



Appeal Decisions

Site visit made on 20 July 2020

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an Inspector appointed by the Secretary of State

Decision date: 3 August 2020

Appeal A Ref: APP/X5210/W/20/3246051

36 Lancaster Grove, London NW3 4PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Vulcan Properties Limited against the decision of the Council of the London Borough of Camden.
 - The application Ref 2019/4604/P, dated 10 September 2019, was refused by notice dated 29 January 2020.
 - The development proposed is the conversion of former fire station tower to single dwelling house (1 bed flat).
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Appeal B Ref: APP/X5210/Y/20/3246053

36 Lancaster Grove, London NW3 4PB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Vulcan Properties Limited against the decision of the Council of the London Borough of Camden.
 - The application Ref 2019/4965/L, dated 10 September 2019, was refused by notice dated 29 January 2020.
 - The works proposed are the conversion of former fire station tower to single dwelling house (1 bed flat).
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Decisions

Appeal A Ref: APP/X5210/W/20/3246051

1. The appeal is dismissed.

Appeal B Ref: APP/X5210/Y/20/3246053

2. The appeal is dismissed.

Preliminary Matter

3. As the proposal is in a conservation area and concerns a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

4. The main issues are:
 - whether the proposal would preserve the grade II* listed building whose statutory address is Belsize Fire Station, 36 Lancaster Grove, and any of
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the features of special architectural or historic interest that it possesses;
and,

- whether it should provide a financial contribution to affordable housing.

Reasons

The significance of the listed building

5. This is a building of disguise. Designed at perhaps the apotheosis of the building programme of the Fire Brigade Branch of the London County Council (LCC) Architects' Department under Charles Canning Winmill, this former fire station has particular, historical value in the way it dissolves into the vernacular mannerisms of its Arts and Crafts setting. By reflecting the forms, heights, footprints and architectural language of the surrounding houses, the architect has managed to integrate the functional requirements of a London fire station into a building that appears in scale with its neighbours and at ease against its richly detailed backdrop.
6. The Eton Avenue elevation of the building continues the front line of the houses enclosing the street, the height and projection of its eaves directly reflecting the character of its immediate neighbour. While the forms which make up the return elevation, on Lancaster Grove, follow the alignment of the main wing rather than the street, the adherence to a single geometry on this corner site has reduced the effect of the mass of the complex.
7. Here, the elevations containing the firemen's flats and accommodation suggest a terrace of rural cottages with their imposing chimney stacks and rustic-looking, leaded-light windows. While the characteristic detailing and materials shift to a more familiar, municipal language around the doors of the appliance bays, the vast, sweeping roof above is broken with a dramatic array of tall dormers resembling the stair window openings of large, country houses. The form of this appliance building and the almost informal space of the yard around it is more suggestive of an Essex barn or a cart shed than the more familiar, demonstrative Metropolitan examples.
8. A central element of the aesthetic value of the building is the tower, which as well as being part of the building's civic identity, reflects the tradition of the watch tower, which has some social value. It is more akin to a church than a fire station, springing from within the mass of the building rather than standing in isolation, its ambience continued by the crypt-like descent from the yard through the limestone, arched openings to the hose room and ladder room.
9. The tower uses a similar brick to the rest of the building, rectangular and segmental decorative panels reflecting the proportions of the stacks rising above the main roof, relieving its breadth with slender brick ribs giving a vertical nuance to its stout proportions, the whole reflecting a simple architectural order with a capitalised cornice level below a corbelled frieze.
10. With its domestic-scale windows, the Picturesque appearance of the tower disguises the utilitarian function within as a place in which fire hoses were hung to dry, and in which firemen were trained in rescue. This has led directly to the open well, the narrow, circular stair, nooks and returns, intentional, cumbersome changes in level, dark and light spaces, tall and short spaces. Like the firemen's accommodation, the intact plan form and features within the tower retain illustrative historical value of its purpose, how it was translated

into built form and used, providing insight into the operation of the fire service and how it served society 100 years ago. The contrast between the elegantly detailed exterior of the tower and its muscularly arranged interior with its bull-nosed arris bricks and exposed lintels, also contributes to the architectural significance of the listed building.

11. The listing describes the building, completed in 1915, as one of the most distinctive and original of a remarkable series of fire stations widely admired as being among the most accomplished examples of civic architecture from the LCC's Architect's Department, citing the retained plan form and the numerous other features of the building in the reasons for its designation as a grade II* listed building.

