the proposals, Camden Council officers remain determinedly opposed to the works and refused the revised planning and listed building consent applications.

1.11 Planning application 2019/4604/P was refused for the following 3 reasons;

1. The proposed conversion of the tower to a residential unit would result in 'less than substantial' harm to the listed building as a designated heritage asset which is not outweighed by any planning benefits, contrary to policy D2 (Heritage) of the Camden Local Plan 2017.

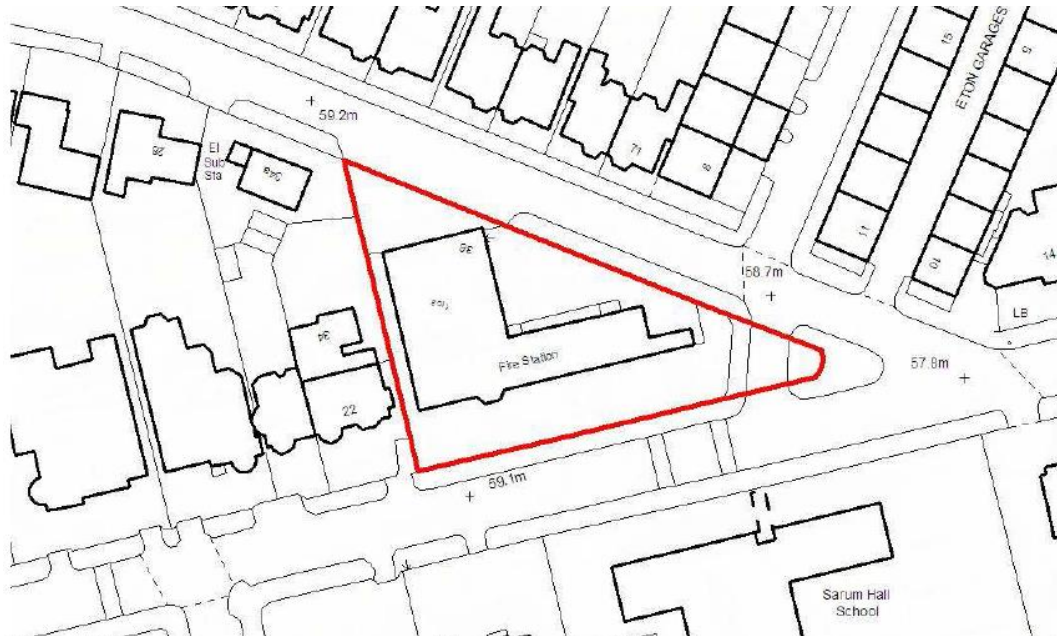
2. The proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more healthy or sustainable transport choices, contrary to policy T2 (Parking and car-free development) of the Camden Local Plan 2017.
 3. The proposed development, in the absence of a legal agreement to secure a contribution to affordable housing, would fail to maximise the contribution of the site to the supply of affordable housing in the borough, contrary to policy H4 (Maximising the supply of affordable housing) of the Camden Local Plan 2017.
- 1.12 Listed building consent 2019/4965/L was refused for the following 1 reason;
1. The proposed demolitions and alterations, by reason of loss of historic fabric and plan-form, would cause harm to the special architectural and historic interest of the Grade II* listed building, contrary to policy D2 (Heritage) of the Camden Local Plan 2017.

Structure of this Statement

- 1.13 Section 2 of this statement provides a brief description of the site and surrounding area.
- 1.14 Section 3 provides a summary of relevant planning history.
- 1.15 In section 4 we set out the appellants grounds for appeal. We assess the Council's delegated report in refusing the proposed conversion.

2.0 DESCRIPTION OF THE SITE

- 2.1 The former Fire Station lies in Belsize Park at the junction of Lancaster Grove (to the north) and Eton Avenue (to the south). The triangular shaped plot comprises 0.44 acres (0.1761 hectares). It is located within the Belsize Park Conservation Area and lies a short distance to the east of Belsize Park Underground Station.



SITE LOCATION PLAN

- 2.2 The building was designed by Charles Canning Winmill of the Fire Brigade Branch of the London County Council Architects Department, erected 1914-5. The building is Grade II* listed and is of special architectural merit.
- 2.3 The building has an L shaped plan and comprises a part basement, ground/upper ground and first floor levels. There is also a substantial roof void at second floor level.



