

Address:	The Diorama 18 Park Square East London NW1 4LH		2 & 3
Application Number	2020/0802/P	Officer: Jonathan McClue	
Ward:	Regents Park		
Date Received:	18/02/2020		
Proposal: Change of use of building from institutional use (sui generis) to be used as Offices (Class B1), extension at roof level to provide new third floor with roof terrace above, internal subdivision, infilling, refurbishment and associated works.			
Background Papers, Supporting Documents and Drawing Numbers:			
Existing Drawings: P_00; E_000; E_01; E_02; E_03; E_04; E_05; E_06; E_10; E_11; E_15; E_17; E_19; E_20; E_21; E_27; E_28.			
Demolition Drawings: D_000; D_01B; D_02B; D_03B; D_04A; D_05; D_06; D_10; D_11; D_15; D_17; D_19; D_20B; D_21; D_27; D_28.			
Proposed Drawings: P_000; P_01B; P_02E; P_03B; P_04A; P_05B; P_06C; P_07C; P_10A; P_11A; P_15B; P_17A; P_19B; P_20D; P_21B; P_27A; P_28A, P_30, P_31, P_32, P_33, P_34A, R_01, R_02, R_03, R_04, R_05.			
Supporting Documents: Covering letter dated 14/02/2020; Design & Access Statement dated April 2020; Planning Statement dated February 2020; Heritage Statement dated February 2020; Transport Statement v1.3 dated 24/02/2020; Framework Commercial Travel Plan v1.1 dated 24/04/2020; Construction Management Plan pro forma; Acoustic Assessment Rev 2 dated 15/04/2020; Daylight and Sunlight Report dated 14/02/2020; Basement Impact Assessment (May 2020 Rev 2); Geotechnical Report on Ground Investigation; Phase 1 Preliminary Assessment; Construction Method Statement Rev P2 dated 12 May 2020; Structural Drawings file; Flood Risk Assessment Rev C; Archaeological Desk-based Assessment; Energy and Sustainability Statement Rev F dated 19/05/2020; Air Quality Neutral Assessment Rev B dated 14/02/2020; Air Quality Assessment Rev A dated 19/05/2020; Construction Dust Risk Assessment Rev B dated 14/02/2020; Stage 2 - Outline Fire Safety Strategy Report Rev A dated 14/02/2020; Statement of Community Involvement dated February 2020; Photographic Survey dated January 2020.			
RECOMMENDATION SUMMARY: Grant Conditional Planning Permission Subject to Section 106 Legal Agreement			
Application Number:	2020/0846/L		
Proposal: Extension at roof level to provide new third floor, internal subdivision, infilling, internal and external refurbishment in association with works of conversion from institutional use (sui generis) to be used as Offices (Class B1)			
Background Papers, Supporting Documents and Drawing Numbers:			

Existing Drawings: P_00; E_000; E_01; E_02; E_03; E_04; E_05; E_06; E_10; E_11; E_15; E_17; E_19; E_20; E_21; E_27; E_28.

Demolition Drawings: D_000; D_01B; D_02B; D_03B; D_04A; D_05; D_06; D_10; D_11; D_15; D_17; D_19; D_20B; D_21A; D_27; D_28.

Proposed Drawings: P_000; P_01B; P_02E; P_03B; P_04A; P_05B; P_06C; P_07C; P_10A; P_11A; P_15B; P_17A; P_19B; P_20D; P_21B; P_27A; P_28A; P_30, P_31, P_32, P_33, P_34A, R_01, R_02, R_03, R_04, R_05.

Supporting Documents: Covering letter dated 14/02/2020; Design & Access Statement dated April 2020; Planning Statement dated February 2020; Heritage Statement dated February 2020; Basement Impact Assessment (as amended); Construction Method Statement Rev P2 dated February 2020; Structural Drawings file; Archaeological Desk-based Assessment; Photographic Survey dated January 2020.

RECOMMENDATION SUMMARY: Grant Conditional Listed Building Consent

Applicant:	Agent:
The Diorama Estates Limited	Montagu Evans LLP 5 Bolton Street London W1J 8BA

Address:	17 Park Square East London NW1 4LH		3 & 4
Application Number	2020/0801/P	Officer: Jonathan McClue	
Ward:	Regents Park		
Date Received:	18/02/2020		
Proposal: Change of use from institutional use (sui generis) to residential (Class C3) to form a self-contained dwelling over basement, ground and upper storeys, excavation of existing vaults, extension at ground floor level to provide a single storey rear extension, internal refurbishment and associated works.			
Background Papers, Supporting Documents and Drawing Numbers:			
Existing Drawings: P_000; E_01; E_02; E_03; E_04; E_05; E_06; E_10; E_11; E_12; E_25; E_31.			
Demolition Drawings: D_01; D_02; D_03; D_04; D_05; D_06; D_10; D_11; D_12; D_25; D_31.			
Proposed Drawings: P_01A; P_02; P_03; P_04A; P_05A; P_06; P_10; P_11; P_12; P_25; P_31.			

Supporting Documents: Covering letter dated 14/02/2020; Design and Access Statement dated February 2020; Planning Statement dated February 2020; Heritage Statement dated February 2020; Basement Impact Assessment May 2020 V2; Geotechnical Report on Ground Investigation; Phase 1 Preliminary Assessment; Construction Method Statement dated June 2020; Structural Drawings file; Flood Risk Assessment Rev C; Acoustic Assessment Rev 1 dated 15/04/2020; Sustainability Statement Rev C dated 14/02/2020; Letter ref. 81568/IM/LAT/jdp dated 14/02/2020; Construction Management Plan pro forma; Assessment; Archaeological Desk-based Assessment; Photographic Survey dated February 2020.

RECOMMENDATION SUMMARY: Grant Conditional Planning Permission Subject to Section 106 Legal Agreement

Application Number:	2020/0844/L
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Proposal: Excavation of existing vaults, extension at ground floor level to provide a single storey rear extension, internal and external refurbishment in association with works of conversion from institutional use (sui generis) to residential (Class C3) to form a self-contained dwelling over basement, ground and upper storeys.

Background Papers, Supporting Documents and Drawing Numbers:

Existing Drawings: P_000; E_01; E_02; E_03; E_04; E_05; E_06; E_10; E_11; E_12; E_25; E_31.

Demolition Drawings: D_01; D_02; D_03; D_04; D_05; D_06; D_10; D_11; D_12; D_25; D_31.

Proposed Drawings: P_01A; P_02; P_03; P_04A; P_05A; P_06; P_10; P_11; P_12; P_25; P_31.

Supporting Documents: Covering letter dated 15/04/2020; Design and Access Statement dated February 2020; Planning Statement dated February 2020; Heritage Statement dated February 2020; Construction Method Statement, dated 3 June 2020; Structural Drawings file; Archaeological Desk-based Assessment; Photographic Survey dated February 2020.

RECOMMENDATION SUMMARY: Grant Conditional Listed Building Consent

Applicant:	Agent:
17 Park Square East Limited	Montagu Evans LLP 5 Bolton Street London W1J 8BA

Address:	19 Park Square East London NW1 4LH
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6 & 7

Application Number	2020/0804/P	Officer: Jonathan McClue	
Ward:	Regents Park		
Date Received:	18/02/2020		
Proposal: Change of use from institutional use (sui generis) to residential (Class C3) to form a self-contained dwelling over basement, ground and upper storeys, excavation of existing vaults, extension at ground floor level to provide a single storey rear extension, internal refurbishment and associated works.			
Background Papers, Supporting Documents and Drawing Numbers:			
Existing Drawings: P_000; E_01; E_02; E_03; E_04; E_05; E_06; E_10; E_11; E_12; E_24; E_31.			
Demolition Drawings: D_01; D_02; D_03; D_04; D_05; D_06; D_10; D_11; D_12; D_24; D_31.			
Proposed Drawings: P_01A; P_02; P_03; P_04A; P_05A; P_06; P_10; P_11; P_12; P_24; P_31.			
Supporting Documents: Covering letter dated 14/02/2020; Design & Access Statement dated February 2020; Planning Statement dated February 2020; Heritage Statement dated February 2020; Basement Impact Assessment May 2020 V2; Geotechnical Report on Ground Investigation; Phase 1 Preliminary Assessment; Construction Method Statement dated 12 May 2020; Structural Drawings file; Flood Risk Assessment Rev C; Acoustic Assessment Rev 1 dated 15/04/2020; Sustainability Statement Rev C dated 14 February 2020; Letter ref. 81568/IM/LAT/jdp dated 14/02/2020; Construction Management Plan pro forma; Archaeological Desk-based Assessment; Photographic Survey dated February 2020.			
RECOMMENDATION SUMMARY: Grant Conditional Planning Permission Subject to Section 106 Legal Agreement			
Application Number:	2020/0845/L		
Proposal: Excavation of existing vaults, extension at ground floor level to provide a single storey rear extension, internal and external refurbishment in association with works of conversion from institutional use (sui generis) to residential (Class C3) to form a self-contained dwelling over basement, ground and upper storeys.			
Background Papers, Supporting Documents and Drawing Numbers:			
Existing Drawings: P_000; E_01; E_02; E_03; E_04; E_05; E_06; E_10; E_11; E_12; E_24; E_31.			
Demolition Drawings: D_01; D_02; D_03; D_04; D_05; D_06; D_10; D_11; D_12; D_24; D_31.			

Proposed Drawings: P_01A; P_02; P_03; P_04A; P_05A; P_06; P_10; P_11; P_12; P_24; P_31.

Supporting Documents: Covering letter dated 14/02/2020; Design & Access Statement dated February 2020; Planning Statement dated February 2020; Heritage Statement dated February 2020; Construction Method Statement dated 12 May 2020; Structural Drawings file; Archaeological Desk-based Assessment; Photographic Survey dated February 2020.

RECOMMENDATION SUMMARY: Grant Conditional Listed Building Consent

Applicant:	Agent:
19 Park Square East LTD	Montagu Evans LLP 5 Bolton Street London W1J 8BA

ANALYSIS INFORMATION

Land Use Details (For Combined Applications):

	Property and Use Class	Floorspace (GIA m ²)
Existing	The Diorama, 18 Park Square East – Institutional Use (Sui Generis)	2,142.10
	17 Park Square East – Institutional Use (Sui Generis)	371.70
	19 Park Square East – Institutional Use (Sui Generis)	349.80
	TOTAL	2,863.60
Proposed	The Diorama, 18 Park Square East – Office space (B1)	2,878.90
	17 Park Square East – Residential Dwelling (C3)	391
	19 Park Square East – Residential Dwelling (C3)	368
	TOTAL	3,637.90

Residential Use Details (For Combined Applications):

	Residential Type	No. of Bedrooms per Unit				Total
		1	2	3	4+	
Market	Single dwelling	0	0	0	2	2

Parking Details (For Combined Applications):

	Parking Spaces (General)	Parking Spaces (Disabled)
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Existing	0	1
Proposed	0	1

OFFICERS' REPORT

Reason for Referral to Committee

Major development involving the conversion of more than 1,000m² of non-residential floorspace [clause 3(i)]; demolition (other than minor demolition) of part of a listed building [clause 3(iii)].

EXECUTIVE SUMMARY

The application sites include three different properties, which are currently linked together internally – 17 Park Square East; The Former Diorama at 18 Park Square East; and 19 Park Square East. The collective sites are fronted by Park Square East and back onto Peto Place (both owned by the Crown Estate). The sites are located close to Regent's Park and all buildings are grade I listed and within the Regent's Park Conservation Area. Nos 17 and 19 were built as houses and occupied as such for the majority of their history until the 1990s. The Diorama at no. 18 was built in the 1820s as a Diorama. It was a moving theatre using lighting to animate paintings and create scenes. Other later uses of the building have included a Baptist Chapel, rheumatism hospital and most recently offices for the Prince's Trust. The buildings form part of a series of 12 terraced properties (nos. 13-24 Park Square East (all grade I listed)) designed by John Nash. All three buildings were last occupied by the Prince's Trust and their use is considered to be Sui Generis – institutional uses.

The proposals seek planning permission and listed building consent for each property, to refurbish and extend the buildings and to subdivide into three separate planning units. No. 18 would be converted into an office, with an extension at roof level to provide third floor office space and a roof terrace along with associated internal works and basement extensions. The former dwellings at 17 and 19 would be converted into self-contained dwellings. Both buildings would have rear extensions, basement works and internal refurbishment.

Consultation responses were received from statutory and local groups. This included comments and guidance from Historic England Greater London Archaeological Advisory Service (GLAAS), Transport for London (TfL), Historic England (HE) and Thames Water. A strong objection was submitted by the Regent's Park Conservation Area Advisory Committee (RPCAAC). They are profoundly concerned by the extent of the proposed demolition of historic fabric, including of the original Diorama, Church elements and the hospital use, as well as the harm to the integrity and authenticity of the original and surviving plan form of the former townhouses and historic parts of the Diorama.

In land use terms, it is considered that the proposed development would have an appropriate mixture of uses for the site that would enhance the existing spaces while benefitting a number of the Council's policy objectives. This includes contributing

towards a successful economy while making an appropriate contribution towards the borough's supply of housing. The housing provided would be a good standard of living accommodation and an affordable housing contribution would be made in compliance with policy. The buildings have a unique history and as the proposed uses are not publically accessible, a public appreciation package is important to ensure that future generations are able to experience it. This would be secured by legal agreement and includes a dedicated website, physical model, Open House and other digital innovations (including virtual/augmented reality). This approach is seen as preferable to indefinitely holding out for an institutional reuse of the property, when at present the building continues to remain empty with no apparent indication of its rich and varied history.

On balance the internal and external works to the historic building are considered to conserve/respect the buildings and their setting, as well as features of special architectural and historic interest. The proposals would enhance the feature of the site that is most significant, that being the original Diorama use, and the residential townhouses would be brought back into their intended use (albeit with an altered plan form). While some of the interventions of interest to the chapel and hospital uses would be lost, this is outweighed by the restoration to other parts of the building, most importantly partly reinstating the volume and roof of the Diorama drum/rotunda and bringing this building back into a viable use. The extension above the Diorama building at 18 Park Square East is considered to be of excellent design quality and would preserve the character and appearance of the conservation area, as well as the setting and interest of the listed buildings.

The proposals would have limited impacts on neighbouring amenity, with conditions to control the use of the proposed terrace, and the development would lead to more sustainable uses for these grade I listed buildings that are being adapted as far as they can without causing harm to their special significance and importance.

In conclusion, the proposals would preserve the designated heritage assets (being the listed buildings and conservation area) and lead to a range of benefits including an uplift in housing (two units in total), a financial contribution towards affordable housing of £51,616.79, and the provision of high quality employment space (2,878.90m²).

1 SITE

1.1 This report relates to three different applications for three buildings, which are currently linked together internally – 17 Park Square East; The Former Diorama at 18 Park Square East; and 19 Park Square East (see Figure 1, below, for a combined site location plan). The collective sites are fronted by Park Square East and back onto Peto Place. Both roads are private and owned by the Crown Estate Paving Commissioners. The sites are located close to Regent's Park (a registered park and garden), within the Regent's Park Ward, with Park Square East forming the boundary with the City of Westminster. All buildings on-site are grade I listed and within the Regent's Park Conservation Area. The buildings have been vacant since 2013 and were last collectively occupied by the Prince's Trust. As part of works in the 1990's the three buildings were connected internally and became a single planning unit. Cumulatively the site

area comprises approximately 0.1 ha (1,032m²). The subject buildings form part of a group listing relating to nos.13-24 Park Square East (all grade I listed). These buildings form a series of 12 terraced properties designed by John Nash. Figures 2 and 3 (below) show the application sites in situ in aerial views.

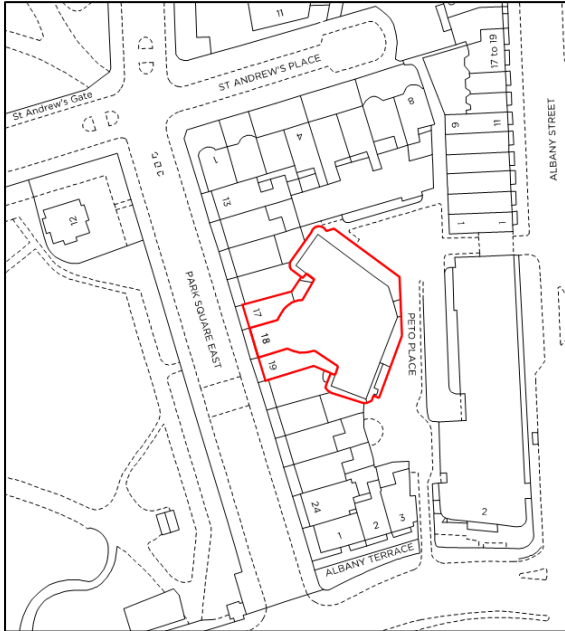


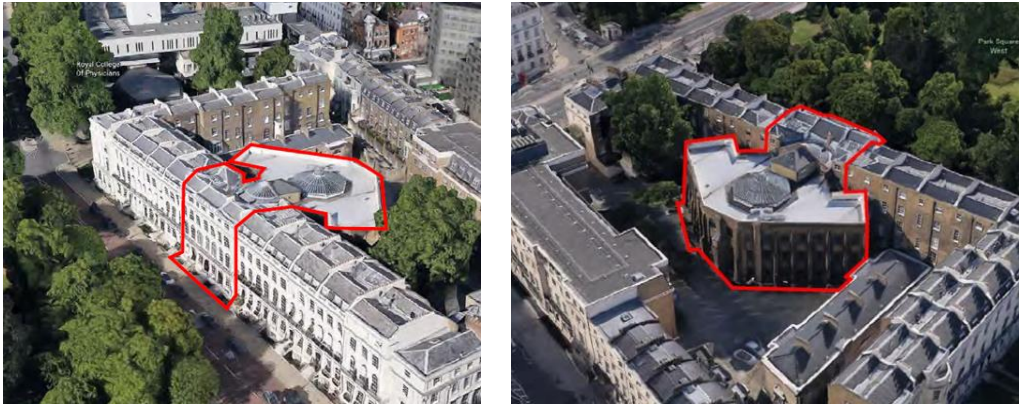
Figure 1 (left): Site location plan showing nos. 17, 18 and 19 Park Square East. Nos. 17 and 19 are former Nash townhouses fronting Park Square East only, while no. 18 fronts this street as well as Peto Place to the rear.

No. 18 Park Square East (Diorama)

- 1.2 The Diorama at no. 18 was built in the 1820s as a Diorama (with a flanking house each side (nos. 17 and 19)), which was the first of its kind in Britain following the success of a Diorama in Paris. It was a moving theatre using lighting to animate paintings and create scenes. The building has a rich history with a number of varied uses throughout its lifetime, including a Baptist Chapel (from 1855) and rheumatism hospital (from 1922 by Middlesex Hospital). It was most recently used as institutional offices (by the Prince's Trust, a charitable institution), which vacated in 2013 after occupying the building from the late 1990s. No. 18 is unlike other properties along the terrace as it has a considerable part of its bulk to the rear and 'fans out' behind other properties to almost four times the width of the front. The rear part of the building (behind the Nash townhouses) has a mostly flat roof with a glazed roof serving an atrium.

Nos. 17 and 19

- 1.3 These buildings are internally linked with no. 18, and have an existing lawful use as institutional, being most recently occupied by the Prince's Trust. They were originally built as houses and occupied as such for the majority of their history until the 1990s (when they were connected internally with no. 18 and used for institutional purposes).



Figures 2 (above left) and 3 (above right): The application buildings shown via aerial images.

2 PROPOSAL

3.1 Planning permission and associated listed building consent is sought to refurbish and extend the grade I listed buildings at 17, 18 and 19 Park Square East, which currently form a single building, and to subdivide these back into three separate properties. The proposal is made up of three separate sets of planning and listed building consents (one set for each property). This was done by the applicant to separate the properties cleanly, with different decision notices and legal agreements, as each building is likely to have an independent owner. Basement works are proposed to each building. The development for each property includes the below:

- The Diorama, 18: Change of use of building from institutional use (sui generis) to be used as Offices (Class B1), extension at roof level to provide new third floor, roof terrace, internal subdivision, infilling, refurbishment and associated works
- 17: Change of use from institutional (sui generis) to residential (Class C3) to form a self-contained dwelling over basement, ground and upper storeys, excavation of existing vaults, extension at ground floor level to provide a single storey rear extension, internal refurbishment and associated works
- 19: Change of use from institutional (sui generis) to residential (Class C3) to form a self-contained dwelling over basement, ground and upper storeys, excavation of existing vaults, extension at ground floor level to provide a single storey rear extension, internal refurbishment and associated works.

3.2 For no. 18, the proposals would create new and additional commercial floorspace via the change of use of the building and extension. The works include:

- Extension of the rear part of the building at roof level to provide additional floorspace at third floor level

- Excavation to extend the lower ground floor area
- Restoration, refurbishment and associated works to the listed building
- Internal modifications including insertion of a passenger lift
- Provision of cycle parking, waste facilities

3.3 Nos. 17 and 18 would be converted back into residential use to create two single-family dwellings. The proposed works include:

- Removal of non-original services, fixtures and fittings associated with its current institutional use, along with air conditioning units taken out of the lightwell
- Reinstating the plan form of principal rooms, along with the giving over of the second and third floors from the original Diorama building at no. 18 to the proposed townhouses
- Lightweight (glazed) extension at the rear of ground floor
- Lowering of the front vaults floor to increase floor to ceiling height
- Excavation to the rear garden
- Internal refurbishment
- The demolition of non-original floors

3.4 To the rear of the buildings, brickwork would be locally repaired and repointed. The glazed extensions would be carefully connected to the brickwork and sealed with a slim line silicon joint. Windows currently situated on the wall of no. 18 (the Diorama) facing onto the back of the houses (and their external amenity space) are to be infilled with matching brickwork. There are no changes proposed to the front elevation of the buildings other than the introduction of an iron gate and stone steps to match others in the terrace, accessing the front lightwell. The stone steps would be refurbished and new Portland Stone laid.

3.5 The building at no. 18 (the Diorama) has a planning condition controlling its use for institutional purposes. This was attached by a previous permission as the building has mostly had uses (including theatre, church, and hospital) that allow public access of the building and this contributes to the significance of the listed building. As the historic institutional use of the building would be lost due to the conversion to private uses (i.e. residential and employment), and due to the unique original use of the building as a Diorama (moving theatre), proposals are put forward to ensure that the public appreciation of the building is maintained, given its interesting historical and quasi-public uses since it was built. These measures include:

- A website for the Diorama (<http://www.diorama.co.uk/>) to explain its origins, history, architectural form and art form
- A physical model of the original Diorama building to be located nearby in Regent's Park
- Partnering with Open City's Open House to allow participating members of the public to experience the completed development

- A 3D Digital model with virtual reality capability to allow users to experience the original diorama as it once was

Revisions/further information

3.6 A number of additional documents/addendums and revised plans have been submitted throughout the course of the application. Updated information was provided on the basement proposals, air quality, sustainability, cycle parking, flooding and drainage. Summary of amendments:

18 Park Square East (Diorama):

- Central columns in entrance hall retained at basement level
- Further site investigations proposed to base of rotunda. Associated area of proposed scheme shown in abeyance and subject to condition
- Internal cycle parking moved to the Which? Building
- Northern staircase in Diorama retained and southern staircase kept in abeyance
- Ground floor WCs relocated, along with refuse and recycling store
- Inset stone to rotunda floor added
- Removal of plaster to central 'fluted' columns in entrance hall
- New stone panels in entrance hall removed
- Canopy over rear entrance (from Peto Place) reduced in size by 500mm
- Columns to be clad in natural stone
- Fluted detailing added to the stone cladding of existing columns in the entrance reception
- Floorplate of suspended office space within rotunda amended at third floor
- Circular rooflight added to roof terrace, green roof proposed, plant area revised and enclosure lowered, proposed slate roof lowered by 600mm

17 and 19 Park Square East:

- Amendment of the bathroom layouts
- Two bikes were added in the store at basement level for both units

RELEVANT HISTORY

4.1 The host buildings have a rich history and there have been multiple phases of development and uses of the building. This includes the original Diorama (moving theatre); the Baptist Chapel & Children's School; Rheumatic Institute; nos. 17 and 19 were originally used as residential properties; and later occupations, including most recently the Princes' Trust. Since the departure of the rheumatism hospital from 1929-1965, the buildings have had a number of short-term uses and alternative plans submitted but not pursued. The earliest planning application on the Council's record dates from 1982. The relevant

planning history set out below includes applications that cover a single building and all three buildings.

4.2 **PSE/D/001 and PSE/D/002:** Planning permission and listed building consent were refused for the conversion of the three buildings into offices, residential and a museum on 08/11/1982. The reasons for refusal included:

- 1) *The proposed development involves an increase in office accommodation contrary to the policy to restrain the growth of such space as expressed in the Greater London Development Plan and the District Plan*
- 2) *The Council considers that the Diorama building should be retained for community purposes*

4.3 **36926:** Planning permission and listed building consent were refused for the conversion of the three buildings into offices, residential and a museum on 03/11/1983. The reasons for refusal included:

- 1) *The proposed development involves an increase in office accommodation contrary to the policy to restrain the growth of such space as expressed in the Greater London Development Plan and the District Plan*
- 2) *The Council considers that the Diorama building should be retained for community purposes*

The refusal was appealed and was subsequently dismissed by an Inspector on 20/08/1984.

4.4 **37161:** Planning permission and listed building consent were granted for the use of no. 18 Park Square East and 14 Peto Place for an arts centre, workshops and performance spaces together with the erection of a new extension at roof level on 12/12/1983.

4.5 Planning permission was granted for the conversion of nos. 17 and 19 Park Square East to residential on 20/08/1984.

4.6 **8600031, 8600032, 8670007 and 8670008:** Planning permission and listed building consent were refused for the change of use including works of conversion to twenty self-contained flats and maisonettes with associated car parking and an exhibition gallery on 14/08/1986. The reason for refusal was:

- 1) *The proposals are considered to be contrary to the Council's policy to resist the loss of buildings which provide a public or community facility as expressed in the District Plan and proposed alterations thereto: the Council considers that the Diorama building should be retained for community purposes as it considers that the way in which the building is used contributes to its character as a building of architectural and historic interest*

The refusal was appealed and dismissed by the Planning Inspectorate on 26/07/1987. The appeal decision is appended to this report as Appendix 1.

- 4.7 **8670158 and 8600747:** Planning permission and listed building consent were granted for the continued use of the building as a centre for entertainment and the arts with associated activities and the provision of a museum of the Diorama and Panorama; and the alterations including the erection of a roof extension on 11/09/1986.
- 4.8 **8903492 and 8970518:** Planning permission and listed building consent were granted for the renewal of an earlier planning permission, confirming the conversion of nos. 17 and 19 buildings to residential, including works of partial demolition.
- 4.9 Planning permission was granted for the conversion of nos. 17 and 19 Park Square East from residential to office use (Class B1) on 10/01/1991.
- 4.10 **9401950:** Planning permission was granted for the use no. 18 Park Square East (the former Diorama building only) for 'institutional purposes' on 08/06/1995. Crucially, the approval includes a planning condition restricting the main former Diorama building to institutional/public uses:

Use for institutional purposes shall be limited to diplomatic and allied uses, and the headquarters of professional, cultural, charitable and learned institutions, associations and trade federations

Officers consider this condition was attached due to the history of the building containing public uses, which is considered to contribute to the significance of the listed building. In essence it is considered that this restrictive condition was put in place to maintain public appreciation/presence of the building.

- 4.11 In the 1990s, there were a number of planning permissions and listed building consents granted relating to physical works to the building, including:
- **9370025:** Works of internal and external refurbishment to nos. 17 and 18 granted on 17/09/1993
 - **9501406:** Erection of roof top plant room and glazing to the rear of nos. 17, 18 and 19 granted on 13/10/1995
 - **9904085:** Rebuilding part of boundary wall onto Peto Place to the rear of nos. 17, 18 and 19 granted on 15/04/1999
- 4.12 **2014/7770/P and 2014/7772/L:** In January 2015 the Crown Estate submitted an application for planning permission and listed building consent to change the use of the building to residential to provide 6 x 3 bed flats and two townhouses, including extension of existing lightwell, an additional storey at 3rd floor level and basement excavations. The application was withdrawn on 15/12/2015.

5 CONSULTATION SUMMARY

The below consultation responses have been summarised and combined for the three sites.

Statutory Consultees

Historic England Greater London Archaeological Advisory Service (GLAAS) on 03/03/2020

5.1 It is evident from the submitted documents that there is unlikely to be an archaeological impact at this location, particularly given the relatively small scale of the development works which includes small localised areas of ground reduction. The Greater London Historic Environment Record does not indicate that any significant archaeological remains are likely to be located on site. Additionally, the geotechnical investigation report (January 2020) shows substantial disturbance across the site.

5.2 The site was once used as a Baptist chapel. There is often a risk for burials associated with Baptist chapels; however, the submitted Heritage Statement identifies that it did not become a chapel until 1855 which is three years after the publication of the first Burial Act of 1852 which required the discontinuation of burials within metropolitan areas for public health reasons. It is therefore highly unlikely that the site would have been used for Baptist burials. No further assessment or conditions are therefore necessary.

Transport for London (TfL) on 05/03/2020

5.3 TfL offered the following comments:

- The proposal to provide a total of 46 cycle parking spaces is welcomed and meets the Intended to Publish London Plan cycle parking standards
- The Draft Travel Plan is supported and should be secured by planning obligation/condition
- All construction vehicles must load/unload away from A501 Marylebone Road/Euston Road
- A Delivery & Servicing Plan (DSP) should be secured by planning condition

5.4 **Officer comment:** *Due to the scale of the development and nature of servicing, officers do not consider a DSP to be necessary in this instance. This view is shared with the Council's own Transport Planners.*

Historic England (HE) on 26/02/2020

5.5 HE wrote to confirm that they do not wish to offer any comments on the proposals. They suggested that the local planning authority seek the views of their own specialist conservation advisers, as relevant. For all of the listed building consent applications, the necessary letter of authorisation for the authority to determine the application as they see fit was signed by the National Planning Casework Unit (NPCU).

Thames Water on 23/04/2020

5.6 Regarding surface water drainage, Thames Water advised that if the developer follows the sequential approach to the disposal of surface water they would

have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. In relation to waste water network and sewage treatment works infrastructure capacity, no objection. Thames Water stated that if the applicant is planning on using mains water for construction purposes, they need to let them know. No objections were raised on water network and water treatment infrastructure capacity. An informative was recommended on minimum pressure flow rates.

Local Groups

Regent's Park Conservation Area Advisory Committee (RPCAAC) objection on 27/03/2020

- 5.7 The RPCAAC submitted a strong objection to all six applications on the three buildings. These objections are summarised by property and because of the level of detail in the objections links are also provided to the full consultation responses on the Council's website.

The Diorama, 18 Park Square East

- 5.8 Overall, RPCAAC are profoundly concerned by the extent of the proposed demolition of historic fabric in the building. This includes work from all major periods of construction in what is a grade I listed building, recognised as a unique survival in the world. For proposals relating to the Diorama use, the RPCAAC consider that the original entrance space and main auditorium drum of the Diorama do not reinstate the original perceived spaces, the spatial sequence and hierarchy, original main levels, or original perceived volumes, and do not justify the destruction of either of surviving elements of the original Diorama building itself or later work. Objections are also raised based on potential damage/loss of foundations at basement level relating to the original Diorama mechanism, and the giving over of second and floor spaces of the Diorama building to the residential townhouses. In relation to the Church elements of the building, the first set of entrance stairs, and the columns flanking the entrance, with the details of the ceiling above the entrance, are of considerable significance. It would be seriously harmful to the significance of the building to demolish them. The works to the rear part of the building, including the former rheumatism clinic, are objected to by RPCAAC, mainly due to the infilling of the atrium and the loss of the glazed rooflight/lantern.