The effect of the proposal on the listed building

12. While removing some short chimney stacks below parapet level and their pots, closing the existing opening through the roof and forming a new one would remove some original fabric, the present hatch position could be superficially marked to indicate its position. Given the place of the roof access in the historical significance of the tower and the limited visibility of the stacks below the parapet, I share the view of the Inspector of the previous, dismissed appeals¹, that these alterations would not harm the historic significance of the listed building.
13. The external additions to the tower would be concentrated in the addition of a slender, metal handrail a few centimetres above the tower parapet, and fixed to its inner face. Its dimensions and fixing would be sensitive to the language of the building, while the detail of its material and profile could be secured by condition. It would not harm the historical or architectural significance of the building. These elements of the proposal could be conditioned to maintain the historical integrity of the tower and its contribution to the special interest of the building.
14. The proposal includes a glazed screen across the landing of the second floor to separate the proposed dwelling from the stairway leading up from the ground floor which appears to be shared by other flats. A modern passenger lift has been installed in the stair well down from the second floor, which has a steel and glass enclosure. In this new context, and apart from the loss of the deliberately obstructive masonry nib, I cannot see any harm now to the spatial significance of the section across the second floor from a separating screen, the precise location, transparency and detailing of which could be conditioned.
15. The circular stair which rises from the second floor to the fifth would be retained and enclosed by glass screens. These could be conditioned to ensure that they maintain the legibility of the stair at each floor level and that their materials and detailing would not conflict with its architectural character of lattice-work treads and rope-twist balusters. Similarly, the new partition to enclose the bathroom could be detailed to differentiate it from original fabric. The new stair to the roof and fitted furniture could be conditioned to secure their sensitivity to the utilitarian character and finishes of the tower. Despite some loss of structural fabric, I can see no harm to historic significance from an unobtrusive skylight in the roof deck, especially were its plan dimensions to

¹ Appeal Refs APP/X5210/Y/19/3222128 & APP/X5210/W/19/3222123 of 01 August 2019

- reflect those of the well below it. New domestic scale services could be accommodated without disturbing the architectural character of the spaces.
16. However, the open well which was continuous through the floors of the tower is a distinctive historical feature of its design and use. So too the floor upstands, the wall projections, and the changes in heights. The infilling of the well would obscure its continuity and the removal of these obstructions would undermine the historic function of the spaces in the tower.
 17. I acknowledge that the well infilling is described as an openable hatch, though the furniture arrangement within the flat indicates that, in practice, it is unlikely ever to be opened. I note that the openings would be marked in the floors, but obscuring them, however demarcated or openable they may be, is what would remove the special historic interest of the building. I have taken into account that the length of the open area in the stair well in the floors below has been reduced by the modern lift below second floor. Nonetheless, the lift has not undermined the continuity of openness of the well of the tower, which is a central architectural feature in the floors which are part of this proposal, and an essential part of the historic significance of the tower.
 18. I appreciate that not all the obstructive elements would be removed. However, the spaces were designed to be tortuous, and physically challenging to move through. The removal of this degree of the historic fabric, which was such an important part of the function of the tower, would diminish the illustrative value of its layout, and a substantial part of the historic significance of the listed building.
 19. I have noted the lighter touch of this proposal compared to the dismissed appeals. However, the listing, amended in 2009, refers to the survival of original features as notable, and includes in the reasons for its designation that the building was one of the most intact, retaining its original plan form and numerous other features. These alterations would diminish the historic plan form of the tower and its illustrative value. They would deplete the listed building of a central element of its historic significance.
 20. For these reasons, the proposal would not preserve the grade II* listed building, and its features of special historic interest. It would conflict with policy D2 of the Camden Local Plan 2017 (LP) which resists alterations to a listed building which would cause harm to its special architectural and historic interest.

Affordable housing

21. LP Policy H4 requires a contribution to the provision of affordable housing from development of one or more additional homes and 100m² or more of floorspace. The Council agrees that, considered in isolation, the floor area of the proposal, would not trigger the requirement for a contribution.
22. However, it refers to the permissions to convert the fire station to flats which have been recently implemented, which included a contribution. LP policy H4 provides that where development sites are split or separate proposals are brought forward for closely related sites, the contribution should be assessed comprehensively against the sites together. When the floor area of the appeal proposal is combined with the implemented scheme, the value of the contribution increases by £96,990, which the Council seeks under an obligation

under this proposal. While the appellant does not object to the Council's calculation method or arithmetic, he considers the contribution unfounded in principle.