BELSIZE PARK FIRE STATION (NORTH ELEVATIONS)

- 2.4 Planning and listed building consents granted in June 2017 allow conversion, extension and alteration of the building to provide 18 self-contained flats.
- 2.5 Construction works relating to the above consents are well advanced on site.



CONSTRUCTION WORKS IN PROGRESS ON SITE

- 2.6 Accordingly, the focus of this appeal is the internal, integrated former drill tower arranged over four upper floors (exterior image, right).
- 2.7 Elevations are constructed principally from brick.
- 2.8 High architectural quality of an Arts and Crafts style is manifest in its external design, detail and materials.
- 2.9 The building is mostly intact, having not been extended or significantly altered externally in the past.



TOWER EXTERIOR

- 2.10 Internally, the tower accommodates the central stair core void linking the ground, first and second floor levels.
- 2.11 Within the tower itself, the main staircase is succeeded by a narrower, circular-stair situated in the south-west corner giving access to the upper levels of the tower.
- 2.12 The finish more generally is robust, with exposed brick internal elevations and exposed concrete floors, with white painted ceilings.



TOWER INTERIOR

- 2.13 Upper levels of the tower comprise a single space at each floor around the central opening/void enclosed by railings.
- 2.14 There is a west-facing window at each level, with an additional east-facing window at fourth-floor level.



WEST-FACING WINDOWS AT EACH LEVEL

- 2.15 The roof of the tower, currently accessed via a roof hatch, provides exceptional views over London.



VIEW FROM TERRACE (RESIDENTIAL PROPERTIES FRONTING LANCASTER GROVE)

3.0 PLANNING HISTORY

a) Background

3.1 On 12 September 2013 the London Fire and Emergency Planning Authority approved the Fifth London Safety Plan (LSP5). LSP5 outlines a wide range of policies and measures which are intended to improve the safety of Londoners. Amongst other things, the document set out proposals to find significant cost savings over the next two years. Part of those measures reviewed the Authority’s largely freehold estate comprising 112 stations, characterised by a significant number of ageing buildings; a third of which were listed and in need of repairs and improvements. **An asset management plan completed in 2012 found that only 54 per cent of the fire stations were considered ‘suitable’ (fit for fire service purposes). It was determined that some of the estate would be released, which included the Belsize Fire Station.**

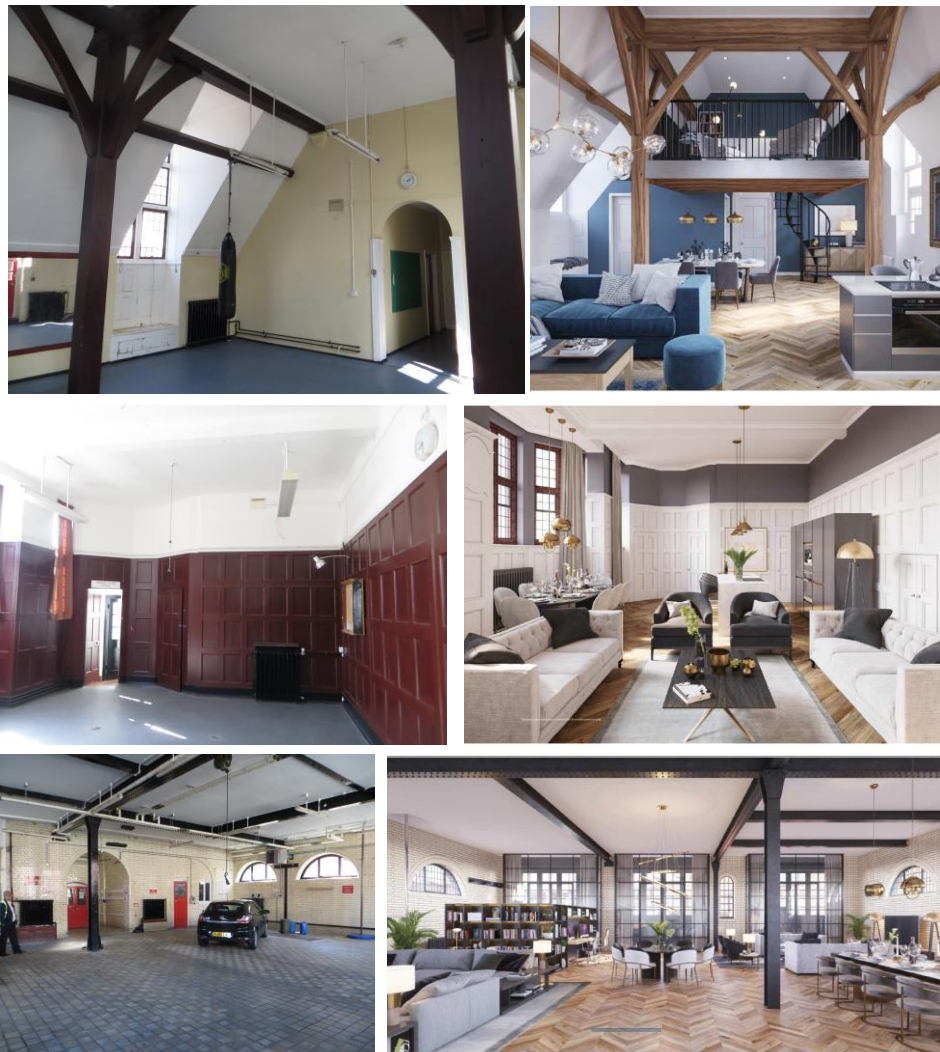
b) Planning Permission and Listed Building Consent