- 5.9 The full detailed objection on no. 18 can be found here: <http://camdocs.camden.gov.uk/HPRMWebDrawer/Record/8156354/file/document?inline>

17 Park Square East

- 5.10 The RPCAAC are particularly concerned with the integrity and authenticity of the original and surviving plan form. They object strongly to the lateral connections retained or proposed between nos. 17 and 18 (including at basement and the upper levels), and the subsequent major loss of plan form at second and third floor front rooms at no. 18. The full detailed objection on no. 17 can be found here:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/Record/8156345/file/document?inline>

19 Park Square East

- 5.11 Similarly to the objections above, the RPCAAC raised strong objections to the lateral connections retained or proposed between nos. 19 and 18 (including at basement and the upper levels), and the subsequent major loss of plan form at second and third floor front rooms at no. 18. The full detailed objection on no. 19 can be found here:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/Record/8156353/file/document?inline>

- 5.12 ***Officer comment:*** *The RPCAAC have raised a number of valid concerns regarding loss of fabric and plan form to the buildings, with officers agreeing that some of the works are not ideal if taking a scholarly approach to preserving all features and historic layers of the listed building; however, on balance officers consider that cumulatively the works result in no heritage harm and are supported. The matters raised by the RPCAAC are considered in detail within section 9 (Design, Character and Appearance, Impact on Heritage Assets) of this report, particularly paragraphs 9.20-9.36. Officers and the applicant have sought to address some of the concerns raised, including (prior to determination of the application and via listed building conditions) site visits, securing opening up works and methodology to investigate (in consultation with RPCAAC) whether anything remains of the original Diorama mechanism or its foundations. Details of the entrance/reception to no.18 and the floor design within the drum would be reserved for condition. Matters such as the infilling of the atrium are acknowledged as detracting from the historic hospital use, but the inserted floors would be demountable with the walls of the atrium and majority of the fenestration being kept intact. The plan form of the townhouses at second and third level are considered to be an acceptable approach on balance. Their significance to the original Diorama use (which has long left) is not known and the floors have already been laterally subdivided as it stands on-site. The original layout and setting of the townhouses is much compromised by the drum of the Diorama building and the proposed approach is considered sympathetic to the original plan form.*

Adjoining Occupiers

<i>Total number of responses received</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	0

- 5.13 For all of the applications, site notices were displayed in front of the buildings on Park Square East and to the rear on Peto Place from 11/03/2020. Local press notices were made (for all applications) on 27/02/2020. No representations were received from adjoining occupiers.

Applicant's own consultation

- 5.14 The consultation undertaken by the applicant is set out within a Statement of Community Involvement dated February 2020. It built on previous engagement (throughout 2018 and early 2019) by the Crown Estate on similar proposals before the applicant acquired the site. The applicant's consultation included a fully-staffed meeting that invited neighbours close to the site as well as interested community groups to the Diorama building to be briefed on the proposals following the change in ownership. An ongoing contact programme took place with Regent's Park ward councillors, local residents and interest groups.
- 5.15 The neighbours' meeting was held on Friday 22 November 2019 at 10.30am-12.00pm. It included large-scale display boards and was promoted via personalised letters to neighbouring residents and local groups in order to maximise engagement with local communities. The key issues raised were over the top floor extension to the rear building facing Peto Place impeding on views from neighbouring windows, overlooking issues, disruption to the local area caused over the construction process, working space, and retention of the façade. Other groups the applicant engaged with include:
- Regent's Park Resident's Association
 - West Euston Partnership
 - Regent's Park Conservation Area Advisory Committee
 - Diorama Arts
 - Euston Town Business Improvement District
 - Crown Estate Paving Commission

6 POLICIES

- 6.1 The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are expected to be applied. It must be taken into account in preparing the Development Plan, and is a material consideration in planning decisions. The revised NPPF was published 24 July 2018 and updated on 19 February 2019, replacing the previous document published in March 2012.
- 6.2 The Camden Local Plan was adopted by the Council on 03/07/2017 and replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions. Other local documents which are of relevance include the Proposals Map, the Regent's Park Conservation Area Appraisal and Management Strategy Adopted 11 July 2011 and Camden Planning Guidance (CPG).
- 6.2 The London Plan 2016, along with the Mayor's Supplementary Planning Guidance (SPG), are also important considerations as are sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is noted that the Intention to Publish version of the London Plan was issued to the Secretary of State on 09/12/2019. The document is considered to have some weight at this stage.

6.3 In making any decisions as part of the planning process, account must be taken of all relevant statutory duties including section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 149 of the Equality Act 2010 is also relevant to the determination of the applications. It sets out the Public Sector Equality Duty, which states that a public authority must have due regard to eliminate discrimination, harassment and victimisation; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6.4 The relevant Camden Local Plan 2017 policies are listed below:

- G1 (Delivery and location of growth)
- H1 (Maximising housing supply)
- H2 (Maximising the supply of self-contained housing from mixed-use schemes)
- H4 (Maximising the supply of affordable housing)
- H6 (Housing choice and mix)
- H7 (Large and small homes)
- C1 (Health and wellbeing)
- C2 (Community facilities, culture and leisure)
- C3 (Cultural and leisure facilities)
- C5 (Safety and security)
- C6 (Access for all)
- E1 (Economic development)
- E2 (Employment premises and sites)
- A1 (Managing the impact of development)
- A2 (Open space)
- A3 (Biodiversity)
- A4 (Noise and vibration)
- A5 (Basements)
- D1 (Design)
- D2 (Heritage)
- CC1 (Climate change mitigation)
- CC2 (Adapting to climate change)
- CC3 (Water and flooding)
- CC4 (Air quality)
- CC5 (Waste)
- T1 (Prioritising walking, cycling and public transport)
- T2 (Parking and car-free development)
- T3 (Transport infrastructure)
- T4 (Sustainable movement of goods and materials)
- DM1 (Delivery and monitoring)

6.5 Relevant supplementary planning guidance is listed below:

Camden Planning Guidance (CPG):

- CPG Access for all
- CPG Amenity
- CPG Air Quality

CPG Artworks statues and memorials
 CPG Basements
 CPG Biodiversity
 CPG Community uses, leisure facilities and pubs
 CPG Design
 CPG Developer contributions
 CPG Employment sites and business premises
 CPG Energy efficiency and adaptation
 CPG Interim Housing
 CPG Planning for health and wellbeing
 CPG Public open space
 CPG Transport
 CPG Trees
 CPG Water and flooding

Regent's Park Conservation Area Appraisal and Management Strategy
Adopted 11 July 2011

7 ASSESSMENT

7.1 The principal considerations material to the determination of this application are considered in the following sections of this report:

7	Land Use
8	Housing Mix, Unit Size, Quality of Accommodation and Affordable Housing
9	Design, Character and Appearance, Impact on Heritage Assets
10	Open space, Landscaping, Trees and Nature Conservation and Biodiversity
11	Basement
12	Neighbouring Amenity
13	Transport and Highways
14	Sustainable Design and Construction
15	Air Quality
16	Flooding and Drainage
17	Accessibility
18	Land Contamination and Archaeology
19	Waste Management
20	Economic Benefits, Local Employment and Procurement
21	Fire Safety
22	Section 106 (S106) Obligations
23	Community Infrastructure Levy (CIL)
24	Conclusion
25	Recommendations
26	Legal Comments - Conditions Planning Applications - Conditions Listed Building Consents

7 Land Use

Existing situation

- 7.2 As explained above, the application buildings have a rich history and there have been multiple phases of development and uses. This includes the original Diorama (moving theatre); the Baptist Chapel & Children's School; Rheumatic Institute and later occupations, including most recently the Princes' Trust (until 2013). In summary, the historic and most recent uses have been institutional.
- 7.3 As part of a combined appeal (appeal reference letter A/858X/AJT/P in 1987, attached to this report as Appendix 1), the Planning Inspector raised concerns regarding reduced opportunities to enjoy and appreciate the architectural and historic interest of the building as a whole. This was seen as unacceptable given the Diorama building has been in some form of public or institutional use for most of its life.
- 7.4 In 1995 planning permission for no. 18 Park Square East (the former Diorama building only) was granted under 9401950 with a condition requiring the building to be limited to being used for institutional purposes or diplomatic and allied uses, and the headquarters of professional, cultural, charitable and learned institutions, associations and trade federations only. On this basis the existing building is considered to be within a 'quasi' public or institutional use, with the lawful use of the building being Sui Generis. It is considered that the building could lawfully be used by any institution regardless of its use class (i.e. whether office (B1a), non-residential institutions (D1) or any other). This 'quasi' public or institutional use forms part of the site's heritage value. Any proposal to remove this restriction would need to be offset by an alternative ability for the public to access/understand and better appreciate the significance of the listed Diorama building.
- 7.5 As set out briefly in the planning history section, the site has had a number of short-term uses and alternative plans submitted since the closure of the rheumatism hospital in 1965. This history since 1965 is summarised below:
- 1965: Bedford College took a nine-year lease
 - 1973: Listed building consent granted for demolition behind retained façade, for new Ismaeli cultural and religious centre - not implemented
 - 1980: Demolition applied for creation of landscaped area - scheme not progressed
 - 1982: Conversion for offices, residential and a museum were refused by Camden in 1982
 - 1983: Conversion to office use proposed, including complete removal of everything in the shell of the Diorama - refused by Camden
 - 1984: Approval by Secretary of State for conversion of nos. 17 & 19 to residential
 - 1986: Application by Crown Estate for use of no. 18 as 18 x flats and an exhibition gallery - refused by Camden

- 1986: Application by Crown Estate for use of no. 18 as 18 x flats and a health & fitness club - refused by Camden)
- 1990: Application submitted for restoration of no. 18 to provide theatre, cinema, drawing school, art club and studios including exhibition space - application never determined
- 1991: Approval by Camden for conversion of nos. 17 and 19 to residential
- 1994: Prince's Trust took lease for use as their offices
- 1995: Approval for the use of no. 18 for 'institutional purposes'
- 2013: Prince's Trust lease expired in March 2013, the building has been vacant for over 7 years)
- 2015: Crown Estate applies for permission for use as offices and residential - considered by Camden for approximately 18 months. The application not determined and was subsequently withdrawn

7.6 The history over the past 55 years demonstrates the difficulties of trying to find a viable occupier/scheme for the refurbishment and reuse of the three grade I listed buildings, which are almost 200 years old and have lain empty for the past 7 years. Officers consider that the buildings are potentially candidates for the Historic England Heritage at Risk (HAR) Register due to their redundant and vacant state and lack of use. This includes being occupied only 28 out of the past 55 years. The Diorama (no. 18) has proven difficult to find a long-term viable use for. Over the first 145 years of its life, it had been used as an early form of cinema, chapel and hospital. That historic adaptability has not served it well during the past 55 years. The applicant for no. 18 has secured a 125 year lease with the Crown Estate, which is welcomed as no willing developer/occupier has come forward for some time. The applicant attends to occupy the building at no. 18 for their own purposes, as owner-occupier.

Loss of institutional (Sui Generis) use

7.7 There is no protection for Sui Generis uses within the policies of the Local Plan nor supporting policy documents. Furthermore, there is no adopted planning policy which explicitly seeks to retain charitable or institutional office uses and the 'loss' of this former public building must be considered on its own unique merits. Notwithstanding this, the public use/appreciation of the building is considered to be worthy of protection and contributes to the significance of the heritage asset.

7.8 The most recent use of the Diorama building was as offices by the Prince's Trust, which as explained above occupied the site until the end of their lease in 2013. The buildings have remained unoccupied since and the Crown Estate (previous owner) has been actively considering alternative tenants for the buildings since 2010 (in anticipation of the Prince's Trust ending their lease and moving to new premises). The Crown Estate actively marketed the site and explored planning proposals for a private residential development (under 2014/7770/P and 2014/7772/L). Their marketing concluded that there is limited demand within the charitable and institutional sector, and that the building's age, unique layout and inefficiency is not one that is sought after. The Prince's Trust had a number of reasons for leaving in 2013, including the Diorama's upkeep costs, which are high and considered likely to rise, the grandiose nature

of the property can sometimes give the wrong impression for a charitable trust and issues with level access and access to services.

- 7.9 It is considered that the existing building is illegible, poorly laid out, inefficient in operation and costly to run with the existing heating and lighting systems. Some areas of the building are incapable of use, with there being inbuilt inefficiencies that do not lend themselves to be appropriate for a charitable/institutional type use. There are also issues with the building's current form such as the under-provision of lifts, disabled access, energy efficiency and running costs; the existing floor layout, including columns, provides inefficient and compromised floorplates; the arrival experience is also poor, with a lack of level access throughout the site. Since the departure of the previous tenant, the building has fallen further into disrepair, and a period of vacancy of nearly seven years. As stated above, the buildings have the potential to be added to the HAR Register if the current situation continues.
- 7.10 In summary the application site is in need of significant works to attract a suitable tenant, and it is considered that this is unlikely to be fulfilled by an institutional use. Officers note that these concerns were highlighted within the Inspector's decision in 1987 (see Appendix 1), where the Inspector noted that *'the Diorama building is something of a warren internally and is not readily adaptable to a new function'*. In the Inspector's view *'any permanent solution is likely to require some adaption of the building'*. The various applications and appeals on this site illustrate the difficulty over the years of finding a suitable solution/tenant for the property.
- 7.11 Further to the above, officers consider that the existing lawful use (of an institutional use) does not guarantee that the building is subject to public appreciation which was the main reason for protecting that use in the past. The most recent use, the Prince's Trust, operated much like a private office. It is therefore considered that the conversion of the building to a more private use could be acceptable in principle, subject to the new use providing suitable benefits along with some form of public appreciation package as mitigation.
- 7.12 The applicant is keen to work with officers and interested parties to ensure that a public appreciation of the building would be reintroduced, given its interesting historical and 'quasi' public uses since it was built. The building has a unique history and the applicant wants to ensure that future generations are able to experience this. A number of proposals have been put forward, which would be secured via legal agreement. The securing of these benefits is considered preferable to maintaining a blanket restriction on the property to only be used for institutional purposes. At present the building is sitting empty with no indication of its rich and varied history. Some of the proposals include (as outlined in the proposals section of this report (above)):
- A website for the Diorama (<http://www.diorama.co.uk/>) to explain its origins, history, architectural form and art form
 - A physical model of the original Diorama building to be located nearby in Regent's Park

- Partnering with Open City's Open House to allow participating members of the public to experience the completed development
- A 3D Digital model with virtual reality capability to allow users to experience the original diorama as it once was

Proposed office use

- 7.13 The building has most recently been used (1995-2013) as office-type accommodation, through its established use as institutional offices. Therefore, the principle of continuing this across the majority of the sites (i.e. the former Diorama building at no. 18) is considered acceptable.
- 7.14 Policy E2 (Employment premises and sites) encourages the provision of employment premises and sites in the borough. Although currently vacant, the existing building most recently provided an 'employment premises' as office floorspace for a charitable institution. Office accommodation is considered to be appropriate in this location as the site is centrally located close to transport hubs, with excellent links to other transport options. The surrounding area includes a high proportion of office and commercial uses. The proposal seeks to increase employment generation and contributes towards objectives for achieving economic growth with additional office floorspace, which is of a high quality and suitable for modern companies. The existing building would be refurbished with a number of internal alterations as well as extended at third floor level to increase the quantum of useable commercial area within no. 18, where office use is proposed. Nos. 17 and 19 are currently in Sui Generis institutional use and that use (which of course would provide employment opportunities) would be lost. The principle of converting them back into their historic use as townhouses (discussed below) is considered appropriate in land use terms, especially considering the heritage benefits of reverting back to residential. Furthermore, the current floor area of nos. 17, 18 and 19 is 2,863.60m². The extended and refurbished office space proposed at no. 18 is 2,878.90 m². On this basis, there would be no loss of potential employment floorspace and the quality and usability of the resulting space is superior.
- 7.15 Overall, the proposal would contribute to the borough's economic based policies through the provision of a medium sized office building (at no. 18) that would be well-suited to small and medium-sized enterprises. The floorplates could be divided to provide space for smaller businesses, as well as providing a single let office, ensuring that the main employment based use is suitable for a range of businesses.

Proposed residential use

- 7.16 Nos. 17 and 19 were built as residential dwellings and were combined together with no. 18 in 1995. These buildings do not, therefore, have the same historical public use that 'The Diorama' has had. Reverting these properties back into their original use as single-family dwellings is considered the best use for them as listed buildings (in keeping with their special interest and historic significance etc.). The provision of additional residential floorspace within the borough is strongly supported by policy H1, which highlights the need to maximise the supply of housing. It is also a requirement of the Local Plan to introduce housing, as per policy H2 (see paras 7.15 below), due to the proposals

cumulatively including an uplift of floorspace over 200m² within the Central London Area.

Mixed-use policy

- 7.17 Policy H2 of the Local Plan requires a mixture of uses in all parts of the borough, including a contribution to housing. The application buildings are located within the Central London Area and as such where there is more than 200m² (GIA) of additional floorspace provided, up to 50% of all additional floorspace is expected to be housing unless the site specific circumstances justify otherwise. The proposals would exceed this threshold by providing an uplift of 774.3m² cumulatively, and would therefore trigger the requirement for a secondary use (i.e. housing) if appropriate. In this instance the policy requirement would be for 387.15m² (i.e. 50% of 774.3). The wider proposals include 759m² through the creation of two new dwellings. Policy H2 is therefore complied with.

Conclusion

- 7.18 Overall, the proposed uses are considered to be appropriate for the buildings and area, subject to a legal obligation securing public appreciation of the Diorama building at no. 18.

8 Housing Mix, Unit Size, Quality of Accommodation and Affordable Housing

Housing mix

- 8.1 The proposal includes the creation of two single-family dwelling houses, a three bedroom unit at no. 17 and a four bedroom unit at no. 19. It is not considered that either building could provide additional units (i.e. be subdivided into flats) due to heritage constraints and this would contradict the goal of reverting both buildings back into their historic use as single townhouses.
- 8.2 Policy H7 seeks to provide a range of unit sizes to meet demand across the Borough. For market units three beds are high priority and four beds (or more) are a lower priority. While four beds are lower priority, a contribution towards family units is welcomed and in line with the Council's strategic objectives to be a more family friendly borough. On this basis and given the heritage constraints, the unit mix is considered acceptable.

Unit size

- 8.3 The proposed units would be 391m² and 368m² in size. These sizes comfortably exceed the Ministry of Housing, Communities and Local Government (MHCLG) nationally prescribed space standards dated March 2015.

Quality of accommodation

- 8.4 Both units would be large in size over a number of floors. They benefit from small outdoor rear terraces, ancillary spaces in the basement, significant storage and utility areas, front rooms facing Regent's Park, rear conservatory spaces, have good room sizes and layouts and are dual aspect.

Affordable housing

- 8.5 Policy H4 of the Local Plan seeks to maximise the supply of affordable housing, in line with aiming to exceed the Borough wide strategic target of 5,300 affordable homes from 2016/17-2030/2031. The Camden Strategic Housing Market Assessment estimates a need for around 10,000 additional affordable homes from 2016-2031. Policy H4 has a sliding scale target that requires an additional 2% affordable housing per capacity for each additional home. Capacity for one additional home is defined within the Local Plan as the creation of 100m² of additional residential floorspace (GIA). In assessing capacity, additional residential floorspace is rounded to the nearest 100m² (GIA). The affordable housing target of 50% applies to developments with capacity for 25 or more additional dwellings. Schemes providing between 1-9 units will be expected to make a payment in lieu (PIL) of affordable housing, subject to viability.
- 8.6 The proposals cumulatively include two residential units and an uplift of 759m² of residential floorspace. Therefore on the floor area alone, the cumulative sites have a capacity for 8 homes based on the criteria within policy H4. However, paragraph 3.108 of the Local Plan states that the Council '*will take into account any constraints on capacity where existing buildings are converted (particularly listed buildings and other heritage assets)....The assessed capacity for additional homes will be used to determine the percentage affordable housing required in accordance with sliding scale set out in Policy H4*'. On this basis, it is considered that the cumulative sites have capacity for two homes as it would be unacceptable in heritage terms to subdivide the former townhouses into further residential units. Furthermore, any subdivision would be likely to lead to substandard housing. It would be particularly difficult to make multiple units due to the rear of nos. 17 and 19 being compromised by the Diorama drum at no. 18. The financial contribution for each property, which would be subject to their own section 106, is set out below:

Payment in lieu for no. 17:

- Site has capacity for one house due to it being listed and not suitable for conversion into more units/flats. Therefore, the affordable housing target is 2% (capacity for 1 unit so $1 \times 2\% = 2\%$ contribution)
- The proposed uplift in GEA is 495.5m². The affordable housing floorspace target, at 2% of the GEA uplift of 495.5m², is 9.91m² GEA
- A PIL is sought at a rate of £2,650 per m² of GEA
- The financial contribution is therefore $9.91\text{m}^2 \times £2,650 = £26,261.50$

Payment in lieu for no. 19:

- Site has capacity for one house due to it being listed and not suitable for conversion into more units/flats. Therefore, the affordable housing target is 2% (capacity for 1 unit so $1 \times 2\% = 2\%$ contribution)

- The proposed uplift in GEA is 478.4m². The affordable housing floorspace target, at 2% of the GEA uplift of 478.4m², is 9.568m² GEA
- A PIL is sought at a rate of £2,650 per m² of GEA
- The financial contribution is therefore 9.568m² x £2,650 = £25,355.29

8.7 The financial contributions of £26,261.50 for no. 17 and £25,355.29 for no. 19 would be secured by Section 106 legal agreement in the event of planning being approved. It is considered that this PIL would maximise the development's contribution towards affordable housing in this instance.

9 Design, Character and Appearance, Impact on Heritage Assets

Legislative background

9.1 The application sites lie within the Regent's Park Conservation Area (CA) and comprises three grade I listed buildings. Grade I buildings are deemed to be of exceptional interest and make up 2.5% of all listed buildings. Around the site, the CA is immediately adjacent to the Harley Conservation Area (City of Westminster), Fitzroy Square (London Borough of Camden) and Cleveland Street (London Borough of Camden). The surrounding area contains a number of historic buildings and designated heritage assets. It is in close proximity (within 100m) to the following:

- 13-24 Park Square East (and attached railings) (The Diorama and Bedford College Annexe) (Grade I);
- Regent's Park (Grade I Park and Garden);
- 1-8 St Andrews Place (and attached railings) (Grade I);
- Forecourt Railings and Lamp Post to nos. 1-8 St Andrews Place (Grade II);
- 9 & 10 St Andrews Place (Grade I);
- Forecourt Railings to nos. 9 & 10 St Andrews Place (Grade II);
- Royal College of Physicians (Grade I);
- 31 and 33 Albany Street (Grade I);
- Holy Trinity Church (Grade I);
- 1, 2 & 3 Albany Terrace (Grade I);
- Forecourt Railings to 1, 2 & 3 Albany Terrace (Grade II);
- Marylebone Road (and attached railings) (Grade II*);
- South East Lodge in Park Square (Grade II);
- Six Lamp Posts, Park Square East (Grade II);
- Three Lamp Posts, St Andrews Place (Grade II);
- Lamp Post, St Andrews Place (Grade II);
- 1-17 Albany Street (and attached railings) (Grade II);
- 19 Albany Street (and attached railings) (Grade II);
- East Lodge in Corner of Crescent Gardens (Grade II); and
- Forecourt Railings and Lamps to 2 Marylebone Road (Grade II).

The Planning (Listed building and Conservation Area) Act 1990

- 9.2 In considering developments affecting listed buildings or their setting, Sections 16 (under listed building consent applications) and 66 (under planning applications) require local planning authorities to have special regard to the desirability of preserving the buildings and their setting, as well as any features of special architectural or historic interest they possess.
- 9.3 When local planning authorities are considering development affecting a conservation area, Section 72 requires them to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

The National Planning Policy Framework 2019 (NPPF)

- 9.4 The NPPF requires its own exercise to be undertaken as set out in chapter 16 - Conserving and enhancing the historic environment. Paragraph 190 requires local planning authorities to identify and assess the particular significance of any heritage assets that may be affected by a proposal. Paragraphs 193-196 and 202 require consideration as to the impact of a proposed development on the significance of a designated heritage asset, including an assessment and identification of any harm/the degree of harm. Paragraph 196 states:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

Regent's Park Conservation (CA)

- 9.5 The CA was designated in July 1969. The west of Regent's Park was designated by Westminster Council and the east by Camden Council. It was extended in 1971, 1985 and 2011 and Camden's current Regent's Park Conservation Area Appraisal and Management Strategy was formally adopted in July 2011. The significance of the Regent's Park area is of national and international importance. The comprehensive master-planning of the park, terraces, villas and the (largely redeveloped, but still appreciable in plan form) working market and service area served by canal to the east was on an unprecedented scale of urban design in London. The majority of the buildings are listed (and of those listed, the majority are in grade I) and added protection is afforded by the management of the estate by the Crown, the Royal Parks Agency, and the Crown Estates Paving Commission through the control that they exercise on the upkeep of the buildings, the park, shared private gardens, roads and paving.
- 9.6 The application sites are located within Character Zone 1: The Regent's Park and Terraces fronting the park, and their mews. The key characteristics of this area is summarised as being at the transition of park and terrace. The buildings at the park's edge form a triumphant classical route; buildings with giant orders and sculpture to be seen from a distance and to impress. The gates, metalwork, paving and stone details all contribute to the quality of the area. This line of terraces extends beyond the CA, around the Outer Circle of the park; and the overall development continues to the south, to Regent's Crescent and ultimately down Regent Street to the site of Carlton House above the Mall. The terraces should be understood in the context of this whole composition.

- 9.7 The CA includes the eastern part of Nash's early nineteenth century Regent's Park development, which is a nationally important piece of town planning forming part of a wider scheme which extended to the south and connected to infrastructure such as the canal and a market and included urban, suburban and semi-rural features.
- 9.8 The host buildings form part of the terrace on Park Square East, which survives from the original Nash plan and the front elevation forms part of the palace-like elevation facing Park Square. As such the style, scale and materials of the front elevation form an important part of the Nash plan and as part of the terrace the site makes a good contribution to the significance of the CA as a whole.
- 9.9 The Diorama (no. 18) building behind the Park Square East Nash façade clearly differs from the design of the rest of the CA and other surviving buildings of Nash's overall plan in form, architectural style and use. The Regent's Park redevelopment; however, was not restricted to residential uses and included recreation facilities, including the Colosseum to the north of Park Square East as well as the Regent's Park open space itself. The Colosseum was built soon after the Diorama and housed a painted panorama of London. It was demolished in the nineteenth century. The evidence the Diorama building provides as to the original variety of uses included in the wider plan is important to the understanding of the overall aims of the early nineteenth century scheme.

Nos. 17, 18 and 19 Park Square East

- 9.10 The application buildings form part of the terrace '13-24 Park Square East and attached railings, the Diorama, Bedford College Annexe'. Their principal elevation on Park Square East forms part of the Nash planning of Regent's Park and connects to the processional route to the south. The application sites are key buildings from this nationally significant phase of town planning and are grade I listed. The buildings are associated with the Crown-led redevelopment of the area and the influential Regency architect John Nash. The site's principal elevation, as part of the wider Park Square East elevation, is therefore considered to be the part of the site of highest significance.
- 9.11 The Diorama building to the rear is believed to be the last surviving purpose-built Diorama building in the world, and was the only one of its kind in the United Kingdom. Its form is unusual and provides evidence of the original building shape and size required to hold a Diorama (see Figure 4 below for a section of the original building). The form of this building, its footprint and considerable massing, are therefore considered to hold a high level of significance. A. C. Pugin and James Morgan were commissioned by James Arrowsmith, brother-in-law of Louis Daguerre, to design a building to house the country's first Diorama. Daguerre and Charles Bouton had created the world's first Diorama, in Paris, the previous year. The Diorama was an early form of cinema which presented two different scenes to the audience. Each scene was formed by a series of suspended canvases which were approximately forty feet tall by eighty feet wide. They were partly translucent and painted with a scene – usually one of the two scenes was a landscape and the other a landmark building. Natural light from windows behind and a 'ground-glass roof' was manipulated through

the skilful use of blinds around the canvases to illuminate them and create the illusion of moving scenes.

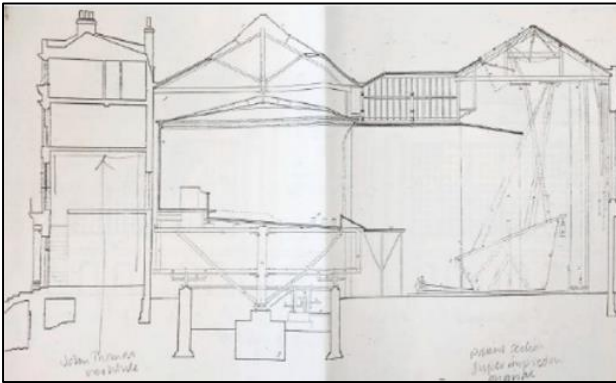
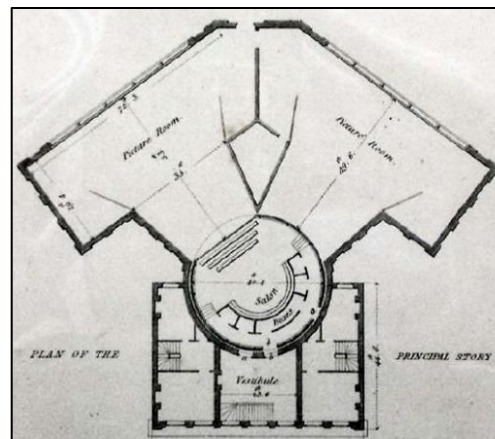
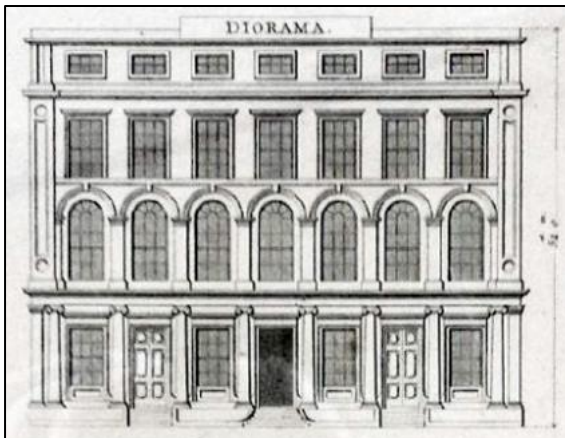


Figure 4 (left): Section of original Diorama use.

9.12 Pugin's original plan and elevation for nos. 17-19 and the Diorama provide some details of the intended appearance of the Park Square East elevation and the principal (first) floor of the houses at the front and Diorama at the centre and rear of the group (see Figures 5 and 6 below). Visitors to the Diorama entered through the central door at the ground floor of no. 18. Stairs against the inside of the front wall led to the first floor Vestibule which gave access into the Viewing Saloon. The saloon seated approximately 200 people and rotated between two deep picture rooms which each housed a scene on the suspended canvases. These were back-lit by large windows in the rear walls of the Diorama building in Peto Place. The side and return walls contained no windows, but blank arches on the external elevations. Nos. 17 and 19 were designed as individual terraced houses and their plans mirror each other.



Figures 5 (above left) and 6 (above right): Elevation and plan of the original Diorama use.

9.13 Samuel Morton Peto (a civil engineer, contractor and influential member of the Baptist church) bought the Diorama in circa 1853, to convert the building to a Baptist chapel. The conversion required extensive alteration, and the interior of no. 18 Park Square East to the front and rear appear to have been entirely gutted. Although the shell of the building was retained, the two large windows in the rear elevations of the Diorama building were replaced with rows of smaller windows with buttresses to support the walls and new roof structure. The

existing chapel screen in the building, found behind the main entrance to no. 18, is a pastiche replica dating from the late 20th century and is considered to have no historic value nor association with the historic chapel use. Officers consider that, whilst the Baptist Chapel use was a considerable part of the history of the building, involving substantial alteration of no. 18 and occupying it for almost seventy years, the small amount of historic fabric remaining from this period is of considerably less significance than that of the 1820s design and construction (i.e. related to the Diorama use). An image and plan are attached below (Figures 7 and 8).