23. While I acknowledge that the use of the building has changed and the conversion of the main section of the building has been completed, the tower occupies a central position in the building. The appeal scheme is clearly a separate proposal brought forward for a site related very closely to the implemented scheme, as provided for in the policy. The Council is right therefore to ensure that it makes an appropriate contribution to affordable housing, as set out in LP policy H4.
24. The appellant has provided a legal agreement to secure the contribution sought by the Council. I consider that the measures in the agreement are necessary, related directly to the development, and fairly related to it in scale and kind. As such they would accord with the provisions of regulation 122 of the Community Infrastructure Levy Regulations 2010 and the tests for planning obligations set out in the National Planning Policy Framework (the Framework).

Other Matters

25. Belsize Conservation Area (CA): Given the residential conversion of the remainder of the station, now implemented, and the residential character of the area, the use of the tower for a flat would not harm the character of the CA. The visible, external changes to the tower would include the removal of the chimney stacks on the terrace, with their clay pots, as well as the addition of a slender, metal handrail a few centimetres above the tower parapet, and fixed to its inner face.
26. One of the defining architectural characteristics of this CA, in which this building sits so comfortably, is its roofscape. Along Eton Avenue the height and rhythm of chimneys, their proportions and orientation, and the play of their detailing make a distinctive, collective contribution to the architectural character of the CA. The proportions and detailing of the brickwork panels on the tower and the arrangement of the stacks on the pitched roof slopes of the listed building continue that tradition.
27. Notwithstanding this, only the very top sections of the pots are just about visible from street level. While they have some collective architectural and illustrative value with the other pots in the listed building, because of the parapet which obscures the stacks on which they sit, their contribution to the significance of the CA is limited. Their removal would not harm the appearance of the CA.
28. The size of the proposed handrail, its location and its colour would be so discreet that it would be difficult to see in surrounding views. Even if it were visible, its dimensions and fixing would be sensitive to the language of the building, while the detail of its material and profile could be secured by condition. It would not harm the appearance of the CA. There would be no conflict from the proposal with the Act where it requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of the CA, nor with LP policy D2 which requires development in conservation areas to preserve or to enhance their character or appearance.

29. Car-free housing: One of the Council's reasons for refusing the application for planning permission was the lack of an undertaking to secure car-free housing. The LP promotes sustainable transport and expects all developments to be car-free, save for essential operational needs or for disabled people, as set-out in LP policies T1 and T2, which it expects to be secured by a unilateral undertaking.
30. The appellant raises no objection to this policy objective and has provided a unilateral undertaking and an alternative obligation, both of which would require future occupiers to be informed of the parking permit restrictions and which would restrict occupancy to that end. Given the proximity of the site to public transport and the development plan policies which prioritise alternative forms of transport to the car, I am satisfied that the car-free housing undertaking and alternative obligation are necessary to make the proposal acceptable in planning terms, directly related to it, and fairly and reasonably related to it in scale and kind.

Conclusion

31. While the proposal would provide the appropriate financial contribution to affordable housing, it would not preserve the special historic interest of the listed building. Paragraph 194 of the Framework advises that significance can be harmed or lost through the alteration or destruction of those assets, and that any harm to the significance of a designated heritage asset should require clear and convincing justification. Both parties have agreed that the level of harm would be less than substantial. While I share their assessment of the level of less than substantial harm, this does not equate to a less than substantial planning objection, especially where the statutory tests are not met.
32. Under such circumstances, paragraph 196 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which in this case would be an additional dwelling, together with a contribution to affordable housing. These are public benefits which attract significant weight.
33. While the proposal may improve the access within the tower, as it is for a dwelling, the public benefits of this would be limited. The proposal would also secure a viable alternative use for the tower. However, there is no substantive evidence that without the proposal the tower would fall into disrepair, or that its conservation would be jeopardised. I appreciate that finding an alternative use for the tower may be challenging, however, there is no evidence of any alternatives sought or considered. In any event, the housing, the improved access, and the active use of the tower do not outweigh the harm identified above to the significance of the heritage asset, to the conservation of which the Framework indicates that great weight should be given.
34. I conclude that the proposal would fail to preserve the special historic interest of the grade II* listed building. It would fail to satisfy the requirements of the Act and the development plan, as well as paragraph 192 of the Framework. For the above reasons, and having regard to all other matters raised, I conclude that the appeals should be dismissed.

Patrick Whelan

INSPECTOR