3.2 In 2017, Vulcan Properties were granted planning permission and listed building consents for the change of use, alteration and extension of the former fire station to provide 18 self-contained residential units (LPA references 2016/0745/P, 2016/1128/L, 2016/5813/P, 2016/6119/L).



3.3 Externally, the main physical changes to the building included the demolition and rebuilding of the single storey former fuel store at the eastern end of the site; provision of 13 new dormer windows including 5 new dormer windows on the southern roof slope, in order to activate its usage as habitable space; and the further excavation of basement level together with lightwells/terraces, to serve the new basement level of living accommodation.

- 3.4 Internally, the proposals generally took a fabric first approach, with a straightforward conversion of most of principal spaces within the building. Notwithstanding this, areas within the building which were more ‘non-descript’ allowed a greater level of intervention including new plan layouts and internal floor and wall finishes. With regard to the lower part of the tower/staircore, from the ground floor, a cylindrical glass lift was approved, serving the upper floors. In approving this lift, officers stated that the main void would remain visible, will be differentiated and reversible and would allow continued appreciation of the characteristic and historic staircase.
- 3.5 The permissions, providing 18 new residential units, did so in a sensitive manner and would preserve the important elements of the listed building. Officers considered that the public benefits of the proposal, principally ensuring the long-term sustainable future of the grade II* listed building, and provision of 18 new residential units, would outweigh the limited harm caused.
- 3.6 These permissions are currently being implemented on site.



EXISTING AND APPROVED (GCI) CONVERSION WORKS
 (FORMER GYM AT FIRST FLOOR (TOP); MESS ROOM AT GROUND FLOOR (MIDDLE); APPLIANCE BAY (BOTTOM))