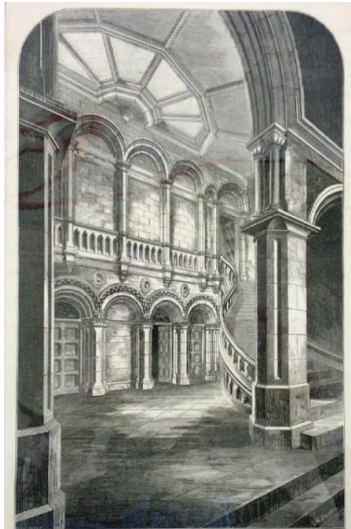
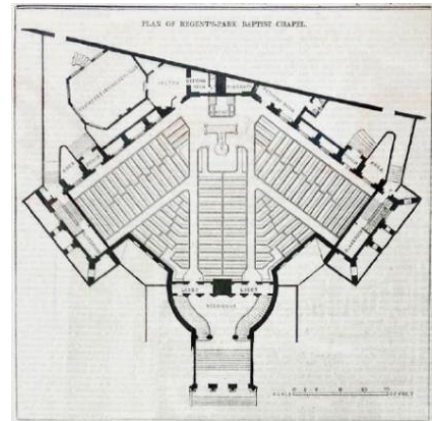


Figure 7 (left): Image of the chapel's vestibule (no longer in situ).

Figure 8 (right): Historic floor plan of the chapel.



- 9.14 In 1927 discussions began about no. 18 being converted for use as a non-residential clinic for the treatment of rheumatism. Treatment for rheumatism was already carried out at 'the British spas' and it was considered that clinics for physical treatment should be established in London and other large towns, for the investigation, diagnosis, and treatment of early cases. The facility was established to treat 200 to 400 cases a day and provided hydrotherapy, with pool and local baths, hot air and manipulation, light and electrical treatment and a hall for remedial exercises. In January 1929 a 35.5 year lease for no. 18, including the former chapel, was signed for the clinic to be known as the Arthur Stanley Institute of the Middlesex Hospital. The British Red Cross carried out works for the refurbishment of the building and conversion to a clinic.
- 9.15 The 1929/30 conversion to a rheumatism clinic resulted in the removal of nearly all evidence of the previous chapel use. The appearance of the Diorama building from Peto Place is influenced by these works, including the flat roof concealed behind a parapet, metal-framed casement windows and stone doorway in the south-east elevation. The functional elements of the clinic have been removed, including various outbuildings and bulky rooftop plant rooms containing water tanks and the boiler house, along with the cellular room layout. Principal features such as the atrium and vertical circulation have been retained. Figure 9 (below) shows the ground floor of the Arthur Stanley Institute in 1948.

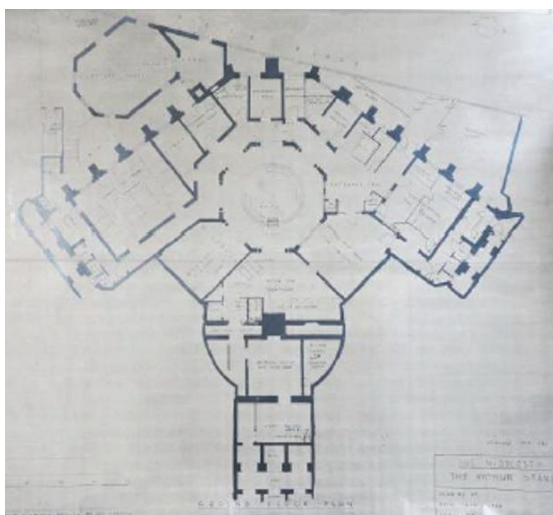


Figure 9 (left): Ground floor plan of the rheumatism clinic. The hospital use infilled floors (creating ground to third floors) and partitioned rooms. It also created a central atrium.

- 9.16 In 1965 Bedford College took a nine-year lease of 18 Park Square East and moved their Geography and Zoology Departments there, as well as the Social Research Unit of the Department of Sociology, Social Studies and Economics. Between this use and the next were a number of short-term ventures, summarised in the land use section (above).
- 9.17 In 1994 the Prince's Trust took over the buildings for their offices and undertook the next major phase of works to the Diorama. Although the shell and floors were retained the majority of the internal partitions within the Diorama building were removed and nos. 17, 18 and 19 were connected internally. The works included the reinstatement of some of the 1850s Chapel features in no. 18's entrance and vestibule (it is noted that officers consider this approach would not likely be supported by the Council today), as well as reinstatement of the 1820s Park Square East front entrance. Other changes to the building included a pair of new stairs from the lowest level of the Diorama building up to the raised ground floor level of the Park Square East houses and new/replacement lifts.
- 9.18 As explained above, nos. 17 and 19 were designed as individual terraced houses and their plans mirror each other. They formed part of the Diorama development and their plans are dictated by the Diorama. They are only two windows wide at the front, narrowing to a single window's width at the rear to accommodate the Diorama's circular saloon/drum, compared to the other houses within the terrace which are three windows wide. Overall, nos. 17 and 19 plan form is consistent with the original 1820s plan, although some internal partitions have been inserted and connections to no. 18 created including lateral connections in the party walls at second and third levels. The 1990's office conversion (described above), including connecting between nos. 17 and 18 at the upper floors, resulted in changing the floor levels of the buildings and obscured the original separation between the buildings. These works are considered to detract from the historic interest of the buildings as separate dwellings.
- 9.19 Overall, the host building is listed as part of the entire Park Square East terrace and forms part of the wider Nash scheme around Regent's Park and extending south and west to Westminster. Its principal significance is derived from its front

elevation which forms the centre of the Park Square East terrace. The rest of the original building, constructed in the 1820s, is also of high significance. The rear part of the building is the only known surviving purpose-built Diorama building and its unusual form and massing provides evidence of this. The remnants of the later stages in the building's history, notably the 1850s chapel conversion and the 1929/30 clinic conversion, constitute components of the building's evolution and are also of historic significance to the building's special interest.

Proposal

9.20 Overall, the proposals have sought to strike the right balance between preserving the most important heritage elements of the site and bringing the buildings back into use. When considering whether the works would sufficiently preserve the designated heritage assets, the totality of the works to the designated heritage asset must be taken into account and weighed up. The proposals would make limited changes proposed to the front elevation of the buildings, apart from an iron gate and stone steps to match others in the terrace. The stone steps would be refurbished and new Portland Stone laid. The majority of works to the proposed townhouses (17 and 19) are internal, with the main external alterations being to the rear of the properties at basement and upper ground levels. To the Diorama building at no. 18, the external works are mostly at roof level with some works to the elevations of the rear part of the building, including a new level entrance to Peto Place and the bricking up of openings. A significant amount of internal works are proposed at all levels of the building, to largely remove the non-original Baptist Church layer, partly reinstate the volume of the historic Diorama drum and filling in and altering some of the hospital related works and those undertaken for the Prince's Trust. A more detailed summary of the various works and interventions and an assessment of their impact is set out in the paragraphs below.

Third floor roof extension to rear of Diorama (no. 18) building

9.21 The proposals include works to the roof level of the Diorama building. It is considered that the roof structure is not original, dating from 1929/30 and the rooflights and roof covering were replaced in the 1990s. The works include the removal of the existing roof lantern above the atrium to the rear of the building and a small hipped roof above the drum. In its place a form would be constructed similar to the design of the roof above the original Diorama drum (a conical rooflight above the Diorama saloon) along with the introduction of a hipped roof extension and a rooflight (a flat, glazed circular element), thereby reinstating key elements of the form of the original Diorama building. The photo below (Figure 10) from 1926 shows an aerial view of the building taken from the north-west. The roof form included a hipped roof over the wings of the Diorama building, along with the Diorama saloon's conical rooflight.



Figure 10 (above): 1926 aerial photograph of the application site

- 9.22 The removal of the roof lantern is considered acceptable on balance, as there is considered to be little historic fabric surviving to it from the later hospital use intervention. The smaller existing hipped roof is a later non-original addition that is considered to be unsympathetic to the building. Its removal and the reinstatement of the Diorama saloon's conical rooflight is welcomed. The third floor level roof extension would be added behind the existing tall parapet. It would have a shallow roof pitch, with a ridge height low enough to be sensitive to other parts of the building. The extension would be made of a grey sheet metal façade and pitched slate roof, considered to be in keeping with the form and colours of the surrounding roofscape. Overall it is considered subservient to the main Nash building fronting Park Square East, with it having minimal visual impact due to its setback and the existing parapet. Officers consider that it would not be likely to be visible from within Regent's Park (i.e. to the front of the property). The impact from Peto Place is also considered to be limited.
- 9.23 As mentioned it is proposed to reinstate the full conical rooflight (cylindrical saloon) on the roof extension above the main Diorama drum to create a form similar to that of the original Diorama and which was partially removed as part of the 1929/30 works. This would reinstate the original Diorama roof-form, and return it to look more like the phase of the building's history that is considered to be of the most significance.

Internal alterations to the former rheumatism clinic/hospital section

- 9.24 The floor plans to the rear of the building (within the former clinic spaces) would be open, largely symmetrical, and would retain the octagonal framework of the existing atrium (including piers, walls, arched openings and the majority of the internal fenestration). The filled atrium spaces would be used for meeting rooms/breakout spaces and would be filled with demountable floors to be of a reversible nature independent of the existing floor and atrium structure. Whilst the filling in of the atrium void at first and second floors detracts to a certain extent from the appreciation of this space (as well as this being a source of light

to the centre of the this part of the building), officers consider this on balance to be acceptable because the structural framework of the atrium is retained, and in the context of heritage benefits in other areas of the building (including revealing the central Diorama drum, considered to be the most significant part of the building). This element of the proposals is one of the areas the RPCAAC have raised significant objections against. The objection is made due to the loss of the important part of the buildings history. Officers note these concerns and agree that these works would result in some harm to this part of the building's history. Whilst the infilling would result in the loss of the atrium and the space and light it provides at the heart of this part of the building, it is noted that the memory of the atrium and the hospital's peculiar layout is retained by the structure. The retention of the atrium framework would continue to be a reminder of the former use as a clinic, when the atrium was maximised for the use of natural daylight of patients within its interior. The new floors would also be demountable so the works could be reversed at a later date. Following negotiations with officers, a roof light was introduced to bring light into the uppermost floor. This rooflight is considered acceptable in design and heritage terms, as it would be well-designed to be flush with the roof and in the location of the existing and historic rooflights/lanterns. Further detail on the proposed detailed design of the rooflight and the infilled atrium, showing retained fabric, the filling in with new floor structure and how the lighting at the centre of the space would work, would be secured by listed building consent conditions. There are three staircases in the back of the building, one in the middle and one on each periphery, and it is proposed to retain at least one of the staircases and potentially reuse/repurpose the others. Officers consider that these staircases have historic value, and are recommending a notwithstanding listed building condition for details of the stairs.

New entrance canopy on Peto Place

- 9.25 A new rear access to the building is proposed from Peto Place as an additional staff entrance. It would provide much needed level access and is welcomed. The entrance has been sensitively designed to remain subservient in terms of proportions and scale, and not to detract from the heritage significance of the building. It would be a simple opening, clearly distinguished in design and materials to read as a modern addition to the building, to ensure the entrance does not compete with the architectural treatment of the host building but gently compliments it. A condition is recommended securing details.

Revealing of and works to the central Diorama drum

- 9.26 Non-original modifications and infill within the rotunda/drum which obscure and clutter the original space would be removed, to reinstate its spatial hierarchy. A Portland stone staircase is proposed to wind up around the rotunda along with the installation of glass service lifts. The drum is to be lined with brickwork (to match the original wall finish) with a slate roof capping the space. Associated support for the proposed staircase would also use matching London stock brick.
- 9.27 The reinstatement of the drum is welcomed, as it would restore the majority of the volume of the space and it is what officers consider to be the internal element of the building of greatest historic significance associated with the original Diorama use. The approach to keep the walls of the drum plain and

stripped back to reveal brickwork is fully supported on the basis that there is little surviving original fabric and that this element would not have been highly decorated due to its functional purpose housing the workings of the Diorama. It is also considered to be the most 'honest' and 'simple' approach. The applicant has agreed, in consultation with RPCAAC, to investigate the lower level of the building where there could be original foundations/mechanisms of the original Diorama use (and these areas are kept in abeyance on the demolition and proposed plans). They have committed to carrying out preliminary opening up/investigation works and are willing to commit to further via a condition, prior to the commencement of development and as any potential building works are carried out. Any original foundations worth preserving should be legible as part of the reworking of this internationally unique building. The applicant has kept this area of the drum in abeyance and notwithstanding conditions are recommended to undertake opening up and recording works of the drum's foundations. The strategy along with the final treatment of the basement and ground floor would be controlled via listed building consent condition. As mentioned above, the RPCAAC have raised significant concerns in their objections about the presence of foundations related to the original Diorama, along with the treatment of the entrance/reception to no. 18 and the floor within the drum. Officers have met on-site with the RPCAAC and the applicant to explore the basement and mark out areas for opening up works. A programme is being agreed and would be secured by listed building consent condition. Opening up works would be ongoing and as the applicant commences building works, and subject to approval of the application more investigation would continue.

Reinstated first floor of Diorama

- 9.28 The ceiling over the ground floor entrance from Park Square East would be reinstated, recreating the 1820s' single height entrance space. During pre-application discussions with officers, the scheme was revised to make the first floor space a boardroom as part of the new office in the Diorama building. This would form a principal room at first floor within the Park Square East building, reinstating the hierarchy of the 1820s building which originally housed the 'vestibule' to the Diorama saloon in this location. The ceiling of the first floor room would be lowered to create level access at second floor level for nos. 17 and 19 to either side. Although this may not be the original floor level, in the absence of the existence of the original floor which was removed many years ago, its introduction is seen (by officers) as a benefit as it would allow level access into an otherwise inaccessible part of the building. The 1850s plasterwork would be restored on the new ceiling. The lowered ceiling would cross the top of the windows at first floor, which is consistent with other buildings in the terrace that already have this feature, with round-headed windows externally and lower, square-headed windows internally. It is therefore considered that this would enhance the significance of the listed building as well as the character and appearance of the conservation area.
- 9.29 In addition to reinstating the original hierarchy of the spaces, the insertion of a first floor over the entrance hall would make a clear distinction between it and the Diorama saloon beyond. The Diorama saloon would open up from the

entrance space, improve the sequence of internal spaces and mark an architectural and experiential break between the two volumes.

Baptist Church use and interventions

- 9.30 The removal of the late 20th century interpretation of the former Baptist church screen is considered to be of benefit to the proposal. Through negotiation, revisions were made to the treatment of the main front entrance to the building leading into the drum. This included the reinstatement of the fluted columns that flank the entrance to the drum from the Nash front, and the decorative ceiling plaster retained/restored in the entrance area. This area would be open to the public, to promote knowledge of the former Diorama use. Opportunities for public appreciation (such as display information and the use of technology (virtual reality/augmented reality (VR/AR))) would be incorporated within this part of the building. Final details of the reception/entrance area are recommended to be secured by listed building consent condition, and would be guided by the revealing of original fabric in this location once non-original fabric is removed as part of the scheme subject of these applications.

Townhouses at nos. 17 and 19 Park Square East

- 9.31 The proposals would reinstate nos. 17 and 19 to create two self-contained residential townhouses. The subdivision would reinstate as closely as possible the historic plan form of the Nash townhouses, comprising a ground floor layout of a reception room at the front and a kitchen to the rear, separated by a central hallway and staircase. The incorporation at second and third level of additional floorspace accessed off the central hallway is considered to not cause harm to the plan form or to historic fabric, whilst providing valuable additional accommodation for prospective occupiers. Rear extensions to nos. 17 and 19 are proposed into the rear yards. They would be glass extensions to provide space at basement level, with a terrace above. The first floors would have similar layouts to the ground floors, with both new dwellings expanding into the upper levels of no. 18 at second and third floor levels. These levels would provide double bedrooms, bathrooms and dressing rooms for the townhouses. Excavation is proposed at basement level, from ancillary spaces to the houses, and the vaults would be excavated to provide additional storage, internal plant (note: not air conditioning or comfort cooling is proposed for the residential uses) and utility space. To the front elevation there would be careful refurbishment of the front door and windows, cleaning and restoration of the stone steps and re-painting of all railings to match existing, providing uniformity with other townhouses in the terrace – and also in line with Crown Estate guidelines. Brickwork to the rear of the properties would be locally repaired and repointed, adhering to conservation principles. Adjacent windows at no. 18, which are not visible from the public realm, would be infilled with matching brickwork, to prevent overlooking between the new uses. These works would be covered by listed building consent conditions.
- 9.32 A number of internal alterations to the buildings are required to convert them back to residential use, which would bring heritage benefits. Most notably, existing late 20th century doorways in the party walls between the properties are to be infilled to provide separation between nos. 17, 18 and 19. Historic elements would be retained, with modern insensitive elements removed as part

of the conversion, including the replacement of intrusive commercial services with more streamlined domestic services. It is proposed to block the doorways to nos. 17 and 19 in the entrance hall. This would recreate the historic separation between the three buildings within the areas of highest significance in the townhouses. The existing access between no. 18 and nos. 17 and 19 at basement level would also be blocked and separation would be maintained at first floor. At second and third floors it is proposed to separate the Park Square East front of no. 18 from the Diorama saloon to the rear. These spaces would then be incorporated into the residential accommodation of nos. 17 and 19, with new party walls introduced to separate the two reconfigured townhouses. The placement of the party walls has been carefully considered to ensure they do not block the front windows of no. 18. This approach is considered to be a sensitive solution to the existing complex and unresolved layout, which also maintains the hierarchy of the 1820s buildings. The two front vaults would no longer be used in conjunction with no. 18. One would be connected to no. 17 and the other to no. 19. As the position of the vaults would remain unchanged, the historic relationship between the vaults and the building would remain legible.

- 9.33 The RPCAAC has raised objections to a number of the proposed works to all three listed buildings. One of their concerns is based on the giving over of the second and third floors from the Diorama building to the new townhouses. The existing second and third floor plans of no. 18 date from the late-twentieth century (i.e. relating to the Prince's Trust use). They are open plan apart from an internal corridor on each floor abutting the Diorama Saloon, and were merged with nos. 17 and 19 in the 1990s. The proposed arrangement would enable a logical layout of the upper floors of nos. 17, 18 and 19 by dividing no. 18 between nos. 17 and 19. It would also enable the bathrooms of the proposed dwellings to be located in a part of no. 18 which retains less historic fabric and evidence of its historic plan, allowing the reinstatement of the original floor plan of nos. 17 and 19 at these levels. The proposed layout has been arranged to ensure no internal walls or fittings cut across or are visible from the windows in the Park Square East Nash façade. It is considered that a domestic use in these front rooms overlooking Park Square East would enhance the setting of the Nash-designed classical façade, which was originally designed to be a residential frontage. On these particular proposals, officers acknowledge that the second and third floor to the front of the building is transitioning to a residential use; however, the original Diorama use and much of its fabric has long gone, and it is considered expedient to incorporate these rooms into the townhouses with minimal harm to their plan forms. The dwellings are already compromised by the Diorama drum to the rear, which essentially encroaches on the rear rooms. Making these spaces residential also fits with the pattern of the remainder of the listed Nash terrace, which possesses residential uses along the remainder of the buildings.
- 9.34 Key internal historic features would be retained and repaired as part of the proposals, including the original floor plan, central staircase, chimney breasts, fire surrounds and front and rear door and window openings. A number of other historic features are to be retained or reinstated throughout the buildings, including historic joinery and decorative plasterwork. Other internal alterations

to the fabric of the building are considered to have a neutral impact on the significance of the listed building, such as the installation of new kitchen and bathroom fittings, which would utilise existing service runs. The proposed rear extensions are intended to be of a high quality contemporary design. They would be constructed from lightweight materials which would contrast with but complement the masonry construction of the historic host buildings. A number of other houses in the terrace have similar extensions, meaning the proposals would be in keeping with the prevailing pattern of development. The extensions would sit within the existing garden walls and therefore only the roof and short rear wall of the proposed ground floor extension would be visible in limited views from surrounding properties. The detailed design of the extensions and roof terraces, including their junctions with the existing buildings, would be secured by listed building consent condition. No changes (other than restoration works) are proposed to the front elevation or at roof level, which are external elements that are an essential part of the original Nash terrace facing Park Square East.

RPCAAC objections

- 9.35 The formal representations from RPCAAC have been taken into consideration as part of the assessment of the proposals, and have led to amendments to the proposals at no.18 and ongoing investigation into the foundations of the Diorama. The key amendments to seek to address their objections include more retention of elements relating to the hospital use; the insertion of a rooflight above the rear of the Diorama building; works to the floor, columns and walls of the drum/reception area (which would be conditioned) and the agreeing of opening up works and ongoing liaison into the revealing and coming up with a programme/strategy for any remains of the original Diorama mechanism/foundations. RPCAAC's objections have however not been fully addressed and they continue to have in principle concerns with the potential loss/damage of the historic Diorama mechanism/foundations, subdivision of the townhouses (i.e. taking original Diorama floorspace/rooms) and the infilling of the atrium to the rear of the Diorama in particular. These points are addressed in the officer report above.

Conclusion

- 9.36 The removal of later fabric which has been assessed as being of lesser historic significance has been carefully considered, and weighed against the benefits of revealing much of the original form of the building associated with its unique use as a Diorama and bringing the buildings back into sustainable long-term uses compatible with their original functions. As such, it is considered that the elements of highest significance with the designated heritage assets are being brought back to life and given the prominence they deserve. In particular the unusual internal form of the Diorama drum is opened up as part of the proposals and some of the internal spaces (including the drum/rotunda) are partly reinstated. Furthermore, the proposals include a public appreciation package (to be secured by legal agreement) to ensure that current and future generations are able to experience the rich and varied history of the buildings. This contributes to the significance of the designated heritage assets and adds to the heritage benefits from the proposed scheme.

- 9.37 Although it is acknowledged the application proposals make some compromises to the listed buildings, particularly in relation to their later fabric, the planning balance takes into account their long term vacancy and increasing deteriorating condition. For these reasons, as outlined above, they are (potential) candidates for the Historic England Heritage at Risk Register, which highlights the need to find new uses and occupiers for such designated heritage assets. Overall and on balance, the works are considered to cause no harm to the special interest of the listed buildings or to the character and appearance of the Regent's Park Conservation Area. In the event less than substantial harm were to be found as part of any of the proposals, officers consider this to be outweighed by the public benefits (including some heritage benefits, new housing, financial contribution towards affordable housing, high quality employment space) of the proposed scheme.

10 Open space, Landscaping, Trees and Nature Conservation and Biodiversity

Existing site characteristics and proposals

- 10.1 The site is exclusively hard-paved and has very little open space. A large mature tree is located to the south of the site, on the private Peto Place. Any permission(s) would require tree protection measures to be secured via planning condition to ensure its protection during construction. Terraces are proposed to the rear of the basement and ground floor levels of the proposed dwellings (nos. 17 and 19), and on the main roof of the Diorama building (no. 18). Planting is proposed to the ground floor of the building (no.18) fronting Peto Place. Details of the landscaping, screening and means of enclosure to these spaces would be secured by planning condition, in addition to ecological enhancement features.

Open space provision, quality and requirements

- 10.2 The proposals would have a cumulative uplift of 759m² and provide two residential units. The Local Plan requires an 'appropriate contribution' to open space, with priority given to publicly accessible open space. CPG Public Open Space states that developments exceeding 1,000m² in floorspace will be expected to contribute towards open space and play facilities. The schemes (collectively and on their own) fall short of this target and therefore no provision of open space is required. Notwithstanding this, the sites do not have any external publically accessible areas that could be used as public open space in any event.

10 Basement

- 10.1 Policy A5 states that developers are required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and runoff or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area. Furthermore the siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. A number of criteria for basement development on smaller scale

schemes is included within the policy but would not be applicable to this development, being a larger commercial-led mixed-use site.

- 10.2 The application sites all have basements, lightwells and pavement vaults. Basement works to no. 18 include excavation under the rotunda area and a separate basement to the rear of the building adjacent to and under Peto Place. Nos. 17 and 19 would have basement extensions into the rear courtyard area, as well as the lowering of the vaults to the front. Overall the works are relatively minor and officers consider that the proposals would not cause harm to the character or appearance of the area and building, nor the significance of heritage assets.
- 10.3 Each proposal is supported by a Basement Impact Assessment (BIA) prepared by Construction Testing Solutions. It includes Ground Movement Assessment (GMA) and Damage Category Assessment (DCA). The Council's independent auditor Campbell Reith has independently reviewed the BIAs for each property, with the initial report being published in April 2020. The audit process ultimately confirmed that the applicant's submission detailed the potential impact on land stability and local ground and surface water conditions arising from basement development in accordance with Camden's policies and technical procedures.
- 10.4 The initial audit from Campbell Reith confirmed that the BIAs have been approved by individuals who possess suitable chartered engineer qualifications; however, no evidence of suitable engineering geology expertise was provided in the first report. This was later rectified by the applicant. Other queries and request for information included:
- Further assessment of the flood risk mitigation measures to the site
 - Nos. 17 and 19 should consider the flood risk assessment
 - Further information to justify the pile length of the contiguous wall elements for No. 18
 - Clarification of the input geometry and loading/unloading combinations for the PDisp analysis, as well as the ground model and parameters used in the GMA
 - The damage category assessment for all three properties should be updated
 - Further information regarding measures to ensure the stability of the excavations in the Lynch Hill Gravels, and control ground movements affecting the grade I Listed properties
- 10.5 The applicant submitted the relevant information to address the outstanding matters on 29/05/2020. This included a revised BIA and Construction Method Statement (CMS) for each property, along with a revised Flood Risk Assessment (FRA) and Drainage document. The revised submission confirmed:
- That the documents were checked and reviewed by a chartered geologist
 - Revised FRA provided details of the required mitigation measures

- Confirmed detailed design of piles would be carried out by an appointed piling contractor
- PDisp input sheets provided
- Formation levels used in the models

10.6 Campbell Reith audited the revised documents and asked for further clarification on some of the calculations. These were submitted on 08/06/2020 and found to be acceptable. In addition to the usual condition securing details of the appointed basement engineer, Campbell Reith recommended a Basement Construction Plan (BCP) be secured via legal agreement to ensure that, when the final design of the scheme is confirmed, ground movements can be confirmed. Officers consider this necessary given all three properties are grade I listed.

10.7 In conclusion, it is considered that it has been demonstrated that the proposals would not cause harm to neighbouring properties, structural, ground, or water conditions of the area, the character and amenity of the area or the architectural character of the building.

11 Neighbouring Amenity

11.1 The Development Plan requires decision makers to have due regard to impacts on neighbouring uses and occupiers, particularly residential, on matters including daylight and sunlight, outlook, overlooking and noise, construction impacts and disturbance. The proposal has the potential to negatively impact on adjoining residential occupiers, due to the external alterations proposed. This chapter of the report will focus on daylight/sunlight, outlook, privacy and noise impacts. Construction impacts are considered below and under the Transport and Highways section of this Committee Report.

Daylight/sunlight, overshadowing and overbearing/outlook

11.2 The main Diorama building at no. 18 is supported by a Daylight and Sunlight Report (as it involves an additional storey and pitched roof over the rear part of the building). As the buildings at 17 and 19 would mainly benefit (externally) from modest lower level rear projections, a study of daylight/sunlight impacts on neighbouring properties was not undertaken; however, both applications are supported by a study on the internal light received by the proposed dwellings. Overall, the internal light would be considered acceptable for prospective occupiers within the dwelling at nos. 17 and 19.

11.3 The Daylight and Sunlight Report submitted as part of no. 18 provides an assessment of the potential impact of the development on sunlight, daylight and overshadowing to neighbouring residential properties based on the approach set out in the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight: A Good Practice Guide (2011)'. Three standards are used in the assessment of existing versus proposed daylight and sunlight levels:

- Vertical Sky Component (VSC) - A measure of the amount of sky visible at the centre of a window. *The BRE considers that daylight may be adversely affected if, after development, the VSC is both less than 27%*

and less than 0.8 times (i.e. a reduction of more than 20%) its former value

- No Sky Line (NSL) - The area at desk level inside a room that will have a direct view of the sky. *The NSL figure can be reduced by up to 20% before the daylight loss is noticeable (i.e. retain 0.8 times its existing value)*
- Annual Probable Sunlight Hour (APSH) - A measure of the amount of sunlight that windows within 90 degrees of due south receive and a measure of the number of hours that direct sunlight reaches unobstructed ground across the whole year and also as a measure over the winter period. *The BRE considers 25% to be acceptable APSH, including at least 5% during the winter months*

11.4 The submitted document confirms that all of the surrounding windows and rooms meet the BRE targets for daylight and sunlight. Furthermore, the proposals are demonstrated to not have an effect on the shading to surrounding gardens and amenity spaces on the test date on 21st of March.

11.5 The most significant external development as part of the combined schemes is the proposed extension to the rear of the main Diorama building. Due to the setback of the extension, behind a tall existing parapet wall, and the setback of the proposal from the adjoining buildings, it is considered that it would not cause a material loss of outlook or have a significant overbearing impact on adjoining occupiers. Basement level extensions are proposed to the rear of the proposed dwellings at 17 and 19, along with lightweight glazed elements above. The footprint of the basement proposals would be similar to existing and be screened behind high boundary walls. Given the nature of the extensions and relationship to adjoining properties, it is considered that they would preserve existing levels of outlook for adjacent occupiers.

Overlooking/loss of privacy

11.6 The rear of the main Diorama building (no. 18) has a peculiar relationship with the rear elevation of adjacent properties on Park Square East (in particular nos. 15-17 and 19-21). The building splays and cuts into the rear gardens of the above mentioned sites. There is already an existing relationship of overlooking with windows of the host property looking into the rear of residential properties. It is considered that the proposed development does not materially worsen this situation. The change of use to an office would mean that this part of the building would function in a way similar to how it has most recently (i.e. by the Prince's Trust). In addition, the closest windows would be infilled/bricked up and others would have servicing, corridors or toilets behind them. A new terrace is proposed at roof level with landscaping and screening details secured by planning conditions. Its use would be restricted to office use only between the hours of 08:00 and 20:00 Monday-Friday. Privacy screening is proposed that would be secured via planning condition.

Noise and vibration impacts

- 11.7 All three of the proposals are supported by noise assessments prepared by a qualified acoustic engineer. The reports provide results of noise surveys and set the acoustic performance requirements and suitable acoustic criteria for plant noise.
- 11.8 The proposals (and noise reports) have been assessed by the Council's Environmental Health Officer, who considers they are acceptable in environmental health terms. For the new dwellings at nos. 17 and 19, no external plant equipment is proposed but notwithstanding this the external noise levels would be controlled via planning conditions. Any external plant equipment would require full planning permission and listed building consent. Conditions are recommended relating to internal noise standards to protect prospective occupiers.
- 11.9 Plant equipment for no. 18 would be within the proposed roof extension, at fourth floor level. A prior to commencement condition would require full details of the external noise from the plant and appropriate mitigation measures. All plant would be restricted to being lower than the lowest existing background noise level by at least 10dBA (15dBA where the source is tonal). A post installation noise assessment would also be required.

12 Transport and Highways

- 12.1 The application sites have a PTAL rating of 6b (categorised as 'excellent'), as it is located in close proximity to a variety of public transport routes. Park Square East (front) and Peto Place (rear) are both private roads that are owned, managed and maintained by the Crown Estate, who have been consulted by the applicant for these applications.
- 12.2 The nearest London Underground station is Great Portland Street (Circle, Metropolitan and Hammersmith and City lines), located 160 metres south of the sites, with Regent's Park (Bakerloo line) situated 225 metres away. Also within walking distance are Warren Street (Victoria and Northern line), 585 metres to the south, and Baker Street (Jubilee, Bakerloo, Circle, Metropolitan and Hammersmith and City) - 890 metres to the west. Further afield (but in relatively close proximity) are both London Marylebone and Euston, with all other national rail stations in London accessible via its excellent underground links. The nearest bus stops are 190 metres away at Regent's Park station (with five routes operating), with additional stops on Albany Street (200 metres), Great Portland Street (200 metres) and Warren Street station (615 metres).
- 12.3 The building is approximately 75 metres from Marylebone Road, which forms part of the Transport for London Road Network (TLRN) and Transport for London (TfL) is the highway authority. TfL Borough Planning have been consulted on the planning applications. No objections are raised and planning conditions are recommended as set out in the consultation response section of this report.
- 12.4 A Transport Assessment (TA) has been submitted in support of this application.

Car parking

- 12.5 The application site is located within Controlled Parking Zone (CPZ) CA-G (Crown Estate). This area allows private parking only. For no. 18, the proposed ground floor plans show one disabled parking space. It is noted that the existing Diorama building already has one accessible car parking space provided for tenants that may require it, and is located on Crown Estate land. The proposals do not seek to change this and the current space would be maintained. Policy T2 states that the Council requires all new developments in the borough to be car-free (a change of use is considered to be new development). Parking for disabled people should only be provided where it can be demonstrated as necessary, taking into account existing availability of on-street parking for Blue Badge holders. Where disabled car parking is proposed, Camden Planning Guidance (CPG) Transport makes specific recommendations in clauses 6.11 and 6.12 including the requirement for a Car Parking Management and Reduction Plan (CMRP). Details must include how unallocated spaces would be managed to prevent any unused disabled car parking being used for general parking. Clause 6.13 states that a CMRP should form part of a development's planning application, which the applicant has submitted. The document demonstrates that safe access could be achieved for blue badge holders, the allocation of the blue badges to staff and appropriate enforcement measures. A CMRP would need to be secured via legal agreement (through the Travel Plan obligation). This part of the development would also be permit-free, secured by a section 106 agreement.
- 12.6 Policy T2 of the Camden Local Plan states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. In order to prevent the future occupiers of the residential dwellings (at nos. 17 and 19) from obtaining on-street parking permits from the Council, the development would be subject to a car free agreement secured by means of a section 106 Agreement.

Cycle parking

- 12.7 Covered secure cycle storage is required in accordance with Local Plan Policy T1, the cycle facilities section of CPG Transport, and Table 10.12 of the London Plan. For the office development at no. 18, the requirement would be 45 long stay and 7 short stay spaces. Cycle storage is also required for each of the proposed residential dwellings at nos. 17 and 19.
- 12.8 The submitted documents as part of the application state that there would be 48 Long stay and 8 Short stay cycle parking spaces overall. Originally, the applicant proposed the majority of the cycle parking within the basement and ground floor levels of the main Diorama building (no. 18), with level access from Peto Place. Officers objected to these proposals from a heritage perspective, as it would significantly clutter a large section of the rear of the building, causing less than substantial harm to the grade I listed asset. Therefore, the cycle parking was moved to the Which? Limited building (adjacent to the Diorama on Peto Place at 2 Marylebone Road), where there is an existing arrangement for prospective occupiers to use cycle parking spaces. The principle of this approach has been agreed by officers in planning and highways. The following

cycle parking spaces are proposed for the office use within the Diorama building:

- 48 cycle spaces to be located within the Which? Limited building. This is in excess of the 45 required by the Draft New London Plan
- 8 cycle spaces for visitors retained externally on-site. This exceeds the 7 required by the Draft New London Plan
- 2 accessible cycle spaces within the basement level, with level access from Peto Place and using internal lifts

12.9 Within the Which? Limited building, three car parking spaces would be converted into cages to create cycle parking spaces for the 48 stands. This means that the existing cycle parking for occupiers of the Which? Limited building would be retained, and has the added benefit of reducing private car parking. Officers welcome the loss of car parking spaces on this site. The cycle parking is accessed via an existing basement ramp (gradient is 1:10) and separate secure storage areas would be provided for in the Which? Limited building for the new Diorama tenants. It would be located 80 metres from the rear entrance of the building. The Crown Estate are the freeholders of the land and both buildings (i.e. the Diorama and the Which? Limited building), which are under 125 year leases. A planning obligation would secure these off-site spaces to the development. The obligation would require details of the long lease the applicant has signed up to, including the spaces within the Which? Limited building. Full details of a management strategy to ensure every cyclist's needs are catered for would be required.

12.10 Two cycle parking spaces would be required for each new dwelling. The cycle storage would be provided within the basement (as shown on the proposed drawings) of each property and these details would be secured via planning condition. Officers recognise that this is not an ideal arrangement as the cycle parking would not have level access; however, the constraints of the grade I listing of the building prohibit a more favourable arrangement.

Construction management

12.11 Construction Management Plans (CMPs) are used to ensure developments minimise impacts from the movement of goods and materials during the construction process (including any demolition works) and associated effects. A draft CMP using the Council's CMP pro-forma has been submitted in support of the three planning applications. These submissions are welcomed; however, they are in draft form and would need to be developed further in consultation with the community, the Council and the applicant's appointed contractor.

12.12 The sites are located in the Central London Area, close to the A501 (Euston Road/London Inner Ring Road), which is a sensitive street. This part of the borough suffers from severe traffic congestion during peak periods. Officers primary concern is public safety and ensuring that construction traffic does not create (or add to existing) traffic congestion in the local area. The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. A more detailed CMP (for each application) would

therefore be secured via a S106 planning obligation if planning permission were granted. These documents would require consultation with the community and nearby occupiers, before and during construction. Officers consider the proposals would need to be considered cumulatively, and any head of term would require the CMPs to outline the impacts and cumulative programme for each building.

12.13 The development of any CMP would require input from officers. This would relate to the development and assessment of the CMP as well as ongoing monitoring and enforcement of it during construction. A CMP implementation support contribution would be secured via a S106 planning obligation for each development:

- No. 17 - £3,136
- No. 18 - £7,565
- No. 19 - £3,136

Travel planning

12.14 The residential developments (nos. 17 and 19) would not require a Travel Plan, as they only result in two car-free units with good access to public transport and cycle parking. The office development at no. 18, due to its resulting size, requires a Strategic Level Travel Plan. A draft travel plan has been submitted in support of the planning application. This is welcomed as it demonstrates a commitment to encouraging and promoting trips by sustainable modes of transport. A full Travel Plan and associated monitoring and measures contribution of £9,618 would need to be secured via a section 106 planning obligation if planning permission is granted. The Travel Plan would need to include a CMRP, as mentioned in the parking section (of this report) above.

Deliveries and servicing

12.15 The site would be serviced from Peto Place as it is currently. The delivery rate has been estimated as 6 per day; an increase of 1 per day above existing. This is not anticipated to have a major impact on the public highways and therefore the Council does not require a Service Management Plan (SMP). TfL have requested a Delivery and Servicing Plan; however, officers do not consider it necessary for the development so have therefore not recommended it.

Highway works

12.16 The public realm around the application sites is owned by the Crown Estate. The Council does not collect highways contributions on the Crown Estate's behalf. Therefore, any damage as a direct result of the proposed construction works would need to be facilitated through an agreement between the Crown Estate and applicants.

Conclusion

12.17 The proposal would be acceptable in terms of transport implications subject to conditions including the provision and ongoing retention of cycle parking facilities, and the following planning obligations being secured by legal agreement:

- Travel plan for no. 18 and associated monitoring fee of £9,618, including a Car Parking Management and Reduction Plan (CMRP)
- Cycle parking for no. 18 secured at the Which? Limited Building
- Car-free development for all sites
- Construction Management Plans (CMP) for all sites and implementation support contribution of £7,565 for no. 18 and £3,136 for nos. 17 and 19.

13 Sustainable Design and Construction

13.1 The Local Plan requires development to incorporate sustainable design and construction measures, to ensure they use less energy through decentralised energy and renewable energy technologies. All developments are expected to reduce their carbon dioxide emissions by following the steps in the energy hierarchy (be lean, be clean and be green) to reduce energy consumption. Policies CC1 and CC2 of the Local Plan require development to minimise the effects of and be resilient to climate change and to meet the highest feasible environmental standards. Developments must achieve a 20% reduction in CO2 emissions through renewable technologies (the 3rd stage of the energy hierarchy) wherever feasible. They are also expected to achieve a BREEAM 'Excellent' rating and minimum credit requirements under Energy (60%), Materials (40%) and Water (60%).

13.2 To comply with the London Plan the proposal must secure a minimum 35% reduction in regulated CO2 emissions below the maximum threshold allowed under Part L of the Building Regulations 2013. Where the London Plan carbon reduction target cannot be met on-site, the Council may accept the provision of measures elsewhere in the Borough or a financial contribution (charged at £90/tonne CO2/year over a 30-year period) to secure the delivery of carbon reduction measures on other sites. Policy 5.2 of the London Plan requires development to be designed in accordance with the energy hierarchy: be lean (use less energy), be clean (supply energy efficiently), be green (use renewable energy).

18 Park Square East, change of use to office

13.3 Overall, officers considers that the development performs well on sustainability grounds. On energy the proposals meet and exceed the requirements for carbon reduction with a 35.8% reduction over the requirements for energy efficiency, a 60% reduction from on-site renewables and a good overall reduction of 74.7%. This is achieved through upgrading of the thermal efficiency of the existing building, secondary glazing and a thermally efficient extension. Consideration has been made at the design stage of solar gains which reduces the need for cooling. Air handling and mechanical ventilation units incorporate heat recovery and there is efficiency lighting with person in room (PIR) detection. The proposals include air source heat pumps for space heating and cooling. Following negotiations with officers, the proposals were changed from gas boilers to a heat pump for hot water which resulted in increased carbon saving and a non-combustion development in an area of poor air quality which is welcomed. It is accepted that whilst technically Solar PV could have been incorporated, the minimum requirement for 20% renewables on-site has been

exceeded and due to design/heritage implications Solar PV has not been proposed (being a grade I listed building and visible within a conservation area).

- 13.4 An overall BREEAM score of 56.19% (Very Good) is proposed which falls short of the required 70% (Excellent). However, scores of 66.7% in Energy, 62% in Water and 46% in Materials meet the minimum requirements. It is acknowledged that achieving “Excellent” may be a challenging for the refurbishment of a grade I listed building as part as a refurbishment scheme. As such this is accepted when all available credits are targeted.

17 and 19 Park Square East, new residential dwellings

- 13.5 The creation of two residential dwellings would be considered minor residential refurbished, meaning they are assessed under Park L1B of Building Regulations 2013. Both applications (at 17 and 18) are supported by a Sustainability Statement, which officers consider sufficiently demonstrates how the sustainable design and construction principles, and climate change adaptation measures, have been incorporated into the design.
- 13.6 As the proposals relate to grade I listed buildings, they are exempt from energy efficiency requirements as compliance would unacceptably alter the character and appearance of the buildings. The building envelopes would not be updated due to the historic sensitivities of the listed buildings; however, the small rear extensions would have their thermal elements based on the Part L1B minimum standards. Through efficient mechanical, electrical and control systems, the CO2 emissions would be reduced during operation. All of the proposed equipment and plant would be better than the minimum requirements of the Domestic Building Services Compliance Guide (2013).
- 13.7 The dwellings would minimise internal and external potable water usage (this would be secured via planning condition) and discourage the disposal of waste to landfill through good waste management during both operation and construction.
- 13.8 The existing buildings have air conditions units in the lightwells, serving all parts of the building. These would be removed and no comfort cooling is proposed for the new dwellings. Any proposals for comfort cooling would require separate planning permission and listed building consent, and would need to demonstrate (through modelling) that there are overheating issues and whether more sustainable ways of controlling temperature can be incorporated following the cooling hierarchy.
- 13.9 Overall, the dwellings have been designed to incorporate sustainability features, with low environmental impact central to its design.

14 Air Quality

- 14.1 The application at no. 18 has been supported by an Air Quality Neutral Assessment and an Air Quality Assessment.

- 14.2 The submitted Construction Dust Risk Assessment states: *'without appropriate mitigation controls in place, there is the potential for adverse effects to occur during to the construction of the Proposed Development. The implementation of best practice mitigation controls can ensure any potential adverse effects would be not significant.'* Officers consider that there is a medium overall risk to air quality from this development without mitigation. Therefore, air quality monitoring is required and would be secured by a planning condition. Mitigation measures to control construction-related air quality impacts would also be secured within the CMP. The applicant would be required to complete the checklist in the CMP Pro-Forma and demonstrate that all mitigation measures relevant to the level of identified risk are being included.
- 14.3 The submitted Air Quality Neutral Assessment (section 5.1) states: *'it has been demonstrated that the development's NOx building emissions meet the Air Quality Neutral benchmark by 55.5 kg NO2 kg/annum, based on an assumed continuous operation scenario.'* The development therefore meets the requirement to be at least Air Quality neutral.
- 14.4 An inlet for the mechanical ventilation units at no. 18 is proposed at roof level and away from the road. It would include particulate filters to maintain internal air quality.

15 Flooding and Drainage

- 15.1 Camden Local Plan policy CC3 seeks to ensure development does not increase flood risk and reduces the risk of flooding where possible. The NPPF requires all major developments to include Sustainable Urban Drainage Systems (SuDs) unless demonstrated to be inappropriate (as set out in the Ministerial Statement by the Secretary of State on 18 December 2014). Major developments (not applicable to these proposals due to the size of the uplift being below 1,000m²) should achieve greenfield run-off rates wherever feasible and as a minimum 50% reduction in run off rates. Development should also follow the drainage hierarchy in policy 5.13 of the London Plan.
- 15.2 Overall, the proposed development has been designed to reduce the risk of flooding on the site and surrounding areas, and to cope with being flooded. The principle of the overall proposals is considered acceptable and it is recommended that a condition be attached to any approval to secure details in relation to calculations, plans, maintenance and exceedance. This would include the applicant demonstrating consent from Thames Water regarding capacity to receive foul and surface water flows, a suitable connection for attenuation below paving, to review and revise permeable paving standard details where necessary and to demonstrate that exceedance flows do not adversely impact development off site.

16 Accessibility and Community Safety

- 16.1 Local Plan policy C6 (Access for all) promotes fair access and for barriers that prevent everyone from accessing facilities and opportunities to be removed. The need for all new development in London to achieve the highest standards

of accessible and inclusive design is emphasised in Policy 7.2 (An inclusive environment) of the London Plan and Policy D2 (Inclusive Design) of the emerging New London Plan. In accordance with these policies, the Design and Access Statement includes an access statement (Chapter 8 - Accessibility and inclusive design) that sets out that the detailed design has taken into account the requirements of Part M of the Building Regulations.

- 16.2 The buildings are grade I listed, meaning that there is limited scope for internal and/or external works to make the buildings more accessible. This is especially the case for the proposed dwellings. For the main Diorama building at no. 18, access is proposed from two principal entrances. The main formal, more public, entrance to the building is via the existing front entrance from Park Square East. This existing entrance does not provide level access from the public footpath as there are existing steps over the front light-well to the main entrance door. Due to the listing of the building there is no opportunity to make the necessary alterations to the facade to provide level access. Level access is therefore proposed via a rear entrance from Peto Place, which is accessible from Albany Street (west) and Marylebone Road/A501 (south). This secondary access would be used by a range of users for the building, including staff and users of the proposed office use. It benefits from having a dedicated disabled parking space. The new secondary entrance would be from the south west facing flank wall on the rear elevation. It would lead to two x 8 person lifts serving all floors.
- 16.3 In addition to the above improvements to the listed building (new level access and lifts), a special cycle store is proposed on the ground floor next to the rear entrance along with an accessible WC on all levels. An accessible shower is proposed at basement level.

17 Land Contamination and Archaeology

- 17.1 The Council's Contamination Officer raised no objection to the proposed development of the buildings in terms of land contamination/environmental health matters subject to further details secured via condition, including a site investigation scheme along with a remediation strategy and verification plan.
- 17.2 The Historic England Greater London Archaeological Advisory Service (GLAAS) wrote on 03/03/2020 to confirm that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. The site does not lie within an archaeological priority area and it is evident from the submitted documents that there is unlikely to be an archaeological impact at this location, particularly given the relatively small scale of the development works. The Greater London Historic Environment Record does not indicate that any significant archaeological remains are likely to be located on site.
- 17.3 The site was once used as a Baptist chapel. There is often a risk for burials associated with Baptist chapels; however, the submitted Heritage Statement identifies that it did not become a chapel until 1855 which is three years after the publication of the first Burial Act of 1852 which required the discontinuation of burials within metropolitan areas for public health reasons. It is therefore

highly unlikely that the site would have been used for Baptist burials. No further assessment or conditions are therefore necessary.

19 Waste Management

- 19.1 The approach to waste management is set out within the relevant Design and Access Statements. The commercial use (no. 18) would store waste and recycling to the rear of the building, to be accessed from Peto Place. Sufficient space has been allocated for the proposed development. For the residential dwellings (nos. 17 and 19), waste storage and recycling bins would be provided in large compartmented storage units in the kitchens. Refuse would be taken out to the existing bin store and left kerbside on Fridays in accordance to the collection times. Both rubbish and recycling is to be stored in dust bins housed in the external store. Waste bags would then be taken out, kerb side prior to collection.
- 19.2 A condition is recommended for the commercial use at no. 18 to require details of the location, design and method of waste storage and removal including recycled materials.

20 Economic Benefits, Local Employment and Procurement

- 20.1 The proposed development at no. 18 would generate significant local economic benefits and opportunities. Local Plan policy E1 and CPG Employment Sites & Business Premises March 2018 state that in major developments the Council will seek to secure employment and training opportunities for local residents and opportunities for businesses based in the borough to secure contracts to provide goods and services. A range of training and employment benefits would be secured via S106 to provide opportunities during and after the construction phase for local residents and businesses. This would include:

Construction phase:

- Work to CITB benchmarks for local employment when recruiting for construction-related jobs
- Advertise all construction vacancies and work placement opportunities exclusively with the King's Cross Construction Skills Centre for a period of one week before marketing more widely
- Provide a specified number (to be agreed) of construction work placement opportunities of not less than two weeks each, to be undertaken over the course of the development, to be recruited through the Council's King's Cross Construction Skills Centre
- Recruit one construction apprentice per £3 million of build costs and pay the Council a support fee of £1,700 per apprentice. Recruitment of construction apprentices should be conducted through the Council's King's Cross Construction Skills Centre. Recruitment of non-construction apprentices should be conducted through the Council's Economic Development team
- Sign up to the Camden Local Procurement Code

- Provide a local employment, skills and local supply plan setting out a plan for delivering the above requirements in advance of commencing on site

End use phase:

- The applicant/end users should provide a specified number (to be agreed) of end use apprenticeships. The apprenticeships could be within a range of roles (examples include hospitality, business administration, finance, customer service and IT)
- The applicant/end users should provide a specified number (to be agreed) of end use work placement opportunities of not less than two weeks each, over the course of the development, to be recruited through the Council's Economic Development team

21 Fire Safety

- 21.1 Draft Policy D11 (Fire safety) of the New London Plan requires all major development proposals to be submitted with a Fire Statement. An Outline Fire Safety Strategy Report has been submitted in support of the Diorama application at no. 18. The submission suitably addresses the requirements set out in Policy D11 (Fire safety) relating to construction, means of escape, safety features and access for fire personnel. The documents state that their primary focus is to provide the key information to demonstrate how the functional life-safety requirements of the Building Regulations 2010 would be met. A formal Fire Strategy would be prepared for approval through the Building Regulations process.

22 Section 106 Obligations

- 22.1 The 'Heads of Terms' embodied in the S106 legal agreement referred to above would include the following:
- **Car-free development (all sites)** - Commitment to a car-free development
 - **Construction and Management Plans (all sites)** - including Construction Working Group and implementation support contribution for each development:
 - No. 17 - £3,136
 - No. 18 - £7,565
 - No. 19 - £3,136
 - **Basement Construction Plan (all sites)** - to ensure that, when the final design of the scheme is confirmed, ground movements can be confirmed
 - **Travel Plan, including Car Management Reduction Plan (CMRP), and Travel Plan Monitoring and Measurements Contribution of £9,618 for no.18**
 - **Affordable Housing and Housing Contribution** – no.17: £26,261.50 and no.19: £25,355.29

- **Public Appreciation Measures for no.18** – including a website, physical model, Open House and a 3D model/virtual reality/augmented reality
- **Energy Efficiency and Renewable Energy Plan for no.18** – including carbon reductions
- **Sustainability Plan for no.18** - BREEAM 'Good' rating and minimum credit requirements under Energy (60%), Materials (40%) and Water (60%)
- **Employment and Training Plan for no.18** - Local Employment, Local Procurement, Construction Apprentice Default Contribution, Construction Apprentice Support Contribution, Employment Post Construction
- **Cycle Parking for no. 18** – the cycling parking, along with details and a management strategy, secured within The Which? Building

23 Community Infrastructure Levy (CIL)

23.1 All three of the proposals would be liable for both the Mayor of London's CIL2 (MCIL2) and Camden's CIL due to the net increase in floorspace for the office development (no. 18) and creation of residential units (nos. 17 and 19). An estimate for each property (located in Zone C of the CIL Charging Schedule) is provided below:

- The Diorama, 18 Park Square East – includes a total office space (B1) of 2,878.90m² = £604,569 (MCIL2 (2,878.90m² x £185) + Camden CIL (2,878.90m² x £25)
- 17 Park Square East – includes a new residential dwelling (C3) with a floor area of 391m² = £226,780 (MCIL2 (391m² x £80) +Camden CIL (391m² x £500)
- 19 Park Square East – includes a new residential dwelling (C3) with a floor area of 368m² = £213,440 (MCIL2 (368m² x £80) +Camden CIL (368m² x £500)

23.2 An informative would be attached on any decision notice advising the applicant of these charges. The final charges would be decided by Camden's CIL team.

24 Conclusion

24.1 The proposed development would make best use of an underutilised site, which has been vacant for a substantial period of time. The proposal would be a sustainable use of brownfield land within Central London, which would include the following benefits:

- Heritage benefits by ensuring the sites are brought back into its optimum uses, including upgraded office facilities with modern and efficient spaces and returning the townhouses back to their historic use
- Revealing of the areas and phases of the building of most historic significance, in particular the Diorama drum

- Securing a public appreciation package for this historically significant building at no. 18, through a range of measures
- Employment benefits from a vacant institutional building (no. 18) being converted, refurbished and extended into employment floorspace
- Provision of local employment and training benefits
- Sustainable retention and reuse of the existing buildings
- High quality architecture and renovations
- Affordable housing contributions of £26,261.50 and £25,355.29 (£51,616.79 in total), to contribute towards affordable housing nearby
- Two high quality single-family dwellinghouses
- An overall sustainable scheme that meets the majority of carbon reduction and renewables targets

24.2 Paragraph 10 of the NPPF states that there is a presumption in favour of sustainable development, which should be a golden thread running through decision making. The dimensions of sustainable development are economic, social and environmental which should be sought jointly. The proposed development would result in significant benefits through all 3 strands of sustainable development without any adverse impacts significantly or demonstrably outweighing them. On balance, the proposal is considered to be a favourable sustainable development that is in accordance with relevant National and Regional Policy, the Camden Local Plan, Camden Planning Guidance and other supporting policy guidance for the reasons noted above.

25 Recommendation

25.1 Planning permission is recommended subject to a S106 Legal Agreement and planning conditions (clauses and conditions set out below). Listed building consent is recommended subject to securing the listed building consent conditions below.

25.2 Draft heads of terms listed below, with more detail included in paragraph 22.1 (above):

- Car-free development (all sites)
- Construction and Management Plans (all sites) - including Construction Working Group and implementation support contribution for each development
- Basement Construction Plan (all sites)
- Travel Plan, including Car Management Reduction Plan (CMRP), and Travel Plan Monitoring and Measures Contribution of £9,618 for no.18
- Affordable Housing and Housing Contribution – no.17: £26,261.50 and no.19: £25,355.29
- Public Appreciation Measures for no.18
- Cycle parking for no. 18 secured within The Which? Building
- Energy Efficiency and Renewable Energy Plan for no.18

- Sustainability Plan for no.18 - BREEAM 'Good' rating and minimum credit requirements under Energy (60%), Materials (40%) and Water (60%)
- Employment and Training Plan for no.18

26 Legal Comments

26.1 Members are referred to the note from the Legal Division at the start of the Agenda.

26.2 Condition(s) and Reason(s): **2020/0802/P (no. 18 Park Square East)**

1	<p>The development hereby permitted must be begun not later than the end of three years from the date of this permission.</p> <p>Reason: In order to encourage swift commencement and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p>Approved Drawings</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawings: P_00; E_000; E_01; E_02; E_03; E_04; E_05; E_06; E_10; E_11; E_15; E_17; E_19; E_20; E_21; E_27; E_28.</p> <p>Demolition Drawings: D_000; D_01B; D_02B; D_03B; D_04A; D_05; D_06; D_10; D_11; D_15; D_17; D_19; D_20B; D_21; D_27; D_28.</p> <p>Proposed Drawings: P_000; P_01B; P_02E; P_03B; P_04A; P_05B; P_06C; P_07C; P_10A; P_11A; P_15B; P_17A; P_19B; P_20D; P_21B; P_27A; P_28A, P_30, P_31, P_32, P_33, P_34A, R_01, R_02, R_03, R_04, R_05.</p> <p>Supporting Documents: Covering letter dated 14/02/2020; Design & Access Statement dated April 2020; Planning Statement dated February 2020; Heritage Statement dated February 2020; Transport Statement v1.3 dated 24/02/2020; Framework Commercial Travel Plan v1.1 dated 24/04/2020; Construction Management Plan pro forma; Acoustic Assessment Rev 2 dated 15/04/2020; Daylight and Sunlight Report dated 14/02/2020; Basement Impact Assessment (May 2020 Rev 2); Geotechnical Report on Ground Investigation; Phase 1 Preliminary Assessment; Construction Method Statement Rev P2 dated 12 May 2020; Structural Drawings file; Flood Risk Assessment Rev C; Archaeological Desk-based Assessment; Energy and Sustainability Statement Rev F dated 19/05/2020; Air Quality Neutral Assessment Rev B dated 14/02/2020; Air Quality Assessment Rev A dated 19/05/2020; Construction Dust Risk Assessment Rev B dated 14/02/2020; Stage 2 - Outline Fire Safety Strategy Report Rev A dated 14/02/2020; Statement of Community</p>

	<p>Involvement dated February 2020; Photographic Survey dated January 2020.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Details of Mechanical Plant Noise</p> <p>Prior to relevant works, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/machinery/equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/equipment will be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.</p> <p>Reason: To ensure that the amenity of occupiers of the surrounding premises are not adversely affected by noise from mechanical installations/equipment, in accordance with Policies A1 and A4 of the Camden Local Plan 2017.</p>
4	<p>Plant Mitigation</p> <p>Prior to the relevant works, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that machinery, plant/equipment are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.</p> <p>Reason: To ensure that the amenity of occupiers of the surrounding premises are not adversely affected by noise from mechanical installations/equipment, in accordance with Policies A1 and A4 of the Camden Local Plan 2017.</p>
5	<p>Waste storage</p> <p>Prior to the occupation of the development, details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. The facility as approved shall be provided prior to the first occupation of the building and permanently retained thereafter.</p>

	<p>Reason: To ensure that sufficient provision for the storage and collection of waste has been made, to avoid obstruction of the highway and to safeguard amenities of adjacent premises in accordance with the requirements of policy CC5, A1, and A4 of the London Borough of Camden Local Plan 2017.</p>
6	<p>Use of roof terrace</p> <p>The approved roof terrace shall be used for employment uses (B1) only, and shall not be used outside the hours of 08:00 and 20:00 Monday-Friday.</p> <p>Reason: In order to prevent unreasonable overlooking and disturbance of neighbouring premises in accordance with the requirements of Policies D1 and A1 of the Camden Local Plan 2017.</p>
7	<p>Detailed landscape plan</p> <p>Full details of hard and soft landscaping shall be submitted to and approved in writing by the local planning authority before the relevant part of the development commences.</p> <p>The submission to include details of:</p> <ul style="list-style-type: none"> a) full details of the roof terrace and landscaping b) screening of roof terrace c) details of a package of biodiversity enhancements (an ecological enhancement strategy, including measures (subject to feasibility) such as insect hotels, bio solar roof, night-scented native plants, green walls, blue roof, water conservation items, living roof) d) a maintenance plan for a minimum of 3 years <p>The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Council gives written consent to any variation.</p> <p>The development shall not be occupied until such time as the works have been completed in accordance with the details thus approved.</p> <p>Reason: To enable the Council to ensure a reasonable standard of amenity in the scheme and to ensure the development undertakes reasonable measures to take account of biodiversity in accordance with the requirements of Policies G1, CC1, CC2, CC3, CC4, D1, D2, A3 and A1 of the Camden Local Plan 2017.</p>
8	<p>Cycle parking</p>

	<p>Prior to the first occupation of the building, the bicycle parking shall be provided in accordance with the Transport Assessment and submitted drawings hereby approved. A total of 50 (including 2 accessible spaces within the basement of the application building) long stay cycle parking spaces and 8 short stay cycle parking spaces must be provided prior to the full occupation of the development, along with the end of journey facilities. Details of the 48 stands secured within the Which? Building, including detailed plans and details of the lease agreement with the landlord of the building, along with a management strategy, should be submitted to the local planning authority prior to the occupation of the development.</p> <p>The facilities as implemented shall be permanently retained thereafter.</p> <p>Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the Camden Local Plan 2017.</p>
9	<p>Details, Materials and Samples</p> <p>Prior to the relevant works, 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:</p> <ul style="list-style-type: none"> a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills and external doors and canopies b) Typical plan, elevation and section drawings of balustrading to roof terrace; c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority); <p>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 for the relevant building. All other 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.</p> <p>Reason: In order to safeguard the special architectural and historic interest of the proposed retained buildings and to safeguard the character and appearance of the wider area in accordance with the requirements of Policies D1, D2 and D3 of the Camden Local Plan 2017.</p>
10	<p>Protection of trees</p>

	<p>Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.</p> <p>Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of Policies D1 and A3 of the Camden Local Plan 2017.</p>
11	<p>Nesting birds</p> <p>No vegetation and built structures potentially suitable as a bird habitat shall be removed except outside of the bird nesting season (Feb-August inclusive). Where this is not possible, an ecologist shall be engaged to assess any vegetation and built structures for active signs of nesting and in the event a nest is found an appropriate exclusion zone should be implemented around it until the young have fledged.</p> <p>Reason: In order to safeguard protected and priority species, in accordance with the requirements of Policy A3 of the Camden Local Plan 2017.</p>
12	<p>External fixtures</p> <p>No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the Council.</p> <p>Reason: In order to safeguard the special architectural and historic interest of the retained buildings and to safeguard the character and appearance of the wider area in accordance with the requirements of Policies D1 and D2 of the Camden Local Plan 2017.</p>
13	<p>Land Contamination</p> <p>Prior to the commencement of work for each section of the development or stage in the development as may be agreed in writing by the Local Planning Authority (LPA), a scheme including the following components to address the risk associated with site contamination shall be submitted to and approved in writing by the LPA.</p> <p>A) A site investigation scheme based on the Phase 1 Preliminary Risk Assessment Version 2 by CET to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;</p>

	<p>B) The results of the investigation and detailed risk assessment referred to in (a) and, based on these, in the event that remediation measures are identified necessary, a remediation strategy giving full details of the remediation measures required and how they are to be undertaken;</p> <p>C) A verification plan demonstrating the works set out in the remediation strategy have been undertaken.</p> <p>Any investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11). In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported immediately to the LPA.</p> <p>Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy A1 of the London Borough of Camden Local Plan 2017.</p>
14	<p>Air Quality Monitoring</p> <p>No development shall take place until air quality monitoring has been implemented on-site, and until the submission of the following:</p> <ul style="list-style-type: none"> a) Prior to installing monitors, full details of the air quality monitors have been submitted to and approved by the local planning authority in writing. Such details shall include the location, number and specification of the monitors, including evidence of the fact that they have been installed in line with guidance outlined in the GLA's Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance; b) Prior to commencement, evidence has been submitted demonstrating that the monitors have been in place for at least 3 months prior to the proposed implementation date. <p>The monitors shall be retained and maintained on site for the duration of the development in accordance with the details thus approved.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policies A1, A4 and CC4 of the Camden Local Plan 2017.</p>
15	<p>Construction machinery</p>

	<p>All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the demolition and construction phase of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the demolition and construction phase of the development.</p> <p>Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of Policies A1, A4 and CC4 of the Camden Local Plan 2017.</p>
16	<p>Basement Engineer</p> <p>The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.</p> <p>Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.</p>
17	<p>Drainage strategy</p> <p>Prior to commencement of works, a complete drainage strategy shall be prepared in consultation with the sewerage undertaker and submitted to and approved in writing by the local planning authority. The details to be submitted are in relation to calculations, plans, maintenance and exceedance, and include:</p> <ul style="list-style-type: none"> - Demonstrate that exceedance flows do not adversely impact development off site - Demonstrate consent from Thames Water regarding capacity to receive foul and surface water flows - Update pro-forma with updated MicroDrainage calculations if they differ - System shall be based on a 1:100 year event with 40% provision for climate change, demonstrating 50% attenuation of all runoff for the refurbished parts. <p>The drainage works and features approved shall be implemented in full prior to first discharge of foul or surface water from the site into the public system.</p> <p>Reason: To ensure reduce the rate of foul and surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policy CC3 of the Camden Local Plan 2017.</p>