- 3.7 The appellants subsequently applied for planning and listed building consent for the conversion of the tower to a 1 bed flat (application refs 2018/4394/P & 2018/4910/L). Those applications were refused, appealed, but dismissed on 1st of August 2019. Whilst the Inspector dismissed the appeals, the comments offered by the Inspector were pertinent.
- 3.8 Under reason for refusal 1 (internal amenity and quality of residential accommodation), the Inspector concluded that the proposed flat would provide acceptable living conditions for future occupiers. Indeed, it would provide a unique and novel living space within a remarkable building.
- 3.9 With regard to reasons for refusal 2 and 3 (absence of legal agreement to secure car-free housing and affordable housing respectively) the Inspector noted that the Council had prepared and executed a s106 Agreement under the appeal (along with the appellant and mortgagee). The s106 Agreement secured both car free housing and an affordable housing payment of £96,990 (which was calculated by the Council as an appropriate sum). The Inspector concluded that he was satisfied that it addresses the Councils second and third reasons for refusal”.
- 3.10 In light of the above, the Inspector resolved that all three reasons for refusal under the planning appeal were acceptable.
- 3.11 With regard to the listed building consent appeal, externally the proposed alterations were considered minor and it was concluded by the Inspector that those minor alterations would not materially compromise the external appearance or character of the tower.
- 3.12 Internally however, the changes were deemed to be more extensive, with particular reference made to the loss of the tight spiral staircase, infill of the stair void, and the alternation to the barefaced brick walls and exposed concrete floor and ceiling. **The Inspector considered that the cumulative effect of all of these changes would result in harm.**
- 3.13 The Inspector concluded that the loss of historic fabric would, in terms of the Framework, amount to *‘less than substantial harm’*, however he was mindful that less than substantial harm still attracts great weight. The appeals were dismissed on this basis.
- 3.14 Accordingly, the applicants prepared revised proposals which took on board those previous concerns and proposed a much lighter-touch conversion of the tower. Despite the positive changes made to the proposals, Camden Council remain opposed to the works and refused permission and listed building consent.
- 3.15 The following sections set out the Appellants ground of appeal.

4.0 GROUNDS OF APPEAL

4.1 In this section, each Reason for Refusal will be assessed in turn.

PLANNING APPLICATION (LPA Ref: 2019/4604/P)

4.2 With regard to the planning application, the first Reason for Refusal reads as follows:

“The proposed conversion of the tower to a residential unit would result in ‘less than substantial harm to the listed building as a designated heritage asset which is not outweighed by any planning benefits, contrary to policy D2 (Heritage of the Camden Local Plan 2017).”

4.3 The fire station tower is now redundant for its original purpose. The loss of the associated Sui Generis floorspace has been established under planning refs. 2016/0745/P and 2016/5813/P, which involved the conversion of the fire station to 18 residential units in total.

4.4 The plans which accompany this application show clearly that the form of the tower is retained and that there is no impact on the external appearance or the character of the tower as a landmark within the Conservation Area.

4.5 Internally the overall space of the tower is retained, and the impact of the central opening is retained, albeit in a different form. The original form with hanging hoses has already been changed since currently there is no need for hanging space for hoses to drain down. The layout with a corner circular staircase is retained, and the new screen maintains the form of the existing short walls, some of which are removed but where feasible are mostly retained.

4.6 The internal alterations have been reduced significantly since the previous appeal, and *cumulatively* the effects resulting in harm have also reduced. Notwithstanding this, the interventions that do remain are acknowledged to constitute ‘less than substantial harm’ but, in accordance with paragraph 193 of the 2019 NPPF, make it possible to achieve a viable use of the building while retaining its historic and architectural interest.

4.7 In outweighing the identified harm, the planning benefits will see the provision of an additional home to the boroughs housing stock. Moreover, the alternations proposed will make improved provision for access by friends and others who otherwise would have no ready form of access to the upper three floors of the tower or access the long-distance views over the surroundings and conservation area from the roofspace.

4.8 It is considered that the conversion of the tower does provide a benefit to all those who are able to gain access to the upper floors and roof, and it would seem that the use specific design that currently exists renders it unusable for other uses, thus denying it having any viable use without alterations being permitted.

4.9 The above public benefits are considered to sufficiently to outweigh the now limited/ less than substantial, alterations proposed.

4.10 The second Reason for Refusal reads as follows:

“The proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to contribute unacceptably to parking street and congestion in the surrounding area and fail to promote more healthy or sustainable transport choices, contrary to policy T2 (Parking and car-free development) of the Camden Local Plan 2017.”