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26.3 Condition(s) and Reason(s): **2020/0846/L (no. 18 Park Square East)**

1	<p>The works hereby permitted shall be begun not later than the end of three years from the date of this consent.</p> <p>Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p>
2	<p>Approved Documents</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawings: P_00; E_000; E_01; E_02; E_03; E_04; E_05; E_06; E_10; E_11; E_15; E_17; E_19; E_20; E_21; E_27; E_28.</p> <p>Demolition Drawings: D_000; D_01B; D_02B; D_03B; D_04A; D_05; D_06; D_10; D_11; D_15; D_17; D_19; D_20B; D_21A; D_27; D_28.</p> <p>Proposed Drawings: P_000; P_01B; P_02E; P_03B; P_04A; P_05B; P_06C; P_07C; P_10A; P_11A; P_15B; P_17A; P_19B; P_20D; P_21B; P_27A; P_28A; P_30, P_31, P_32, P_33, P_34A, R_01, R_02, R_03, R_04, R_05.</p> <p>Supporting Documents: Covering letter dated 14/02/2020; Design & Access Statement dated April 2020; Planning Statement dated February 2020; Heritage Statement dated February 2020; Basement Impact Assessment (as amended); Construction Method Statement Rev P2 dated February 2020; Structural Drawings file; Archaeological Desk-based Assessment; Photographic Survey dated January 2020.</p> <p>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.</p>
3	<p>Details, Materials and Samples</p> <p>Prior to commencement of the relevant part of works, 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:</p> <p>a) Typical details of new railings at a scale of 1:10 with finials at 1:1, including materials, finish and method of fixing into the plinth.</p> <p>b) Plan, elevation and section drawings of all new doors (internal and external) at a scale of 1:10 with typical moulding and architrave details at a scale of 1:1.</p>

	<p>c) Plan, elevation and section drawings, including jambs, head and cill, of all new window and door openings.</p> <p>d) Plan, elevation and section drawings of all new windows at a scale of 1:10 with typical glazing bar details at 1:1.</p> <p>e) Samples and/or manufacturer's details of all new facing materials (to be provided on site and retained on site during the course of the works).</p> <p>f) Details of all new service runs</p> <p>g) Details of replacement steps</p> <p>h) Details of infilled windows</p> <p>i) Details of the entrance/reception area to the front of the building</p> <p>j) Details of new brickwork, including samples</p> <p>k) Full details, including plans, sections and elevations, of the new secondary entrance to the rear of the building</p> <p>l) A lighting strategy for infilled atrium</p> <p>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.</p>
4	<p>Matching Materials</p> <p>All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.</p> <p>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.</p>
5	<p>Diorama Drum Foundations/Floor</p> <p>Prior to the commencement of works to the basement level of the rotunda, a detailed methodology statement and strategy of opening up and recording works of the rotunda's foundations shall be submitted to and approved in writing by the local planning authority for the relevant works to the listed building. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved. Notwithstanding the approved details, final details of the treatment of the proposed floor shall be submitted to and approved in writing by the local planning authority prior to those relevant works (and following the opening up works).</p> <p>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.</p>
6	<p>Atrium Strategy</p>

	<p>Prior to the commencement of works to the atrium within the rear of the Diorama building, further detail on the proposed detailed design showing retained fabric, the filling in with new floor structure and how the lighting at the centre of the space would work along with a retention strategy for the staircases, lift shaft and housing, shall be submitted to and approved in writing by the local planning authority for the relevant works to the listed building. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>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.</p>
7	<p>Details of Clinic Stairs</p> <p>Notwithstanding the approved drawings and office layouts hereby approved, full details of the stairs relating to the clinical use (including the rear stair/lift core and the two periphery stairs), including whether they are to be retained and/or altered, shall be submitted to and approved in writing by the local planning authority for the relevant works to the listed building. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>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.</p>

26.4 Condition(s) and Reason(s): **2020/0801/P (no. 17 Park Square East)**

1	<p>The development hereby permitted must be begun not later than the end of three years from the date of this permission.</p> <p>Reason: In order to encourage swift commencement and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p>Approved Documents</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawings: P_000; E_01; E_02; E_03; E_04; E_05; E_06; E_10; E_11; E_12; E_25; E_31.</p> <p>Demolition Drawings: D_01; D_02; D_03; D_04; D_05; D_06; D_10; D_11; D_12; D_25; D_31.</p>

	<p>Proposed Drawings: P_01A; P_02; P_03; P_04A; P_05A; P_06; P_10; P_11; P_12; P_25; P_31.</p> <p>Supporting Documents: Covering letter dated 14/02/2020; Design and Access Statement dated February 2020; Planning Statement dated February 2020; Heritage Statement dated February 2020; Basement Impact Assessment May 2020 V2; Geotechnical Report on Ground Investigation; Phase 1 Preliminary Assessment; Construction Method Statement dated June 2020; Structural Drawings file; Flood Risk Assessment Rev C; Acoustic Assessment Rev 1 dated 15/04/2020; Sustainability Statement Rev C dated 14/02/2020; Letter ref. 81568/IM/LAT/jdp dated 14/02/2020; Construction Management Plan pro forma; Assessment; Archaeological Desk-based Assessment; Photographic Survey dated February 2020.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Detailed landscape plan</p> <p>Full details of hard and soft landscaping shall be submitted to and approved in writing by the local planning authority before the relevant part of the development commences.</p> <p>The submission to include details of:</p> <ul style="list-style-type: none"> a) full details of the terrace and landscaping b) a maintenance plan for a minimum of 3 years <p>The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Council gives written consent to any variation.</p> <p>The development shall not be occupied until such time as the works have been completed in accordance with the details thus approved.</p> <p>Reason: To enable the Council to ensure a reasonable standard of amenity in the scheme and to ensure the development undertakes reasonable measures to take account of biodiversity in accordance with the requirements of Policies G1, CC1, CC2, CC3, CC4, D1, D2, A3 and A1 of the Camden Local Plan 2017.</p>
4	<p>Cycle parking</p>

	<p>Prior to first occupation of the building, two secure and covered bicycle parking spaces shall be provided in accordance with the approved plans.</p> <p>The facilities as implemented shall be permanently retained thereafter.</p> <p>Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the Camden Local Plan 2017.</p>
5	<p>Details, Materials and Samples</p> <p>Prior to the relevant works, 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:</p> <p>a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills and external doors and canopies b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority)</p> <p>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 for the relevant building. All other 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.</p> <p>Reason: In order to safeguard the special architectural and historic interest of the proposed retained buildings and to safeguard the character and appearance of the wider area in accordance with the requirements of Policies D1, D2 and D3 of the Camden Local Plan 2017.</p>
6	<p>Protection of trees</p> <p>Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.</p> <p>Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of Policies D1 and A3 of the Camden Local Plan 2017.</p>
7	<p>Nesting birds</p>

	<p>No vegetation and built structures potentially suitable as a bird habitat shall be removed except outside of the bird nesting season (Feb-August inclusive). Where this is not possible, an ecologist shall be engaged to assess any vegetation and built structures for active signs of nesting and in the event a nest is found an appropriate exclusion zone should be implemented around it until the young have fledged.</p> <p>Reason: In order to safeguard protected and priority species, in accordance with the requirements of Policy A3 of the Camden Local Plan 2017.</p>
8	<p>External fixtures</p> <p>No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the Council.</p> <p>Reason: In order to safeguard the special architectural and historic interest of the retained buildings and to safeguard the character and appearance of the wider area in accordance with the requirements of Policies D1 and D2 of the Camden Local Plan 2017.</p>
9	<p>Land Contamination</p> <p>Prior to the commencement of work for each section of the development or stage in the development as may be agreed in writing by the Local Planning Authority (LPA), a scheme including the following components to address the risk associated with site contamination shall be submitted to and approved in writing by the LPA.</p> <p>A) A site investigation scheme based on the Phase 1 Preliminary Risk Assessment Version 2 by CET to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;</p> <p>B) The results of the investigation and detailed risk assessment referred to in (b) and, based on these, in the event that remediation measures are identified necessary, a remediation strategy giving full details of the remediation measures required and how they are to be undertaken;</p> <p>C) A verification plan demonstrating the works set out in the remediation strategy have been undertaken.</p> <p>Any investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11). In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported immediately to the LPA.</p>

	<p>Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy A1 of the London Borough of Camden Local Plan 2017.</p>
10	<p>Construction machinery</p> <p>All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the demolition and construction phase of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the demolition and construction phase of the development.</p> <p>Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of Policies A1, A4 and CC4 of the Camden Local Plan 2017.</p>
11	<p>Mechanical Plant Noise</p> <p>Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the Camden Local Plan 2017.</p>
12	<p>Water Usage</p> <p>The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwellings shall not be occupied until the Building Regulation optional requirement has been complied with.</p> <p>Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the Camden Local Plan 2017.</p>
13	<p>Basement Engineer</p>

	<p>The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.</p> <p>Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.</p>
14	<p>Internal Noise Standards</p> <p>The noise level in rooms at the development hereby approved shall meet the 'Good' noise standard specified in BS8233:2014 for internal rooms and external amenity areas.</p> <p>Reason: To safeguard the amenities of the future occupants of the development in accordance with the requirements of policies A1 and A4 of the Camden Local Plan 2017.</p>

26.5 Condition(s) and Reason(s): **2020/0844/L (no. 17 Park Square East)**

1	<p>The works hereby permitted shall be begun not later than the end of three years from the date of this consent.</p> <p>Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p>
2	<p>Approved Documents</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawings: P_000; E_01; E_02; E_03; E_04; E_05; E_06; E_10; E_11; E_12; E_25; E_31.</p> <p>Demolition Drawings: D_01; D_02; D_03; D_04; D_05; D_06; D_10; D_11; D_12; D_25; D_31.</p> <p>Proposed Drawings: P_01A; P_02; P_03; P_04A; P_05A; P_06; P_10; P_11; P_12; P_25; P_31.</p>

	<p>Supporting Documents: Covering letter dated 15/04/2020; Design and Access Statement dated February 2020; Planning Statement dated February 2020; Heritage Statement dated February 2020; Construction Method Statement, dated 3 June 2020; Structural Drawings file; Archaeological Desk-based Assessment; Photographic Survey dated February 2020.</p> <p>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.</p>
3	<p>Details, Materials and Samples</p> <p>Prior to commencement of the relevant part of works, 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:</p> <ul style="list-style-type: none"> a) Typical details of new railings at a scale of 1:10 with finials at 1:1, including materials, finish and method of fixing into the plinth. b) Plan, elevation and section drawings of all new doors (internal and external) at a scale of 1:10 with typical moulding and architrave details at a scale of 1:1. c) Plan, elevation and section drawings, including jambs, head and cill, of all new window and door openings. d) Plan, elevation and section drawings of all new windows at a scale of 1:10 with typical glazing bar details at 1:1. e) Samples and/or manufacturer's details of all new facing materials (to be provided on site and retained on site during the course of the works). f) Details of all new service runs g) Details of replacement steps <p>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.</p>
4	<p>Matching Materials</p> <p>All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.</p> <p>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.</p>

26.6 Condition(s) and Reason(s): **2020/0804/P (no. 19 Park Square East)**

1	<p>The development hereby permitted must be begun not later than the end of three years from the date of this permission.</p> <p>Reason: In order to encourage swift commencement and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p>Approved Documents</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawings: P_000; E_01; E_02; E_03; E_04; E_05; E_06; E_10; E_11; E_12; E_24; E_31.</p> <p>Demolition Drawings: D_01; D_02; D_03; D_04; D_05; D_06; D_10; D_11; D_12; D_24; D_31.</p> <p>Proposed Drawings: P_01A; P_02; P_03; P_04A; P_05A; P_06; P_10; P_11; P_12; P_24; P_31.</p> <p>Supporting Documents: Covering letter dated 14/02/2020; Design & Access Statement dated February 2020; Planning Statement dated February 2020; Heritage Statement dated February 2020; Basement Impact Assessment May 2020 V2; Geotechnical Report on Ground Investigation; Phase 1 Preliminary Assessment; Construction Method Statement dated 12 May 2020; Structural Drawings file; Flood Risk Assessment Rev C; Acoustic Assessment Rev 1 dated 15/04/2020; Sustainability Statement Rev C dated 14 February 2020; Letter ref. 81568/IM/LAT/jdp dated 14/02/2020; Construction Management Plan pro forma; Archaeological Desk-based Assessment; Photographic Survey dated February 2020.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Detailed landscape plan</p> <p>Full details of hard and soft landscaping shall be submitted to and approved in writing by the local planning authority before the relevant part of the development commences.</p> <p>The submission to include details of:</p> <ul style="list-style-type: none"> a) full details of the terrace and landscaping b) a maintenance plan for a minimum of 3 years <p>The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p>

	<p>Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Council gives written consent to any variation.</p> <p>The development shall not be occupied until such time as the works have been completed in accordance with the details thus approved.</p> <p>Reason: To enable the Council to ensure a reasonable standard of amenity in the scheme and to ensure the development undertakes reasonable measures to take account of biodiversity in accordance with the requirements of Policies G1, CC1, CC2, CC3, CC4, D1, D2, A3 and A1 of the Camden Local Plan 2017.</p>
4	<p>Cycle parking</p> <p>Prior to first occupation of the building, two secure and covered bicycle parking spaces shall be provided in accordance with the approved plans.</p> <p>The facilities as implemented shall be permanently retained thereafter.</p> <p>Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the Camden Local Plan 2017.</p>
5	<p>Details, Materials and Samples</p> <p>Prior to the relevant works, 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:</p> <ul style="list-style-type: none"> a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills and external doors and canopies b) Typical plan, elevation and section drawings of balustrading to roof terrace c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) <p>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 for the relevant building. All other 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.</p> <p>Reason: In order to safeguard the special architectural and historic interest of the proposed retained buildings and to safeguard the character and appearance of the wider area in accordance with the requirements of Policies D1, D2 and D3 of the Camden Local Plan 2017.</p>

6	<p>Protection of trees</p> <p>Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.</p> <p>Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of Policies D1 and A3 of the Camden Local Plan 2017.</p>
7	<p>Nesting birds</p> <p>No vegetation and built structures potentially suitable as a bird habitat shall be removed except outside of the bird nesting season (Feb-August inclusive). Where this is not possible, an ecologist shall be engaged to assess any vegetation and built structures for active signs of nesting and in the event a nest is found an appropriate exclusion zone should be implemented around it until the young have fledged.</p> <p>Reason: In order to safeguard protected and priority species, in accordance with the requirements of Policy A3 of the Camden Local Plan 2017.</p>
8	<p>External fixtures</p> <p>No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the Council.</p> <p>Reason: In order to safeguard the special architectural and historic interest of the retained buildings and to safeguard the character and appearance of the wider area in accordance with the requirements of Policies D1 and D2 of the Camden Local Plan 2017.</p>
9	<p>Land Contamination</p> <p>Prior to the commencement of work for each section of the development or stage in the development as may be agreed in writing by the Local Planning Authority (LPA), a scheme including the following components to address the risk associated with site contamination shall be submitted to and approved in writing by the LPA.</p>

	<p>A) A site investigation scheme based on the Phase 1 Preliminary Risk Assessment Version 2 by CET to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;</p> <p>B) The results of the investigation and detailed risk assessment referred to in (b) and, based on these, in the event that remediation measures are identified necessary, a remediation strategy giving full details of the remediation measures required and how they are to be undertaken;</p> <p>C) A verification plan demonstrating the works set out in the remediation strategy have been undertaken.</p> <p>Any investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11). In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported immediately to the LPA.</p> <p>Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy A1 of the London Borough of Camden Local Plan 2017.</p>
10	<p>Construction machinery</p> <p>All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the demolition and construction phase of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the demolition and construction phase of the development.</p> <p>Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of Policies A1, A4 and CC4 of the Camden Local Plan 2017.</p>
11	<p>Mechanical Plant Noise</p> <p>Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).</p>

	<p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the Camden Local Plan 2017.</p>
12	<p>Water Usage</p> <p>The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwellings shall not be occupied until the Building Regulation optional requirement has been complied with.</p> <p>Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the Camden Local Plan 2017.</p>
13	<p>Basement Engineer</p> <p>The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.</p> <p>Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.</p>
14	<p>Internal Noise Standards</p> <p>The noise level in rooms at the development hereby approved shall meet the 'Good' noise standard specified in BS8233:2014 for internal rooms and external amenity areas.</p> <p>Reason: To safeguard the amenities of the future occupants of the development in accordance with the requirements of policies A1 and A4 of the Camden Local Plan 2017.</p>

26.7 Condition(s) and Reason(s): **2020/0845/L (no. 19 Park Square East)**

1	<p>The works hereby permitted shall be begun not later than the end of three years from the date of this consent.</p>
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	Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2	<p>Approved Documents</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawings: P_000; E_01; E_02; E_03; E_04; E_05; E_06; E_10; E_11; E_12; E_24; E_31.</p> <p>Demolition Drawings: D_01; D_02; D_03; D_04; D_05; D_06; D_10; D_11; D_12; D_24; D_31.</p> <p>Proposed Drawings: P_01A; P_02; P_03; P_04A; P_05A; P_06; P_10; P_11; P_12; P_24; P_31.</p> <p>Supporting Documents: Covering letter dated 14/02/2020; Design & Access Statement dated February 2020; Planning Statement dated February 2020; Heritage Statement dated February 2020; Construction Method Statement dated 12 May 2020; Structural Drawings file; Archaeological Desk-based Assessment; Photographic Survey dated February 2020.</p> <p>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.</p>
3	<p>Details, Materials and Samples</p> <p>Prior to commencement of the relevant part of works, 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:</p> <ol style="list-style-type: none"> a) Typical details of new railings at a scale of 1:10 with finials at 1:1, including materials, finish and method of fixing into the plinth. b) Plan, elevation and section drawings of all new doors (internal and external) at a scale of 1:10 with typical moulding and architrave details at a scale of 1:1. c) Plan, elevation and section drawings, including jambs, head and cill, of all new window and door openings. d) Plan, elevation and section drawings of all new windows at a scale of 1:10 with typical glazing bar details at 1:1. e) Samples and/or manufacturer's details of all new facing materials (to be provided on site and retained on site during the course of the works). f) Details of all new service runs g) Details of replacement steps

	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	<p>Matching Materials</p> <p>All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.</p> <p>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.</p>

26.8 Combined Informatives:

1. Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (telephone: 020-7974 6941).
2. Your proposals may be subject to control under the Party Wall 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.
3. Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (telephone: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
4. 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, Argyle Street, WC1H 8EQ (telephone: 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> 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.
5. You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For

further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en>.

6. Thames Water requests for the proposal to incorporate protection to the properties by installing, for example, a non-return valve or other suitable device to avoid the risk of backflow waste at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
7. With regard to surface water drainage Thames Water advises that it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that you ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Should you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
8. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
9. Active bird nests are protected under Part 1 of the Wildlife and Countryside Act 1981 (as amended) which states that it is an offence to disturb, damage or destroy the nest of any wild bird while that nest be in use or being built. Active nests are highly likely to be present within the site during peak nesting season, considered by Natural England as between 1 March and 31 July. It should be noted that active nests are afforded legal protection at all times and can be encountered throughout a nesting season which may extend between mid-February and October depending on bird species and weather conditions. Nesting habitats which includes trees, shrubs, climbing plants, grounds flora, buildings and other structures may be cleared at any time of year where survey (undertaken by a suitably experienced person) can establish active nests are absent. For further information contact Natural England on 0845 600 3078.
10. Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended), and the Conservation (Natural Habitats) Regulations 1994 which protect bats from intentional or deliberate actions which may kill, injure capture a bat and from actions that intentionally or recklessly damage, destroy or obstruct access to a bat roost (whether bats are present or not) or disturb a bat when occupying a roost. Actions such as demolition and renovation works

to a building, and tree felling or significant tree surgery are likely to result in a breach of the above legislation if bats or bat roosts are present. For further information contact Natural England on 0845 600 3078.

11. In relation to living roofs it is recommended for the proposed substrate to be sourced from site (for example: soil and crushed brick) for sustainability reasons and to provide better conditions for local species.
12. With regard to surface water drainage scheme, the Environment Agency advises that the following information must be provided based on the agreed drainage strategy:
 - a) A clearly labelled drainage layout plan showing pipe networks and any attenuation areas or storage locations. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
 - b) Confirmation of the critical storm duration.
 - c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365 d) Where on site attenuation is achieved through ponds, swales, geocellular storage or other similar methods, calculations showing the volume of these are also required.
 - e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
 - f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.
13. You are advised the developer and appointed/potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (telephone: 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.
14. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

15. 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.

Appendix 1 – Historic Appeal Decision from 1987



(ALL) DISMISSED
 8600031 - Reg. 1890
 8670007 - Reg. 1889
 8670032 - Reg. 1892
 8670008 - Reg. 1891

M11/3 (A) Records

KW

Department of the Environment
 Greater London Regional Office
 Millbank Tower 21-24 Millbank
 London SW1P 40J
 Telephone 01-211 3000
 Direct Line 01-211 3300

Messrs Speechly Bircham
 Solicitors
 Bouvaine House
 154 Fleet Street
 LONDON EC4A 2HX

EXECUTIVE'S
 DEPARTMENT
 31 JUL 1987
 CAMDEN

Your reference

Our reference APP/X5210/A/86/054443
 /E/86/801761
 /A/86/054442
 /E/86/801762

LONDON BOROUGH OF CAMDEN
 PLANNING AND COMMUNICATIONS
 Date 26 JUL 1987

Gentlemen

4 AUG 1987 (A.M.)

RECEIVED

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 97 AND PARAGRAPH 9 OF SCHEDULE 11
 APPEALS BY THE CROWN ESTATE COMMISSIONERS
 APPLICATIONS Nos 8600031 R2, R2 8670007, 8670032, 8670008
 LOCAL GOVERNMENT ACT 1972 - SECTION 250(5)

REF. TO:

17-19 PARK SQUARE EAST

1. I am directed by the Secretary of State for the Environment to say that consideration has been given to the report of the Inspector, M I Montague-Smith, BArch MCD RIBA MRTPI, who held a local inquiry into your clients' appeals on the failure of the Council of the London Borough of Camden to give, within the prescribed period, notice of their decisions on your clients' applications for:-

- (A) (APP/X5210/A/86/054443 - Application No 8600031 R2) planning permission for the restoration and renovation of the Diorama, 17, 18 and 19 Park Square East, Regents Park, London NW1 to form 2 houses and 18 flats with associated car parking, and an exhibition gallery;
- (B) (APP/X5210/E/86/801761 - Application No R2 8670007) listed building consent for the works in (A) above;
- (C) (APP/X5210/A/86/054442 - Application No 8670032) planning permission for the restoration and renovation of the Diorama, 17, 18 and 19 Park Square East Regents Park, London NW1, to form 2 houses and 18 flats with associated car parking, and a health and fitness club;
- (D) (APP/X5210/E/86/801762 - Application No 8670008) listed building consent for the works in (C) above.

A copy of the Report is enclosed.

The Inspectors conclusions

2. The Inspector said in his conclusions:-

"10.1 The main issues in this case fall into 2 parts. Firstly, the planning issues concerning the acceptability of the proposed uses, bearing in mind current planning policies; and secondly, whether the proposed alterations would do unacceptable harm to the architectural and historic interest of the listed buildings.

10.2 The planning authority accept that the use of the appeal premises for residential purposes would not conflict with either the approved or emerging local plan policies and would be acceptable in principle. Residential use would fit in well with the established housing in the Park Square East terrace and with the overall character of the conservation area, though the residential character of the Regents Park Estate has clearly declined over the years.

10.3 Emerging policies LE12 and LE20 of the proposed Alteration to the District Plan seek to safeguard existing recreational facilities and retain public meeting places etc. However, even giving the proposed Alteration policies the considerable weight they deserve, the extent to which the appeal proposals conflict with these policies is not enough, in my view, to justify rejecting a residential use in this case. There appear to be no fundamental objections to either the Exhibition Gallery or Health Club, and while the former would be the more beneficial option, this does not seem to be a sound reason for refusing the latter alternative.

10.4 On the other hand, the proposed residential conversion would have certain adverse effects on the character and appearance of the listed building, both in terms of the physical changes to the fabric resulting from the conversion works, and the reduced opportunities to enjoy and appreciate the architectural and historic interest of the building as a whole.

The Architectural and Historic Significance of the Existing Buildings

10.5 The Regents Park Diorama is a building of a very considerable architectural interest and historical importance. Its close association with Daguerre and its significance in the history of pre-cinema have been set out in detail in my report. The surviving plan form and shell of the building reflect the unique functional requirements of the Diorama concept and, perhaps the most important point of all, this remains the only surviving Diorama building in the world. Although the initial Diorama use was, in my opinion, the most important of the 3 main stages of its life, the later adaptations to a Baptist Chapel in 1851 and to a Rheumatism Clinic in 1929 make important contributions to the character of the building as it is seen today. It should also be said that the frontage range onto Park Square East has considerable architectural interest both in its own right and as part of the Nash Terraces which are an essential part of the character of Regents Park.

10.6 Surviving fragments of the 1823 building, include the outer shell of the polygonal 'picture rooms' the remaining half of the rotunda auditorium and rooflight and the Park Square East terrace range. There may be vestiges of the circular foundation walls to the revolving auditorium at basement level, but this is by no means certain. Of the later stages of development, there are indications that a significant amount of the 1851 Romanesque chapel screens remain, and these are worthy of retention if at all possible. Also, the basic structure of Thomas Pole's clinic, including the octagonal central light well and lantern, have both architectural and historic interest - this being the first clinic of its kind in Britain.

10.7 The listed buildings are in a relatively sound condition but in need of considerable repair and redecoration. While certain pre-cinema enthusiasts would like to see the building restored to its original use as a diorama, this is little more than a long-term hope at present, and the building needs to be

put to a realistic and viable use which will conserve as much of its features of architectural and historic interest as possible. At present, the Diorama building is something of a warren internally and is not readily adaptable to a new function, though its present use as an Arts Centre provides the sort of 'loose-fit' occupation which is able to make fairly good temporary use of the existing accommodation.

10.8 In my view, any permanent solution is likely to require some adaption of the building. There are certain alterations which would be beneficial, such as the removal of much of the unsympathetic internal re-arrangements carried out since the Second World War. Some of the unprepossessing out-buildings are already being cleared. However, the extent to which more fundamental changes to the basic structure are justified by the need to find a suitable new use is a matter for very careful consideration.

The Appeal Proposals

10.9 The appellants' scheme, as submitted for approval, would retain and restore, in large part, the existing front elevation onto Park Square East, though the wide chapel steps and 3 door entrance to No 18 would be replaced by a version of the original single door entrance as built in 1823. Nos 17 and 19 would be retained as single houses, though not in their original form. The surviving curved walls of Pugin's Diorama rotunda would be kept, together with the remaining half of the semi-circular rooflight. Also the greater part of the outer brick walls of the polygonal building behind would be retained. Thomas Pole's octagonal rooflight would be restored and replaced at a higher level. Thus, the overall shape of the polygonal building would remain as a reminder of the outward form of Daguerre's 'picture rooms' and the front facade would form part of the restored Nash Terrace.

10.10 On the debit side, the integrity of Nos 17 and 19 Park Square East as self-contained individual Georgian houses in virtually unaltered condition would be lost. Behind the facade the conversion scheme makes free with the accommodation, appropriating the basements of all 3 units for an Exhibition Gallery or Health Club, and apportioning the upper floors of No 18 to the houses on either side. The classical proportions of the rooms would be sacrificed for the sake of extra floorspace, and the pattern of blinds, curtains and lighted windows at dusk would show up the mismatch between apparent divisions of units on the facade and the actual accommodation behind. Access to the Exhibition Gallery or Health Club would be contrived by means of an ingenious but somewhat forced expedient of a door disguised as a window, and the need for this entrance to be at street level requires the stone plinth on which the facade stands to be broken through.

10.11 The application plans show the basement floor level of No 18 lowered to that of Nos 17 and 19, which would require the removal of any vestiges of the former 'revolve' foundation walls which may remain. Above this, the remains of both the Romanesque chapel screens would be demolished to make way for the lift and access bridges to the proposed flats. The appellants' architect has shown how the appeal scheme could be adapted to accommodate the screens, assuming that enough remains to be worth keeping. Unfortunately, the proposed new floor levels would conflict with the main elements of the chapel screens. The front screen would be bisected horizontally by the floor at level 3, and the floor slab at level 4 would pass behind the rear screen about halfway up the upper colonade of arches. The effect would be both incongruous and aesthetically damaging.

10.12. In the polygonal building to the rear, Thomas Pole's attractive octagonal light well would be demolished together with all internal floors, walls, the roof and windows. Externally, the elegant pierced buttresses at the sides would be removed to make way for new escape routes around the building. Although the proposed new fenestration is handled quite sensitively, the incorporation of decorative iron balconies, uncharacteristic parapet and coping details, projecting semi-cylindrical staircase windows and open ground floor windows would represent a distinct change from the rather plain and simple facade of the existing building.

10.13 The Diorama building has been in some form of public or institutional use for most of its life, and this is reflected in the room sizes and ceiling heights, the layout of the circulation and the general scale of spaces as one moves around the building. Conversion to residential use is bound to have some effect on the 'feel' of the building with the reduction of the storey heights and the introduction of a more domestic scale to the internal spaces. The retention of the remaining half rotunda and the octagonal atrium space (reduced in height) would preserve some remnants of its former character and history, but access to the remainder of the space would be closed off and it would become much more difficult to understand the overall form of the building or appreciate the phases of its development once it is compartmentalised into self-contained private flats.

10.14 While I am mindful of the support, or at least acceptance, which the appeal scheme has received from English Heritage, the Georgian Group and the Victorian Society, among others, nevertheless I consider that the proposed alterations would do unacceptable violence to the character, appearance and historical interest of this building. In my judgement, the appeal proposals would be acceptable only if they represented the sole means of saving at least part of the Diorama - on the grounds that half a loaf is better than none. However, there is no justification for accepting proposals as destructive as these if there is a reasonable prospect of some less damaging alternative form of development taking place.

• The Diorama Arts Scheme

10.15 In these circumstances, the Diorama Arts Centre Scheme becomes a material consideration which should be taken into account. This scheme, to adapt the Diorama building to an Arts Centre, has already been granted planning permission and listed building consent, so there is little to be gained in assessing its merits in planning policy terms. However, the extent to which the Diorama Arts Centre scheme may offer a realistic and less damaging solution for the building is a pertinent matter. The Diorama Arts Centre proposals include some fairly radical alterations to parts of No 18, the Diorama building, but much more of the existing structure is proposed to be retained. A further advantage would be that the Diorama Arts Centre use would allow greater access to more of the building by a wider section of the community. I would draw attention to the petition and letters expressing objection to the appeal proposals and support for the Diorama Arts Centre scheme received from a number of notable architects and others interested in the arts, including the Royal Fine Art Commission.

10.16 The appellants suggest that an arts centre use at No 18 would be likely to seriously affect the prospects of disposing of the nearby listed houses in Park Square East. However, there is little hard evidence to substantiate this concern other than one complaint in recent years about noise late at night. Planning conditions have been imposed by the local planning authority requiring Diorama Arts Centre Ltd to install adequate sound insulation and governing the

hours of operation. Licensing conditions should provide an added safeguard. In these circumstances, I am not convinced that an arts centre use would inhibit the disposal of the nearby Nash houses to an undue extent.

10.17 The appellants also question the viability of the Diorama Arts Centre proposals as a long-term means of preserving the listed building. They point to the limited amount of money so far raised by Diorama Arts Centre Ltd and the uncertainties relating to their tenure as casting doubt upon their prospects. However, the pledges of financial support for Diorama Arts Centre Ltd., are dependent on the Crown Commissioners granting them a suitable lease, and I do not see that the appellants can argue the unviability of the Diorama Arts Centre scheme while they have it in their power to remove one of the main obstacles to financing it. It may be a matter for legal interpretation, but I can see nothing in the Crown Estates Act which would prevent them from granting a lease to Diorama Arts Centre Ltd.

10.18 In view of the wide measure of public support which Diorama Arts Centre Ltd appears to have attracted, their hopes of raising the necessary capital do not seem to be unreasonably optimistic, provided the appellants give them a fair wind. Preliminary figures prepared by Mr Woodhead, which were not seriously challenged at the inquiry, indicate clearly that, once established, the proposed arts centre could be a viable proposition. Mr Burrows' evidence shows the high level of demand for such facilities which have built up over recent years. It is also plain from the list of Patrons, Trustees and Advisers of the Diorama Arts Trust that this is no fly-by-night operation which would be here today and gone tomorrow, or that the arts centre would be run in any other than a responsible manner. For all of these reasons, I consider that the Diorama Arts Centre proposals represent one possible feasible alternative use for the building.

Summary of Conclusions

10.19 There is no objection in principle on planning policy grounds to the proposed residential use or to either the Exhibition Gallery or Health Club option in the basement. Almost any new use for the Diorama is likely to require some alterations to the listed building, but the alterations proposed by the appellants would cause significant harm to its character and appearance. In view of the particular historical and architectural interest of the building and the fact that it is the only remaining original Diorama in existence, such alterations should be permitted only if there is no likelihood of some alternative, less harmful use being found for the building. In this case, there seems a reasonable prospect of a less harmful alternative form of development being available which could ensure the continued well-being of the building in a satisfactory use, and approval of the appeal proposals should be withheld.

Conditions

10.20 If it is decided to uphold these appeals, contrary to my recommendation, I support the local planning authority's request that the conditions in Document G5, which are agreed by the appellants, be attached to any grant of permission. In addition to the statutory time limits, the suggested planning conditions would reserve details of the elevations onto Peto Place and the layout of the unbuilt areas in Peto Place for later approval. The basement car parking would be restricted to parking use only. The listed building consent conditions require that English Heritage be notified of work commencement; ensure that repair work is carried out in matching materials; provide for the surveying and incorporation of the Baptist Chapel screens; require

details of how the stability of the shell would be safeguarded during construction; reserve details of the front basement areas for later approval; prohibit any demolition until a contract is let to carry out the conversion scheme; ensure freedom of access for inspection; reserve details of the exhibition gallery entrance door and the elevations onto Peto Place for later approval; and require the retention and repair of the staircases in Nos 17 and 19. All of these conditions are necessary in my opinion."

The Inspector recommended that all 4 appeals be dismissed and planning permission and listed building consent be refused for both of the appeal proposals.

The Secretary of State's Consideration of the Planning and Listed Building Appeals

3. The Secretary of State agrees with the Inspector's conclusions including his views concerning the acceptability of the residential use in principle and agrees entirely that such a use would, in itself, fit in well with the character of the conservation area. However, in considering whether to grant planning permission for development which affects a listed building the Secretary of State must have special regard to the desirability of preserving the building and any features of special architectural or historic interest which it possesses. In this case the architectural and historic character and integrity of the buildings, and in particular the significance of the Diorama building itself as the only surviving Diorama building in the world, are considered to be paramount.

4. It should be noted that in reaching his decision the Secretary of State has judged the appeal proposals on their own merits. Having done so and found them to be unacceptable because of their damaging affect upon the appearance and character of the appeal buildings, the Secretary of State takes the view that the rejection of these proposals need not prejudice the future well-being of the buildings given the existence of an alternative development which already has the benefit of both planning permission and listed building consent. In this context the Secretary of State agrees that the Diorama Arts Centre Scheme is a material consideration though not in itself central to the decision on whether the appeal proposals might be allowed.

5. A number of letters received too late for the Inspector's consideration have been noted, but are not considered to raise any new issue of fact or evidence which disposes the Secretary of State to alter his view of the main issues to which the Inspector refers in his conclusions.

6. The Secretary of State accepts the Inspectors recommendation and hereby dismisses your clients' appeals and refuses to grant planning permission and listed building consent for the restoration and renovation of the Diorama, 17, 18 and 19 Park Square East to form 2 houses and 18 flats with associated car parking and either an exhibition gallery (appeals A and B) or a health and fitness club (appeals C and D).

The Secretary of State's Consideration of the Application for Costs

7. The submissions made on behalf of your clients in support of their application for costs, the reply on behalf of the London Borough of Camden Council, and the Inspector's comments and recommendation on the matter are set out in the Inspector's costs report, a copy of which is enclosed. In planning and listed building consent appeals the parties are normally expected to meet their own expenses, irrespective of the outcome of the appeal (s) and costs are awarded only on grounds

of unreasonable behaviour. Accordingly the application for costs has been considered in the light of Department of the Environment Circular 2/87, the Inspector's report of the inquiry, his separate report on costs, the Secretary of State's decision contained above, the appeal papers and all the relevant circumstances.

8. The Inspector recommended that no award of costs be made.

9. The Secretary of State has considered all the evidence in this case and agrees with the Inspector's comment and accepts his recommendation. Accordingly the application for an award of costs against the London Borough of Camden in favour of your clients is hereby refused.

10. A copy of this letter has been sent to the London Borough of Camden.

I am Gentlemen
Your obedient Servant



G C WINES
Authorised by the Secretary of State to sign in that behalf.

Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

File Refs: APP/X5210/A/86/54442 and
54443
APP/X5210/E/86/801761 and
801762

To the Right Honourable Nicholas Ridley MP
Secretary of State for the Environment

Sir

1. I have the honour to report that on 17-20 April, 1-3 and 7 May 1987 I held an inquiry at Camden Town Hall and at Regents College, Regents Park, London into 4 appeals by the Crown Estate Commissioners. The appeals were against the failure of the London Borough of Camden Council to decide within the prescribed period applications for planning permission and listed building consent for the restoration and renovation of the Diorama and to form 2 houses, 18 flats and associated car parking together with an Exhibition Gallery or a Health and Fitness Club at 17, 18 The Diorama and 19 Park Square, Regents Park, London NW1.

2. I have submitted, simultaneously, my appeal inquiry report and this report which relates to an application for an award of costs made at the inquiry by the appellants against the London Borough of Camden Council.

SUBMISSION ON BEHALF OF THE APPELLANTS

3. In support of the application, reference is made to the guidance in Circular 2/87 on the conduct of local authorities in their treatment of certain applications. Planning authorities have a responsibility to work towards realistic solutions in relation to development proposals, but Camden Borough Council made no attempt to do this.

4. The appeal schemes were submitted to the planning authority in January 1986 and this was followed by a period of consultation with English Heritage and other interested bodies during which various amendments were incorporated. On 1 July 1986 the 2 appeal schemes as well as other proposals for the building submitted by Diorama Arts Centre Ltd were discussed in outline by the Borough Council Planning Committee, who expressed their dislike for the former and their preference for the latter.

5. On 31 July, the appeal proposals were formally put to the Planning Committee with the Borough Planning Officer's recommendation for approval of the Exhibition Gallery option. However, the applications were withdrawn from the agenda because the Officers' report did not reflect the Members' expressed opposition to the appellants' schemes. The appeal proposals were again presented to the Committee on 14 August with the same Officers' report, except for its conclusions and its recommendation to refuse. The applications were considered in camera and were rejected. The Diorama Arts Centre scheme was subsequently approved.

6. No criticism is made of the Officers, but the members of the Planning Authority acted unreasonably in their manner of dealing with the applications and in adopting a fixed attitude that nothing other than a public/community use would be acceptable for the Diorama building. In adopting this approach they were acting contrary to the previous inquiry inspector's conclusions in 1984, the Secretary of State's subsequent endorsement of these conclusions and the Borough Council's own Officer's advice. Nothing in the reasons for refusal of planning permission refer to the works to the listed buildings or to the Authority's preference for institutional uses.

Their inflexible attitude deprived the appellants of any chance of working towards an agreed scheme or achieving agreement on details, and led inevitably to a public inquiry.

SUBMISSION ON BEHALF OF THE LOCAL PLANNING AUTHORITY

7. In reply, the London Borough of Camden Council point out that the essence of the democratic system is that members are entitled to disagree with Officers provided they can substantiate their objections. Their witness at the inquiry, Mr Richardson, has substantiated the member's concern about the impact on the listed building.

8. The Planning Authority's case does not simply repeat the objections which the previous Inspector and the Secretary of State found unconvincing in 1983/84. The present objection to the proposed use is made in the different policy context of the emerging Alterations to the Borough Plan. Also the objection this time is phrased in terms of the Authority's concern to retain the integrity of the listed building with a single user.

9. With regard to the "lack of consultations" alleged, the appellants made no attempt to discuss the merits of their scheme prior to their submission in January 1986, but after that consultations did take place which resulted in amendments being submitted on 19 March and 13 June. It is not for the Planning Authority to seek out applicants in order to tell them what is wrong with their proposals.

CONCLUSIONS

10. In my view, the use proposed by the appellants for the appeal premises would have a material effect on the character of the listed building and the planning and listed building issues are to some extent intertwined and cannot be easily separated. The Planning Authority maintained their objection to a non-public/community use of the building in spite of the previous appeal decision which held that the continuity of community use was too tenuous a matter to form a reason for refusal. However, circumstances have changed to some extent since 1983, with greater emphasis being placed on leisure/recreational facilities in the emerging policies of the Alteration to the District Plan. Also the emphasis of the council's case at my inquiry focused on the harmful impact of the proposed use on the character and integrity of the listed building.

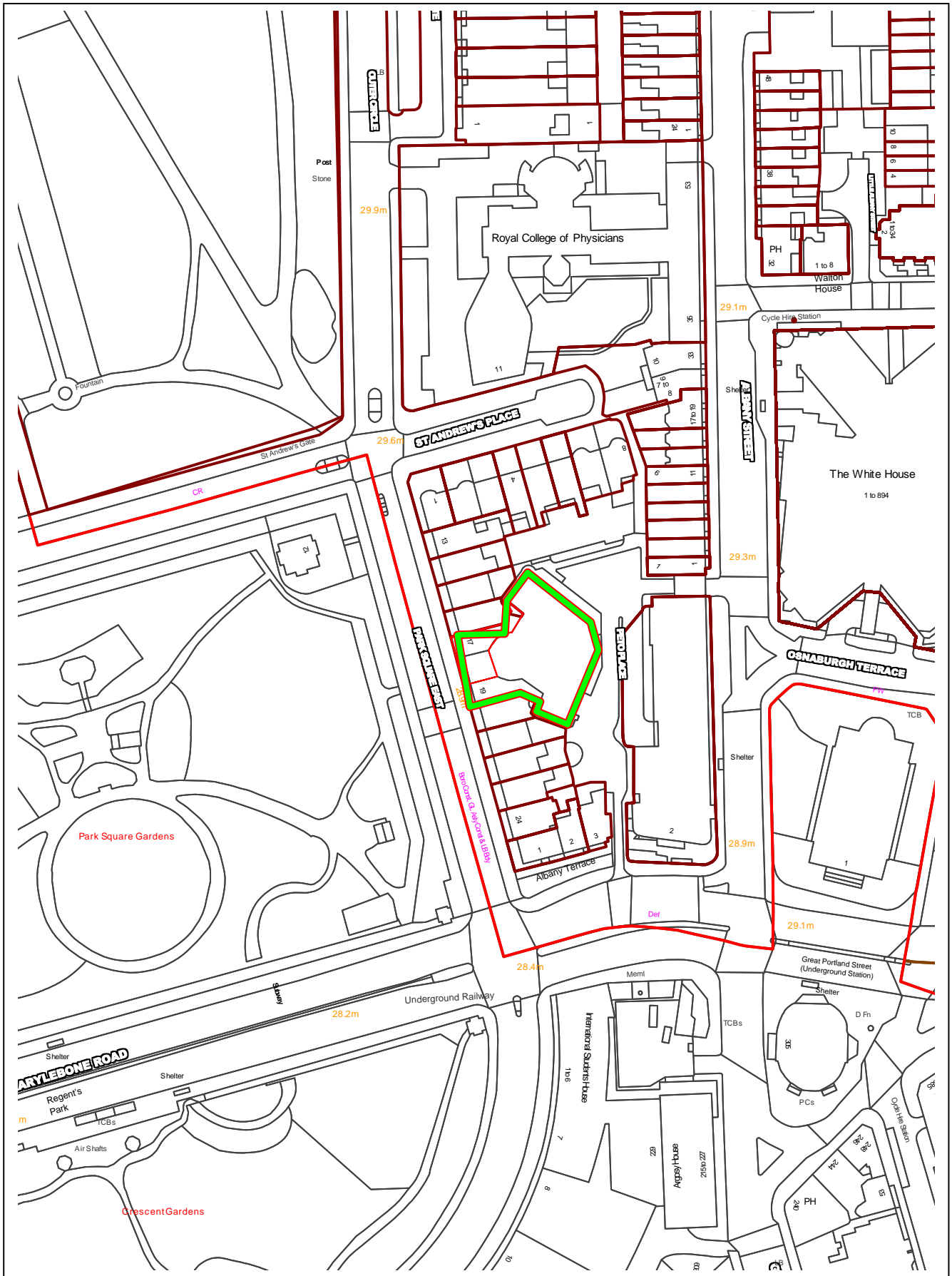
11. Bearing in mind the council's fundamental objections to the proposed residential use in this case, it is difficult to see what form of compromise could have led to a mutually acceptable solution which would have avoided the need for an inquiry. The members are entitled to disagree with their Officers' recommendations provided they are able to substantiate their objections. Whatever may be said about the Planning Authority's treatment of the appeal applications in committee, their objections were strongly substantiated by their witnesses at the inquiry.

RECOMMENDATION

12. I recommend that no award of costs be made.

I have the honour to be
Sir
Your obedient Servant

M I MONTAGUE-SMITH
Inspector



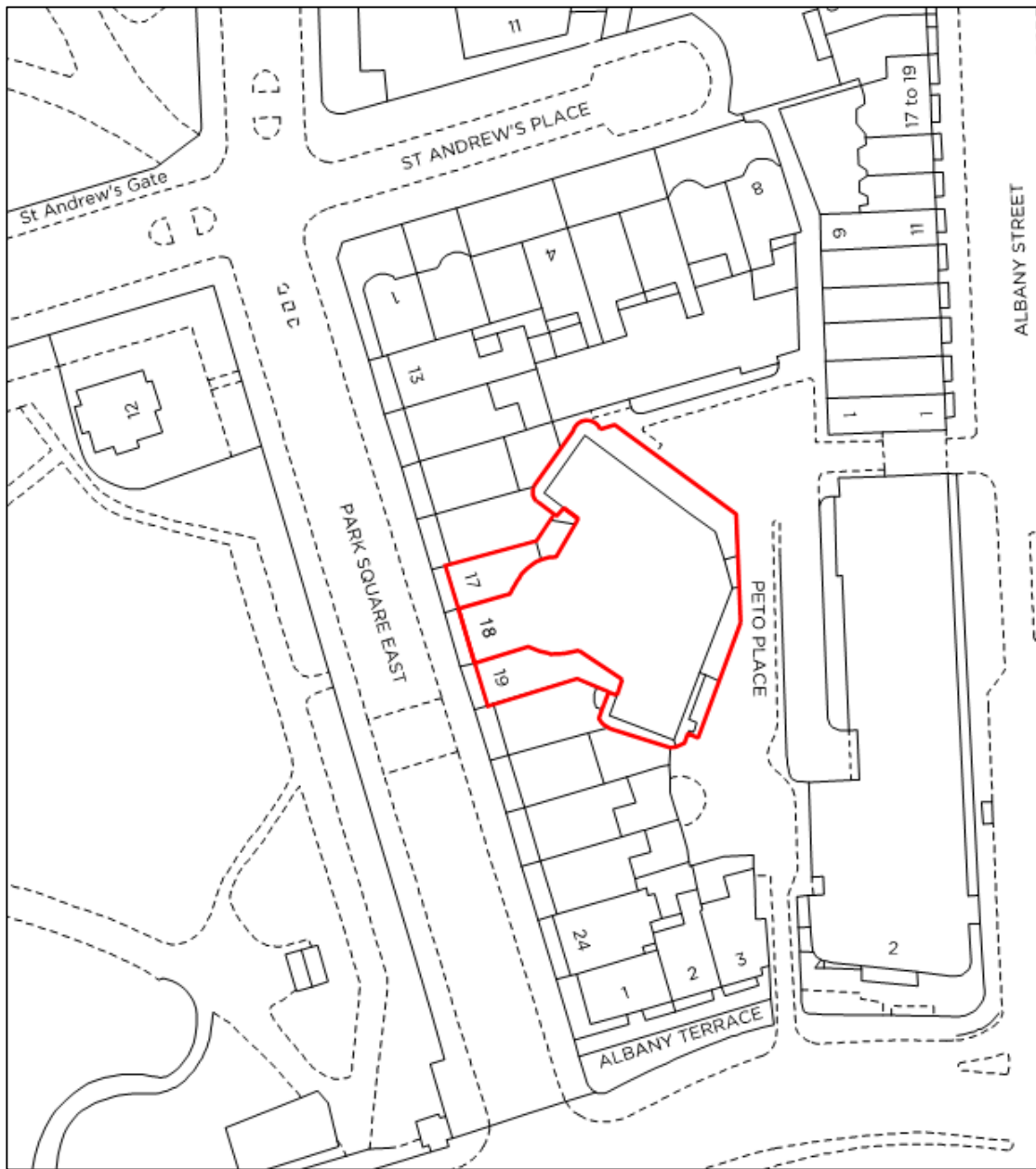
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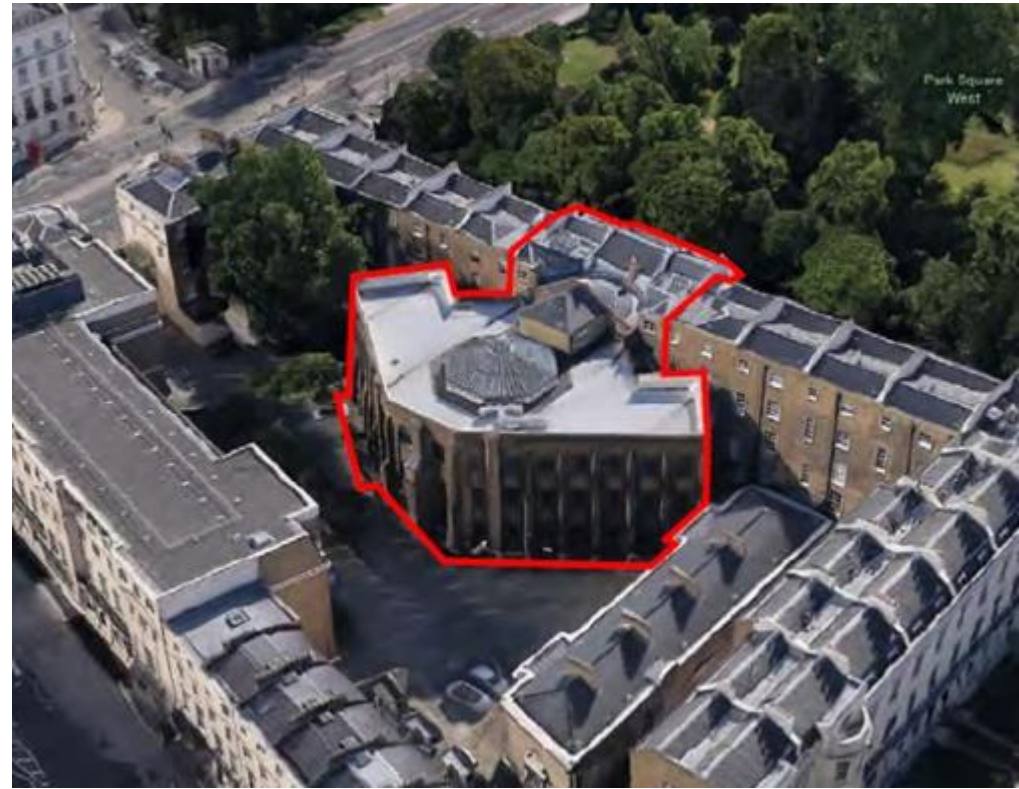
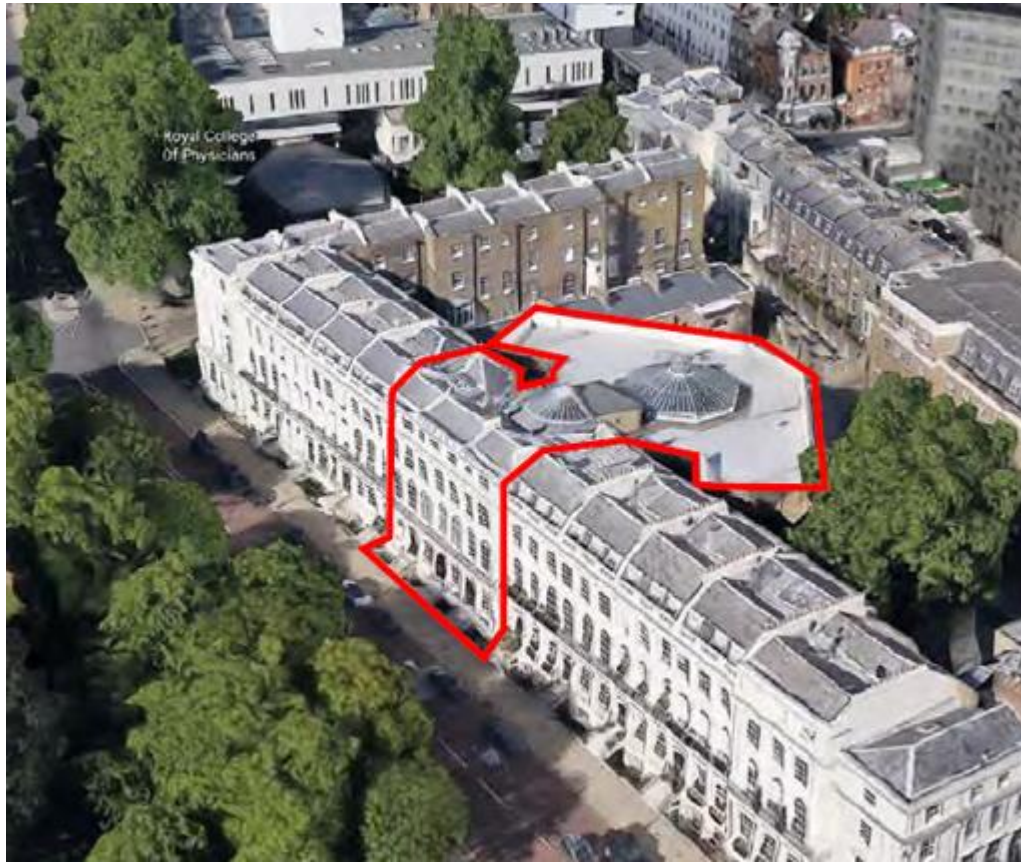
Application Nos: 2020/0801/P and 2020/0844/L, 2020/0802/P and 2020/0846/L, 2020/0804/P and 2020/0845/L

**17, 18 and 19 Park Square East
London
NW1 4LH**

**Scale:
1:1527
Date:
8-Jun-20**









Above: Front elevation on Park Square East



Above: Roof of application site, showing modern hipped roof above Diorama drum



Above: Rear elevation of no. 18 (Diorama) relationship with townhouses on Park Square East

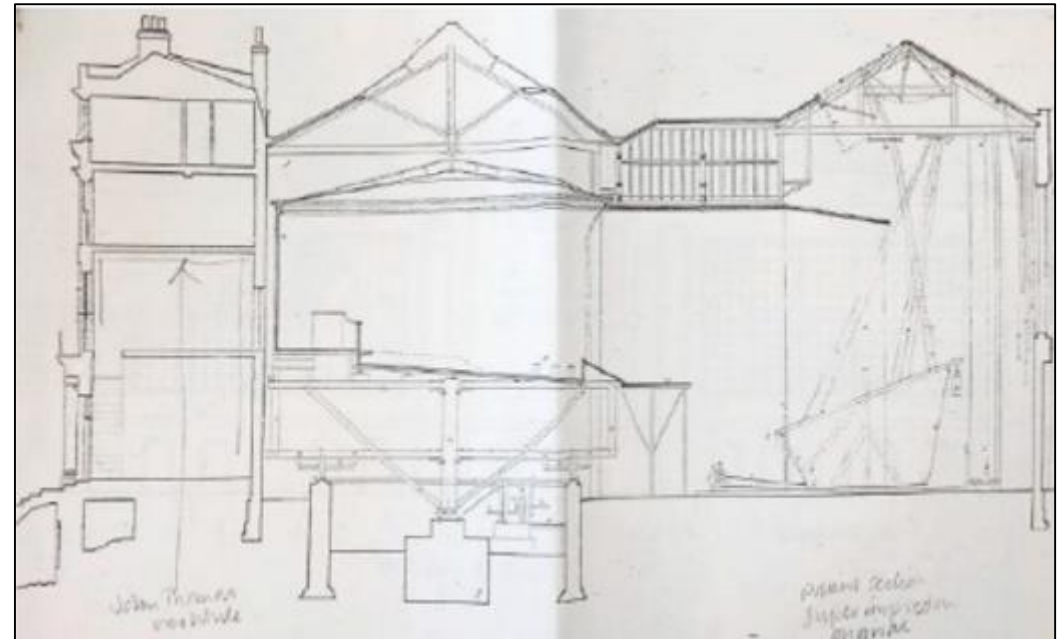
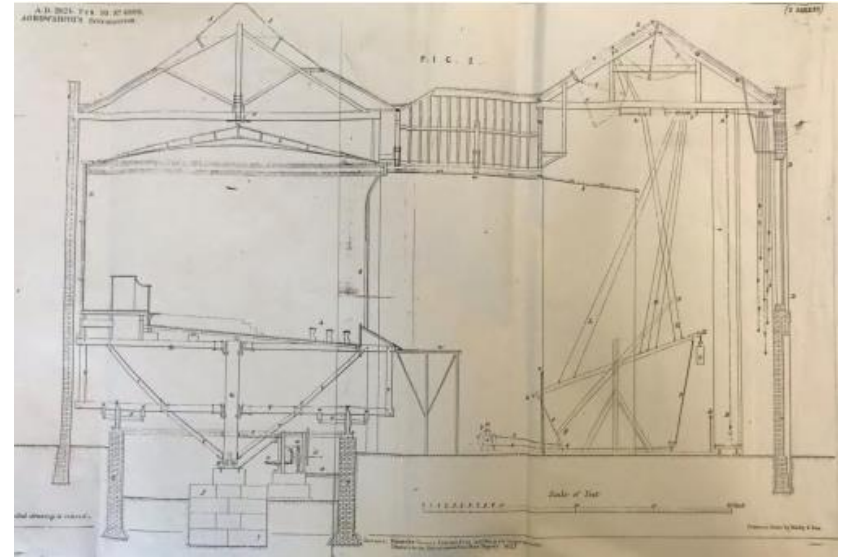
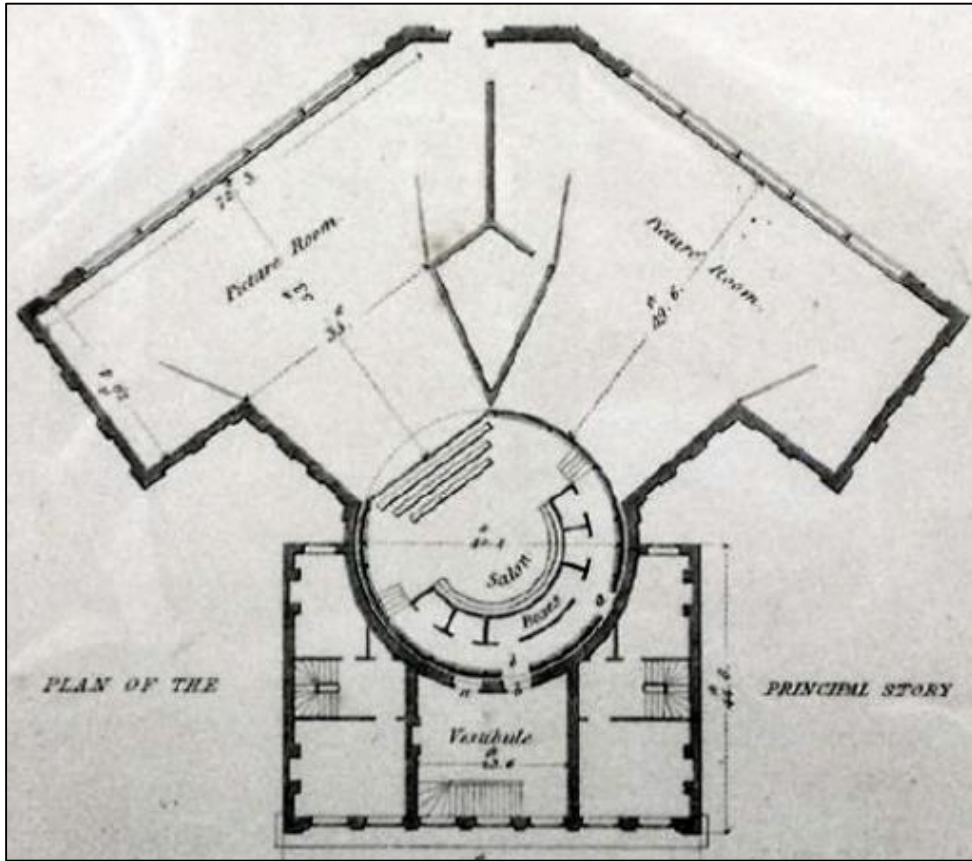


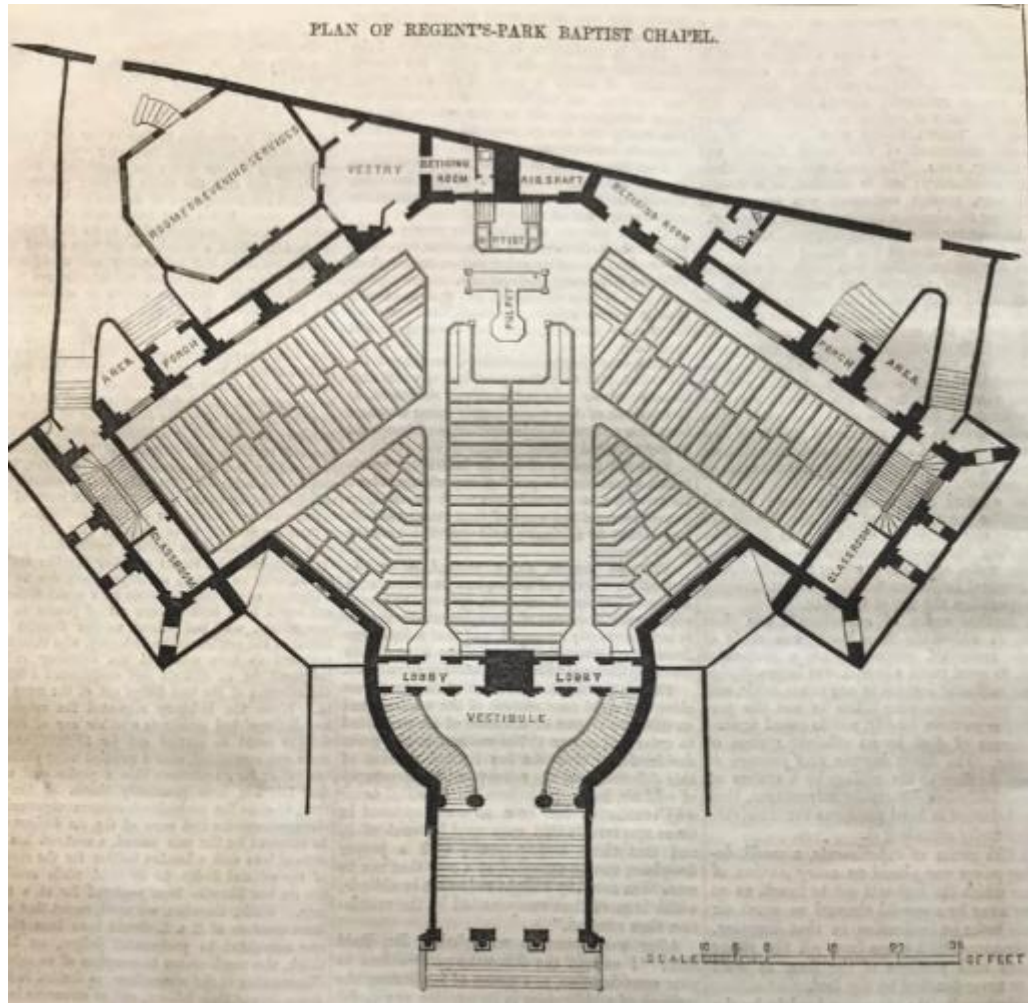
Left: Reception entrance of no. 18 (Diorama)