- 4.11 Had officers found the scheme to be acceptable in all other respects, we trust that officers would have requested the appellants to enter into a legal agreement with LB Camden, however this opportunity did not arise.
- 4.12 A completed S106 will be submitted to the Planning Inspectorate to be secured to any forthcoming consent. The provision of this agreement will ensure that future occupants of the proposed unit will not be able to apply for a parking permit, thereby securing car-free housing and complying with Policy T2 of the Local Plan. The site comprises a sustainable location and sits within an established CPZ, the principle of car-free housing is therefore supported and encouraged.
- 4.13 The third Reason for Refusal reads as follows:
- “The proposed development, in the absence of a legal agreement to secure a contribution to affordable housing, would fail to maximise the contribution of the site to the supply of affordable housing in the borough, contrary to policy H4 (Maximising the supply of affordable housing) of the Camden Local Plan 2017.”*
- 4.14 As part of the above mentioned S106 legal agreement, an affordable housing contribution for the sum of £96,990 will be secured (as referred to in paragraph 5.3 of the officers delegated report), should the Inspector allow this appeal.

LISTED BUILDING CONSENT (LPA Ref: 2019/4965/L)

- 4.15 The listed building application was refused for one reason which states:
- “The proposed demolitions and alterations, by reason of loss of historic fabric and plan-form, would cause harm to the special architectural and historic interest of the Grade-II* listed building, contrary to policy D2 (Heritage) of the Camden Local Plan 2017.”*
- 4.16 Paragraphs 6.1-6.11 of the officers delegated report expands further on the concerns relating to this reason for refusal.
- 4.17 It is acknowledged at paragraph 6.4 of the officers report that *‘the new application is a revised scheme with a ‘lighter touch’ in terms of scope of internal alterations. The retention of certain features is now welcome; however it is still considered that this does not go far enough and that the loss of other historic features and plan form is still unacceptable’*. We disagree with the latter comments.
- 4.18 Most significantly, the existing spiral staircase is retained, providing access from the second-floor entrance to all upper levels. This original stair, a notable element of the tower with its decorative rope-twist newel posts and perforated stair treads will be entirely preserved.
- 4.19 An open-plan kitchen and dining room is located on the third floor, living and bathroom are accommodated on the fourth floor, the bedroom on the fifth floor. The proposals retain chimney breasts at second, third and fourth floor level; the preserved chimney breasts will retain some of the more confined spaces that were integral to the training of firemen in the tower, therefore preserving the space of the original function of the tower and its special interest, whilst allowing the tower to become useable and accessible.

- 4.20 The central void of the tower remains the principle area of disagreement between the LPA and the appellants, however it does need to be infilled to allow any meaningful future use of the tower. The extents of the former void space are proposed to be demarcated visually. At second floor the void situated in the slab of the third floor will be highlighted within the communal stairwell through means of a backlit panel embedded within a black crittall frame. On the third to fifth floors the dimensions of the central void will be further articulated through changes in floor finish. This will take the form of a black painted metal strip that will demarcate the void infill from the existing floor. At fifth floor the memory of the void below will be featured using a rooflight of the same dimensions as the central voids.
- 4.21 In contrast to the previous proposals, the infill panels described above are proposed to be openable fire rated hatches, enhancing the reversibility of the changes.
- 4.22 With regard to the internal surface treatments, with exception of the bathroom on the fourth floor, all the existing walls will retain the original exposed brickwork of the tower. All floors and ceilings will also retain the original concrete floor finishes as well as the white painted concrete soffits.
- 4.23 Any new services, cables and pipework will be exposed and curated to maintain the utilitarian character of the tower. This light touch will ensure that the internal parts retain the functional appearance of the tower, further preserving its special interest.
- 4.24 The revised proposals maintain the original and decorative spiral stair, retain much of the original chimney breasts and the resulting confined spaces, and preserves the functional internal appearance of the tower through exposed bricks walls and concrete floors and ceilings. Whilst the revised proposals do require the infilling of the central void, this is proposed to be executed in a sensitive and reversible manner and forms the only significant alteration.
- 4.25 *Overall, the cumulative effect of the works to the tower are considered to be significantly less than the previous proposal, retaining the internal fabric and the tighter plan form of the existing tower.*
- 4.26 The previous appeal proposals constituted less than substantial harm (as confirmed by the Planning Inspector under the previous application). The amount of intervention proposed under the revised proposals is significantly reduced and thus the cumulative harm is also significantly diminished.
- 4.27 The planning benefits include the provision of an additional dwelling, and the associated alterations will make improved provision for access by friends and others who otherwise would have no ready form of access to the upper three floors of the tower or access the long-distance views from the terrace which are considered to sufficiently outweigh the limited harm identified.