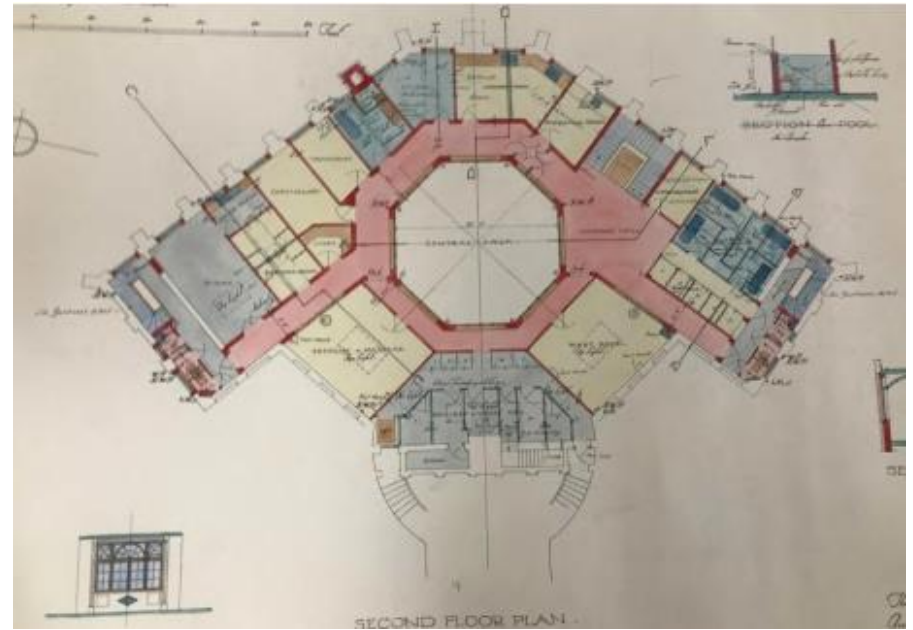
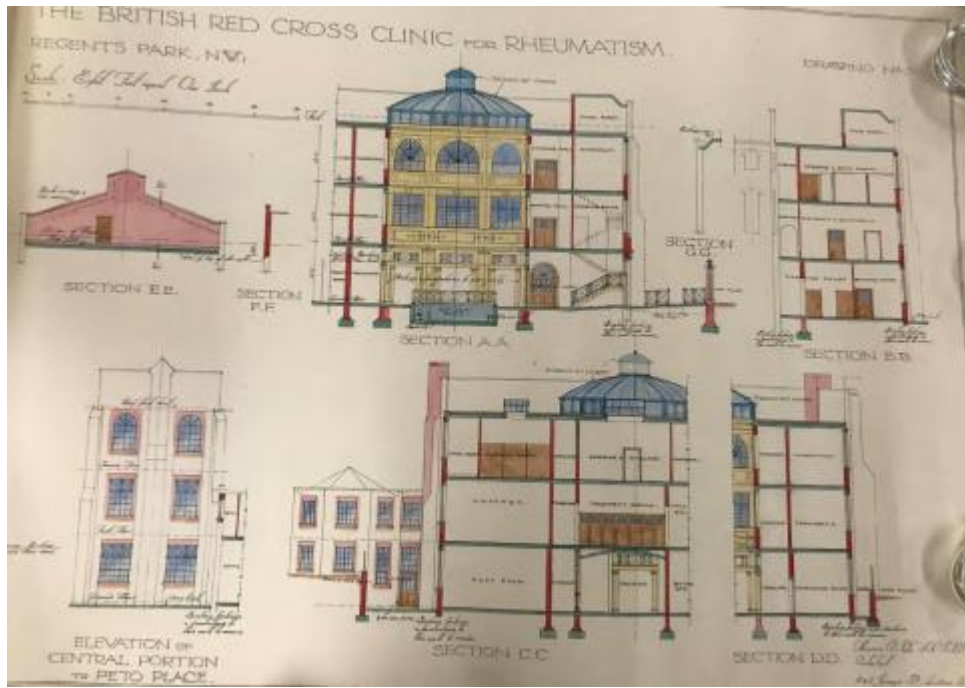


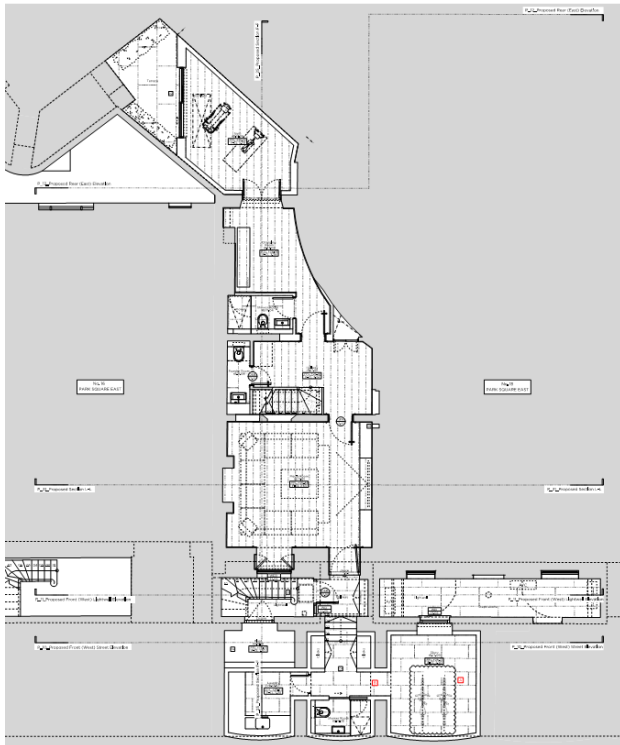
Right: Upper level of Diorama drum



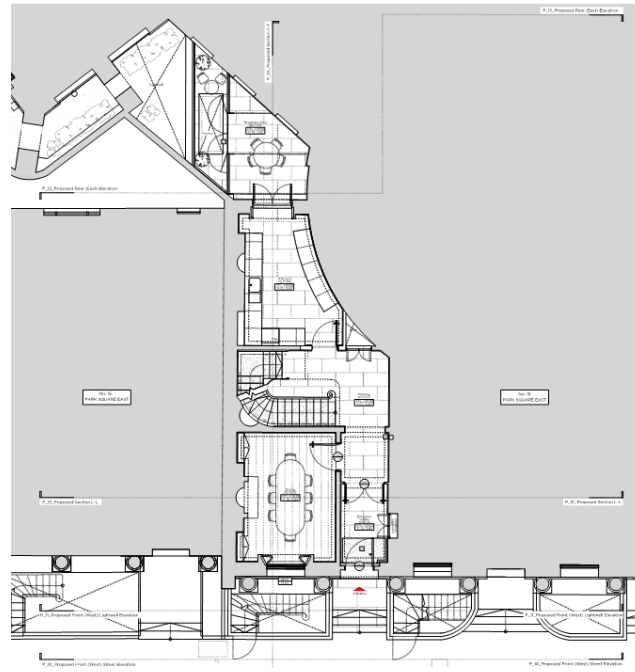




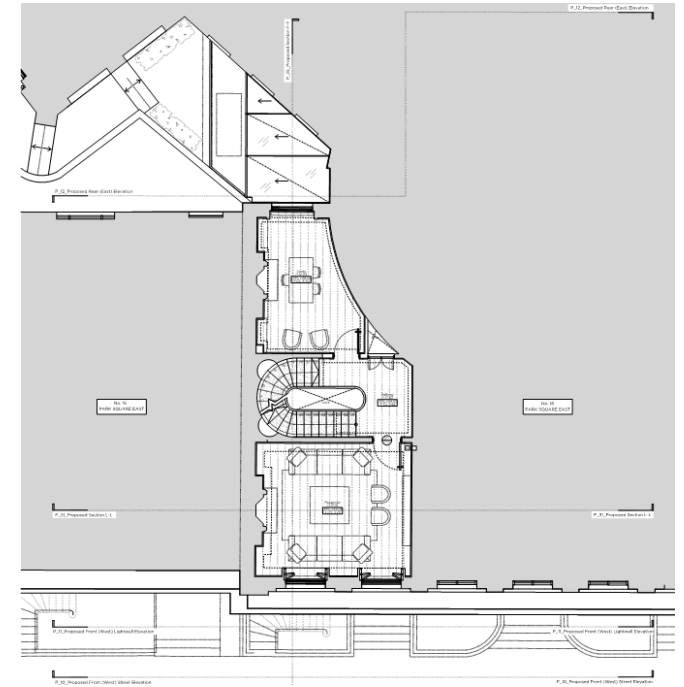




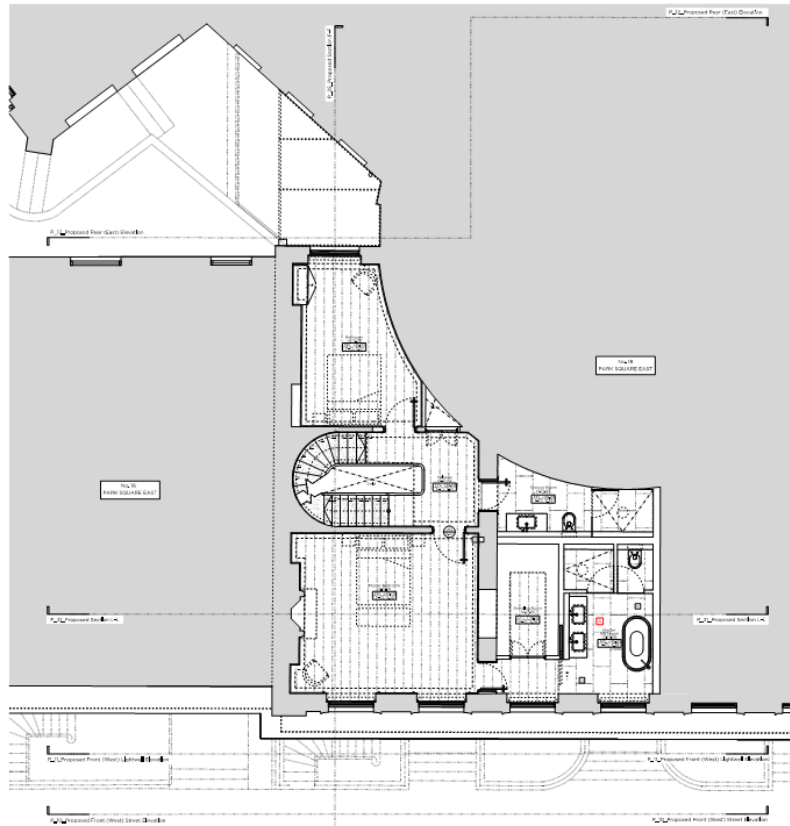
Above: Proposed basement



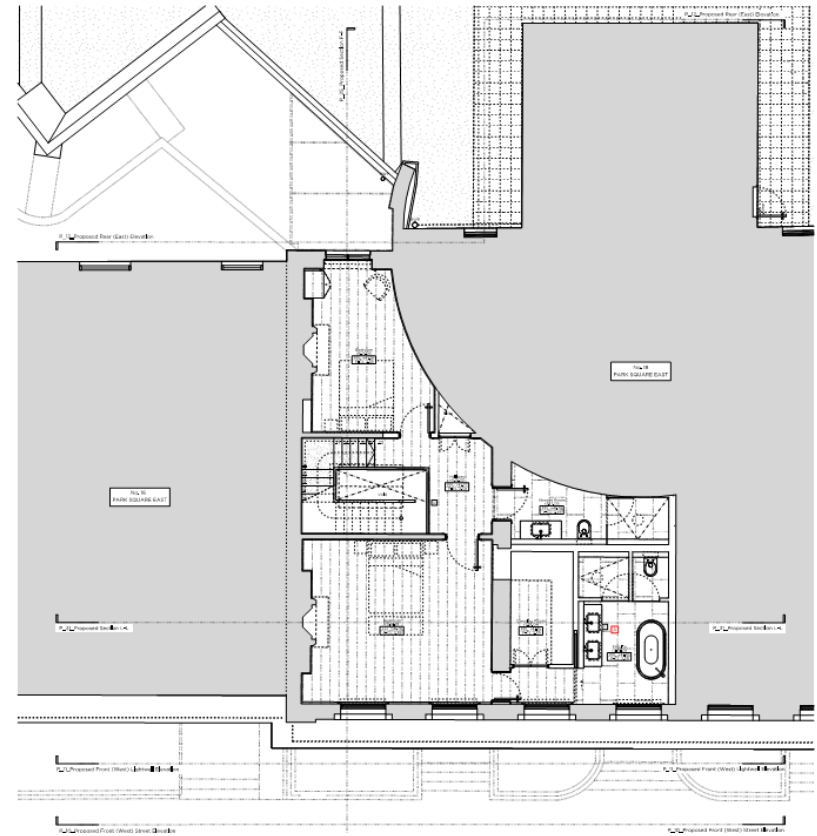
Above: Proposed ground



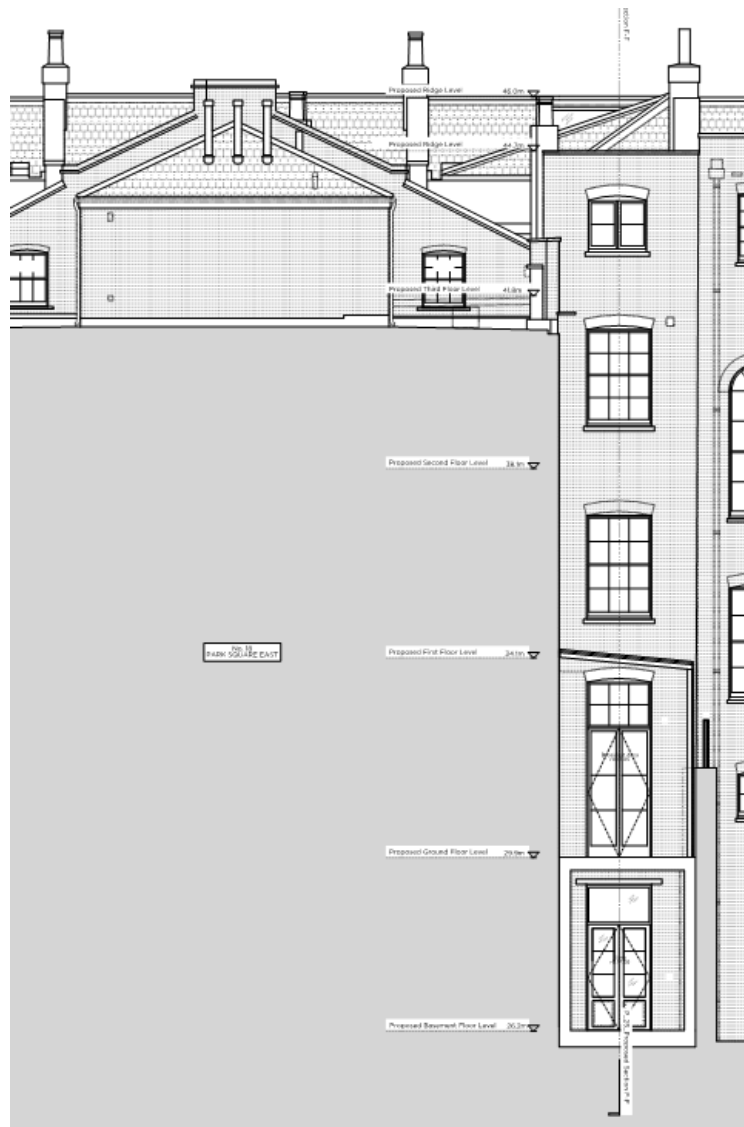
Above: Proposed first



Above: Proposed second



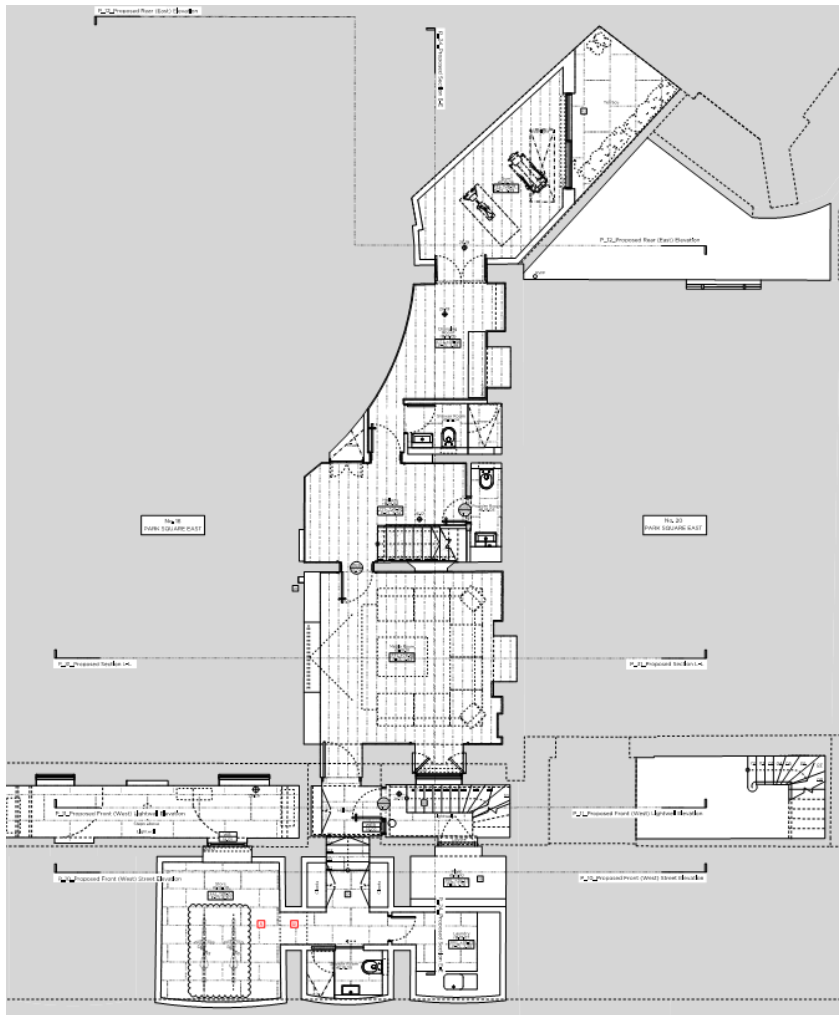
Above: Proposed third



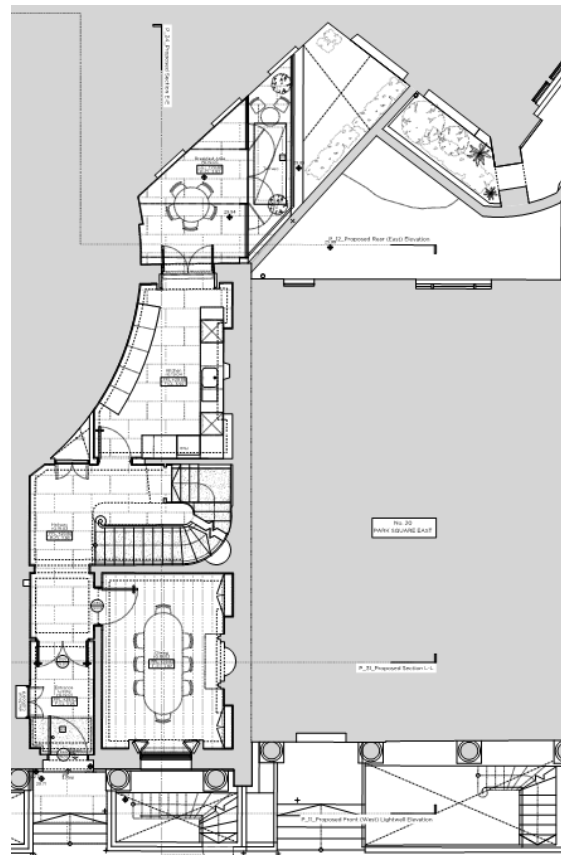
Above: Proposed rear elevation



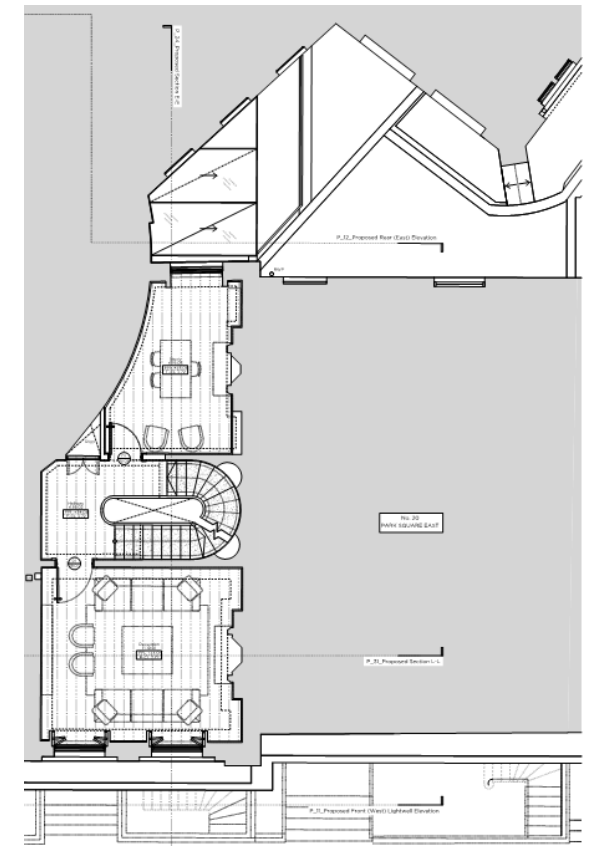
Above: Proposed section



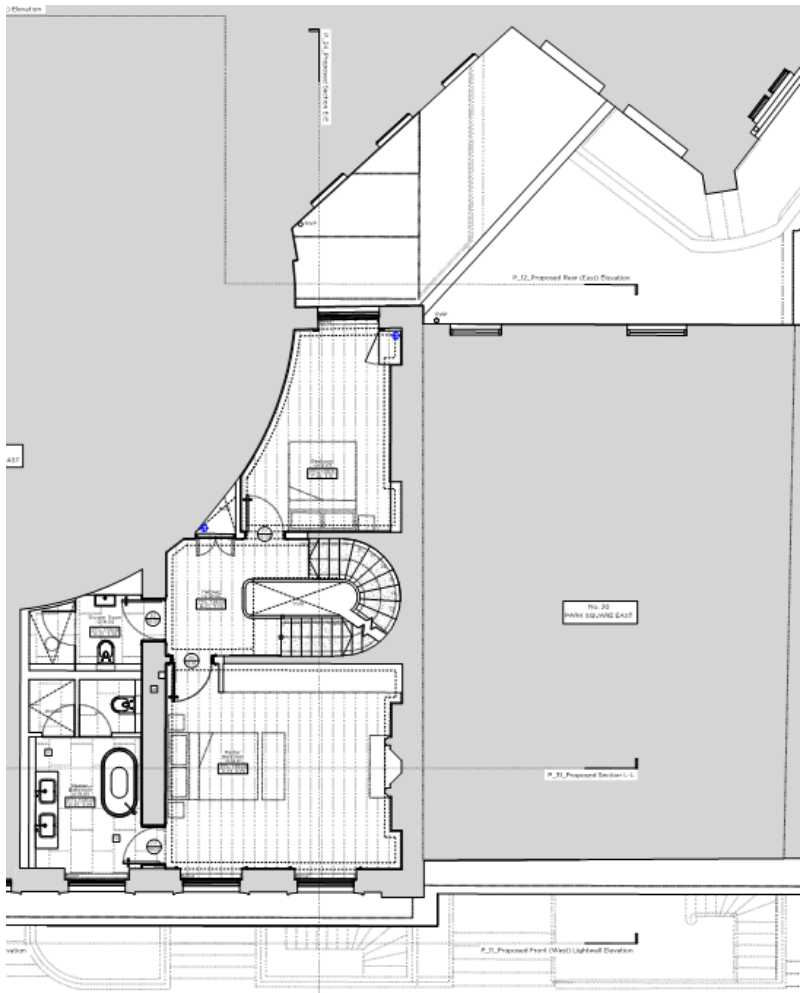
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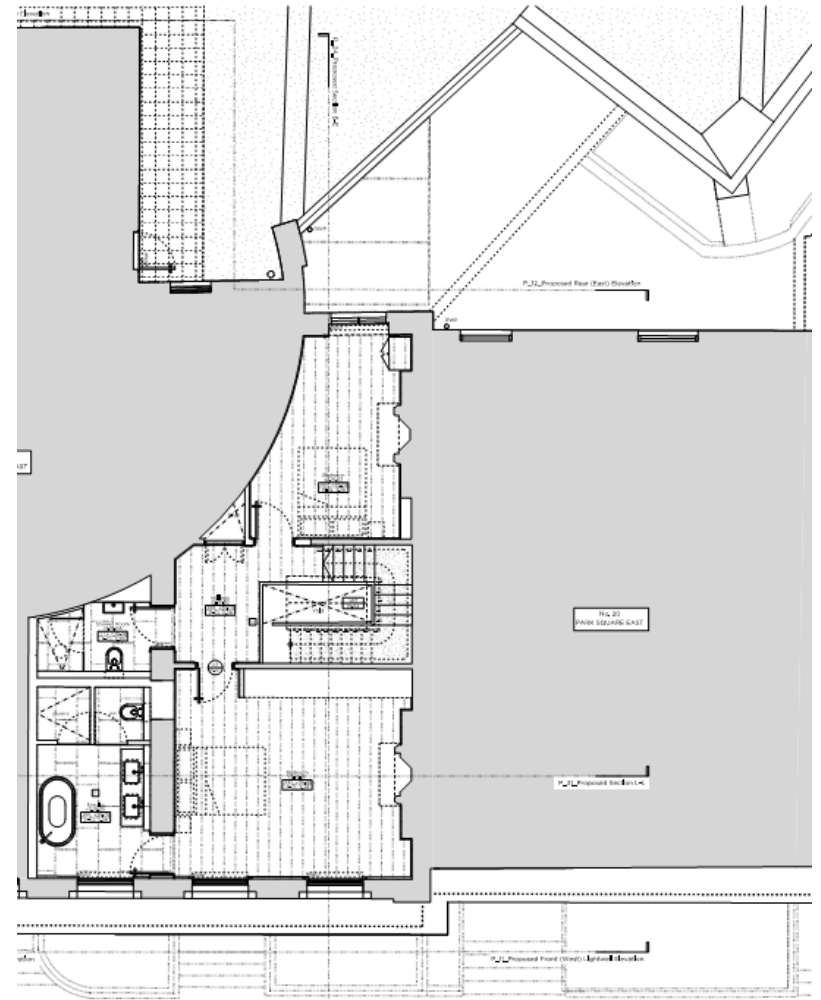
Above: Proposed ground



Above: Proposed first



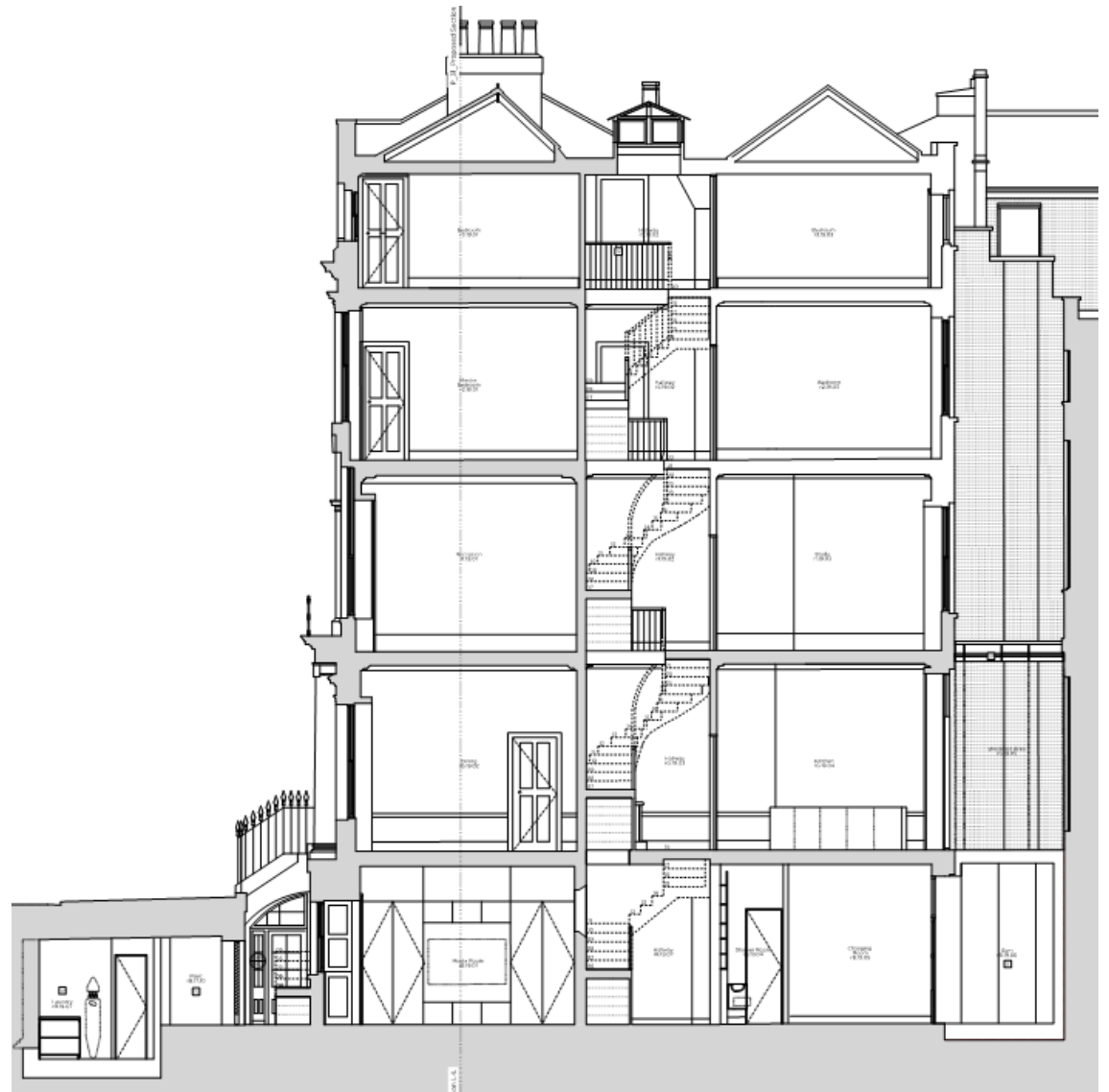
Above: Proposed second



Above: Proposed third



Above: Proposed rear elevation



Above: Proposed section

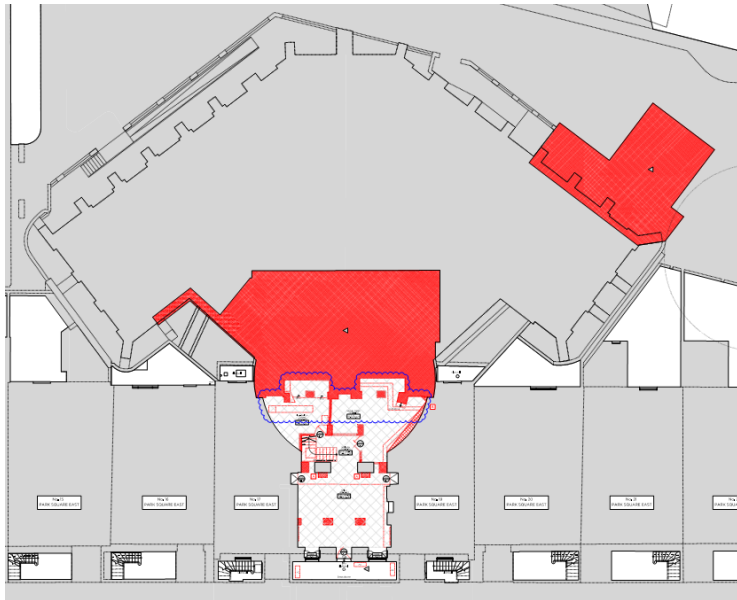
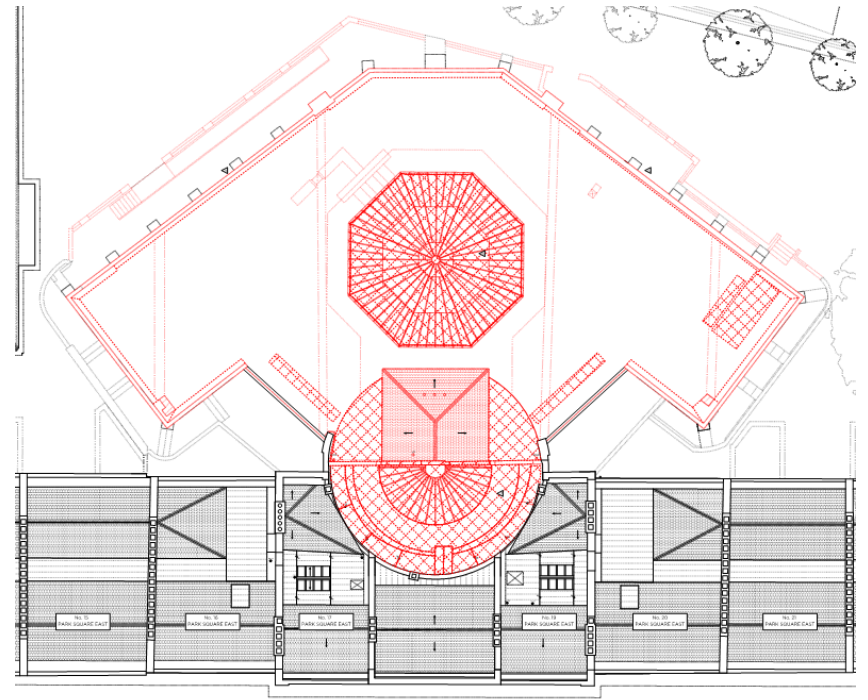
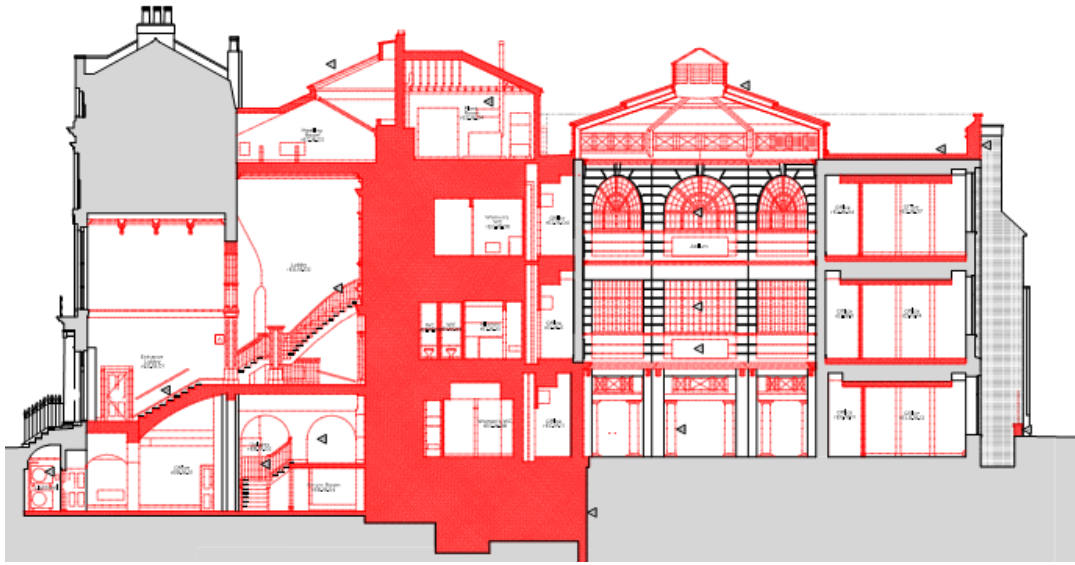


Existing



Proposed

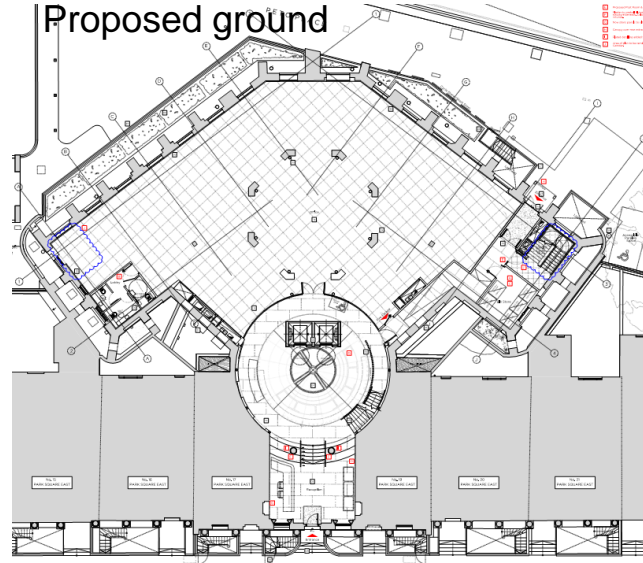




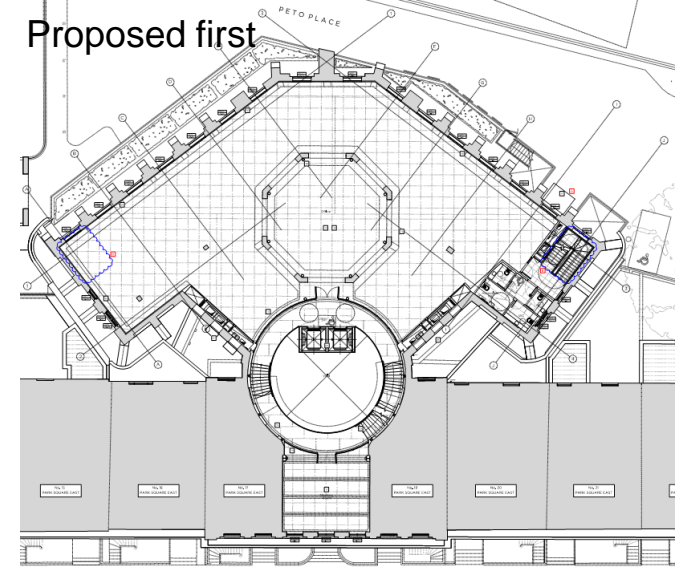
Proposed basement



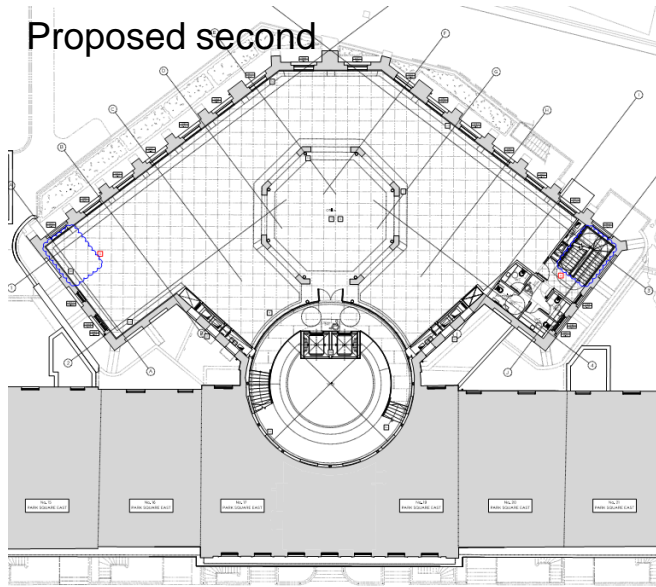
Proposed ground



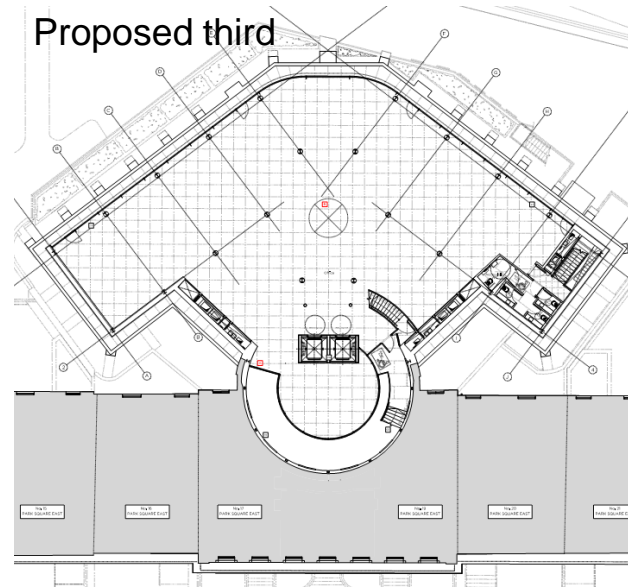
Proposed first



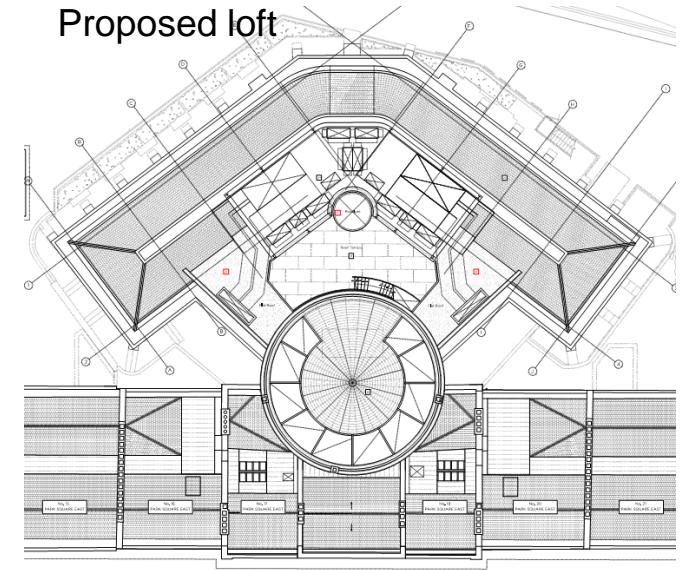
Proposed second

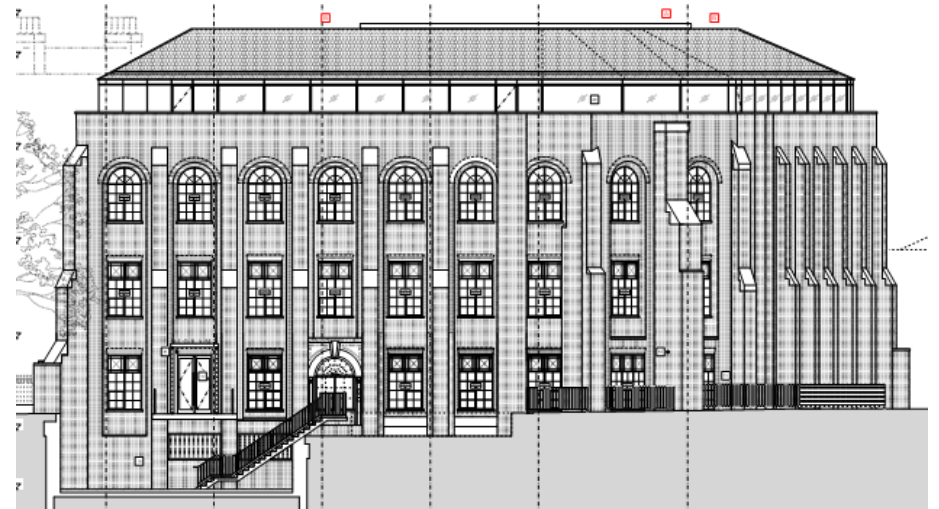
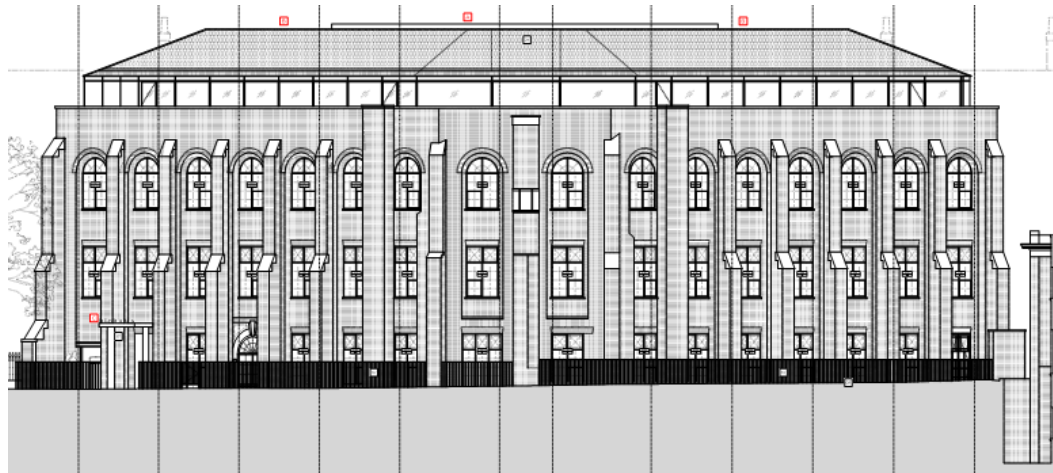
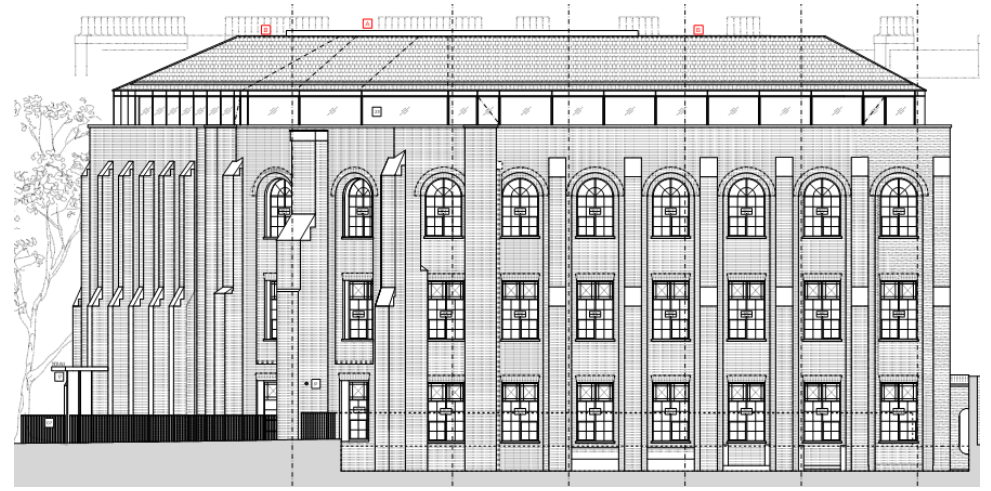


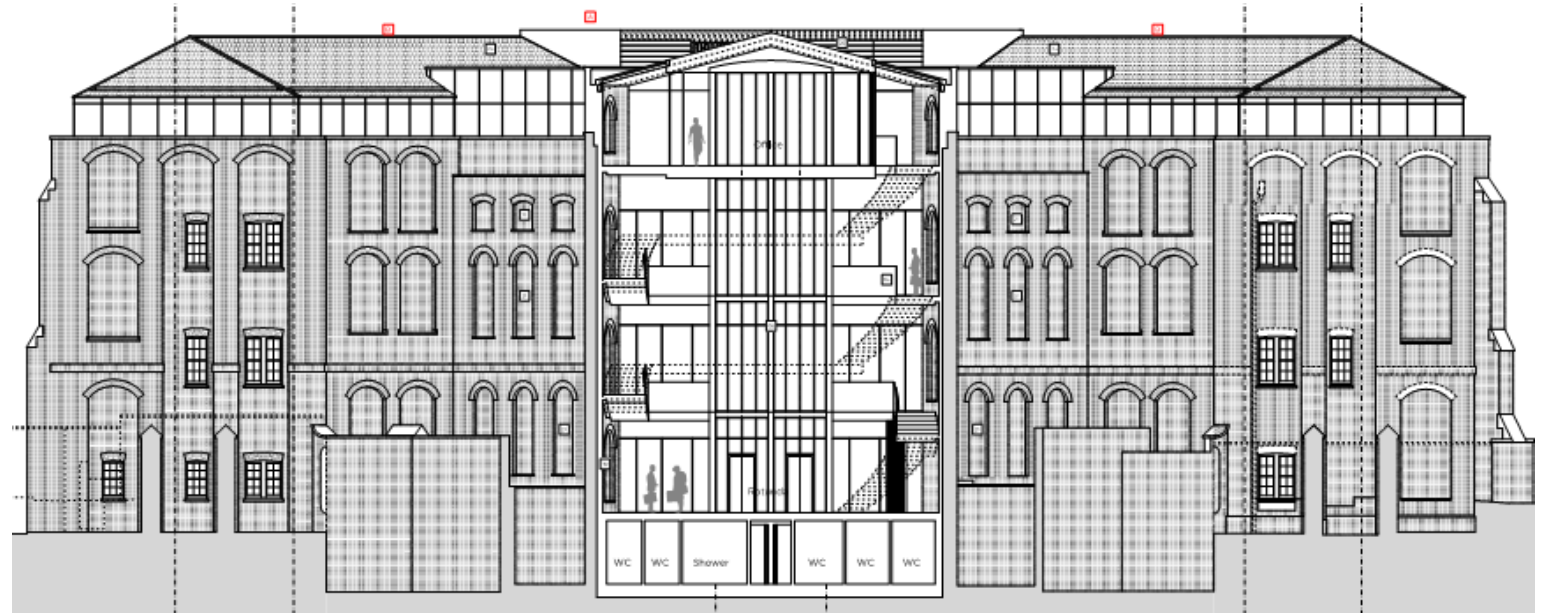
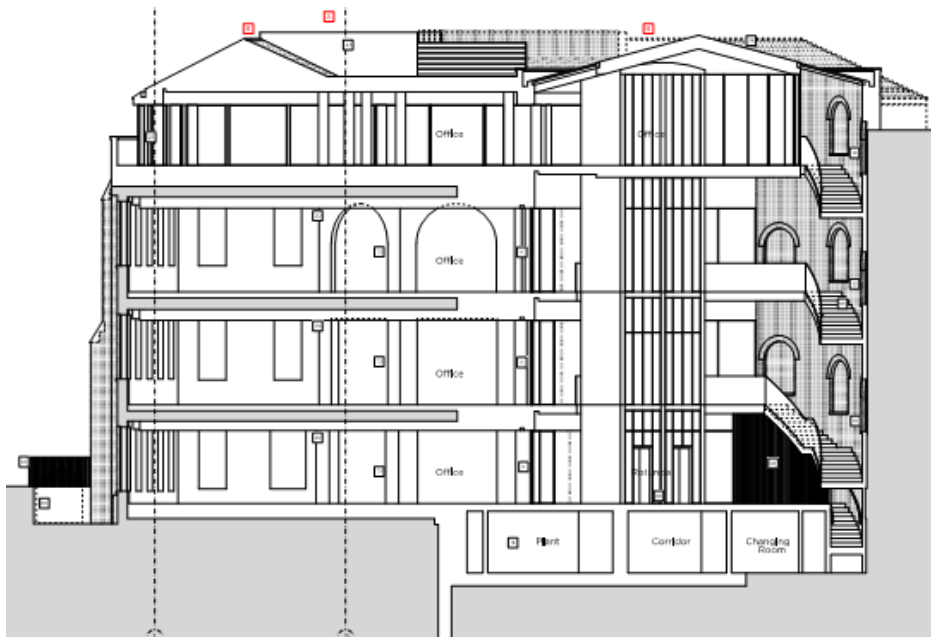
Proposed third

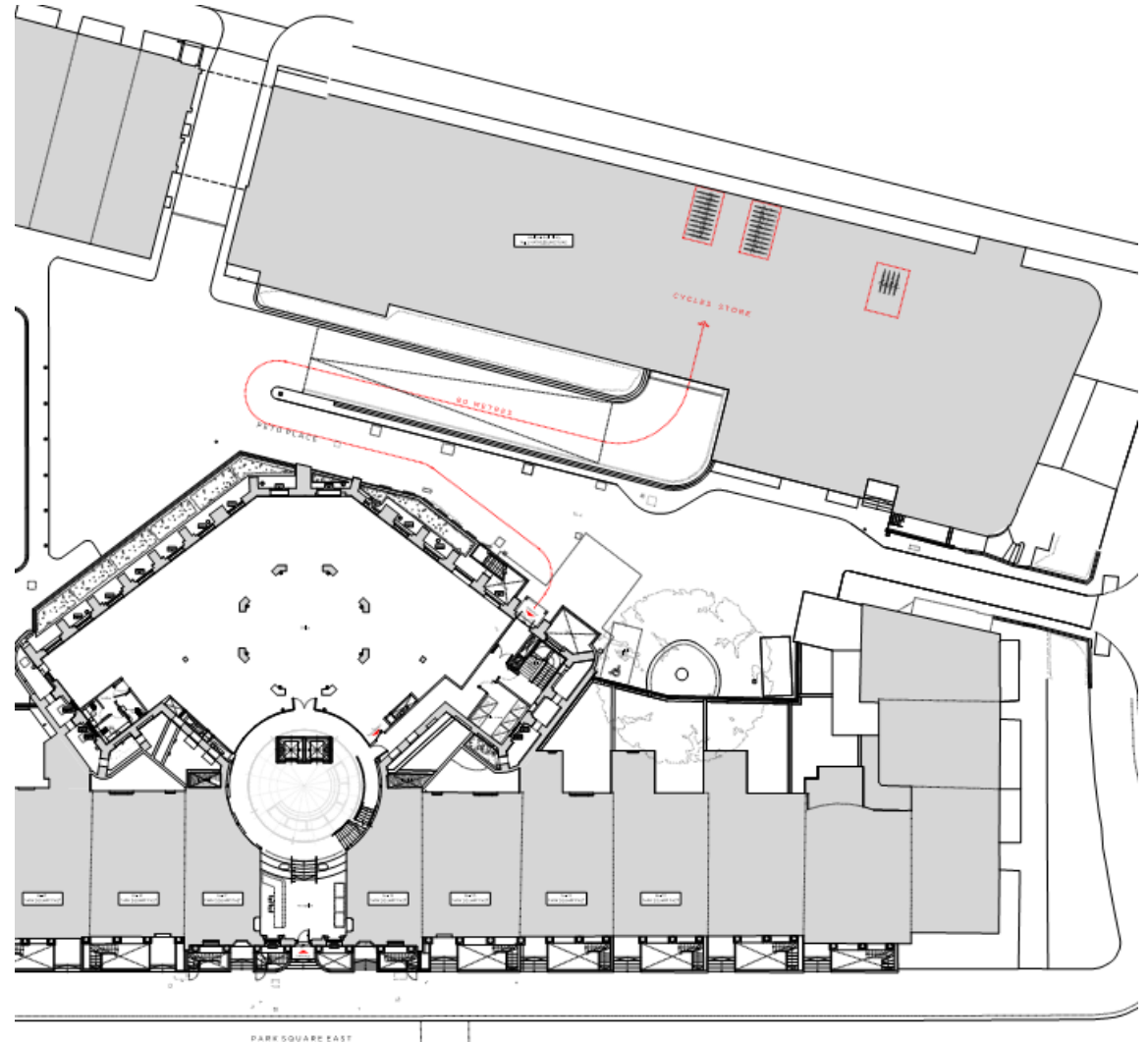
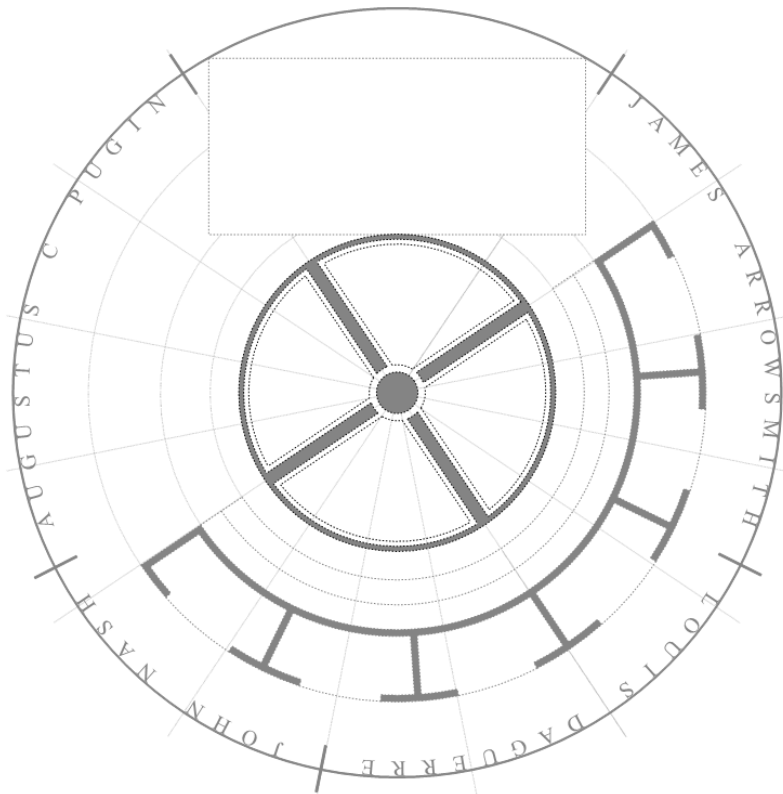


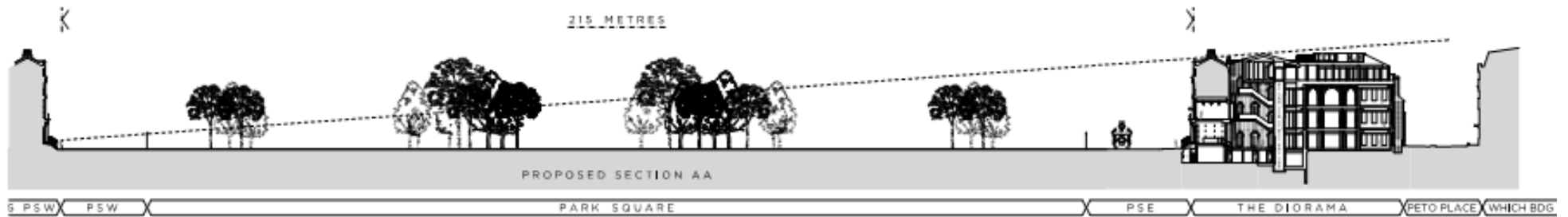
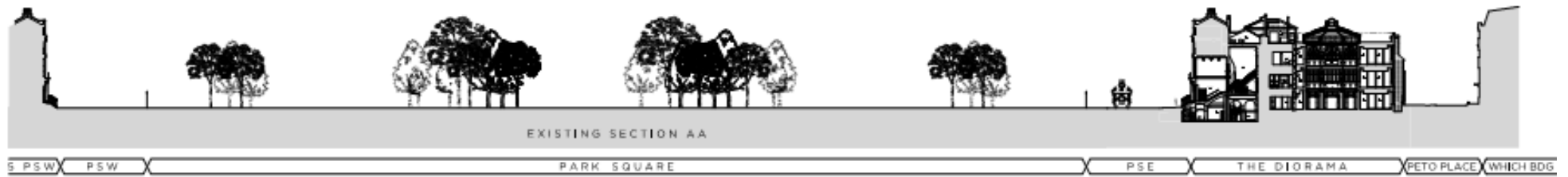
Proposed loft













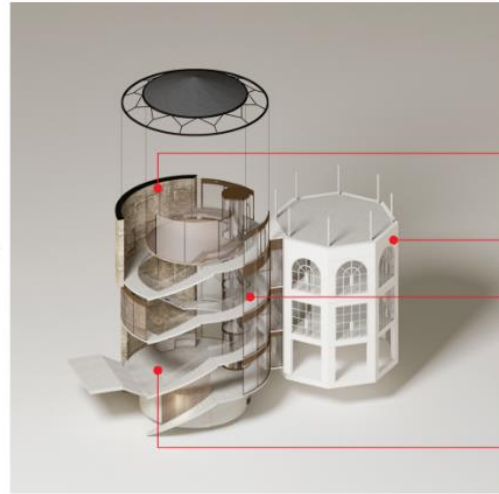








ISO SHOWING REAR ATRIUM'S EXISTING RELATIONSHIP WITH THE DIORAMA ROTUNDA



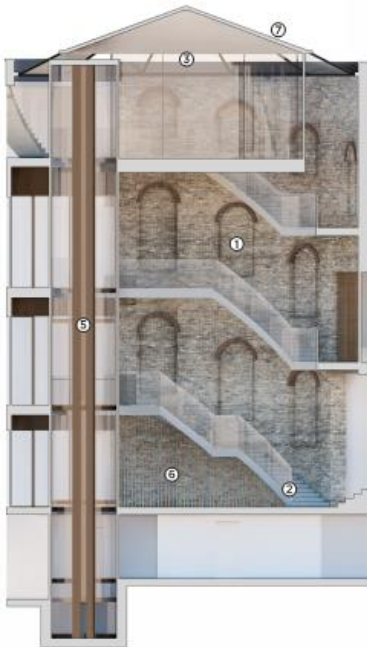
PROPOSED LONDON
STOCK BRICKWORK

STRUCTURE OF
THE REAR ATRIUM
RETAINED

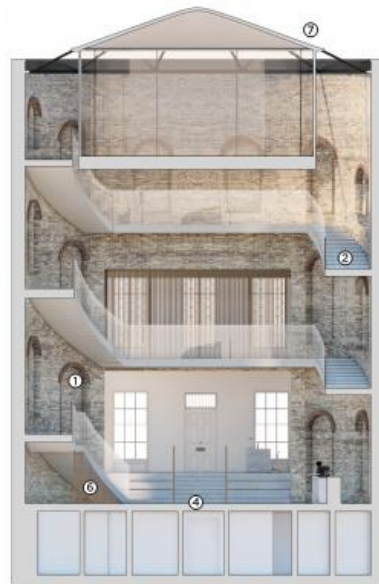
SCREENS CAPABLE
OF TAKING
PROJECTIONS

PORTLAND STONE
FLOOR SLABS

ISO SHOWING REAR ATRIUM'S PROPOSED RELATIONSHIP WITH THE DIORAMA ROTUNDA



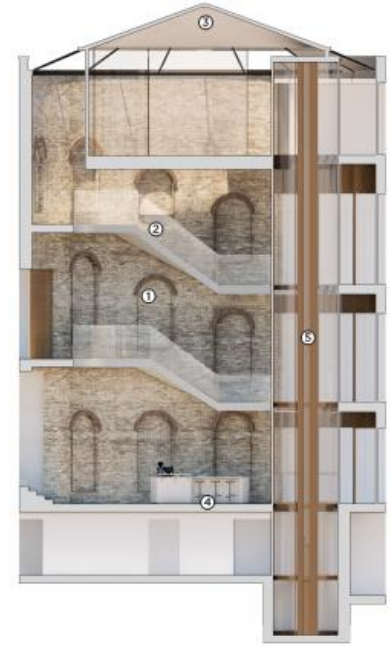
ROTUNDA - ELEVATION A



ROTUNDA - ELEVATION B



ROTUNDA - ELEVATION C



ROTUNDA - ELEVATION D



Wooden Model Proposed Aerial View
(Frame 1 of 6)



Wooden Model Proposed Aerial View
(Frame 2 of 6)



Wooden Model Proposed Aerial View
(Frame 3 of 6)



Wooden Model Proposed Aerial View
(Frame 4 of 6)



Wooden Model Proposed Aerial View
(Frame 5 of 6)



Wooden Model Proposed Aerial View
(Frame 6 of 6)

