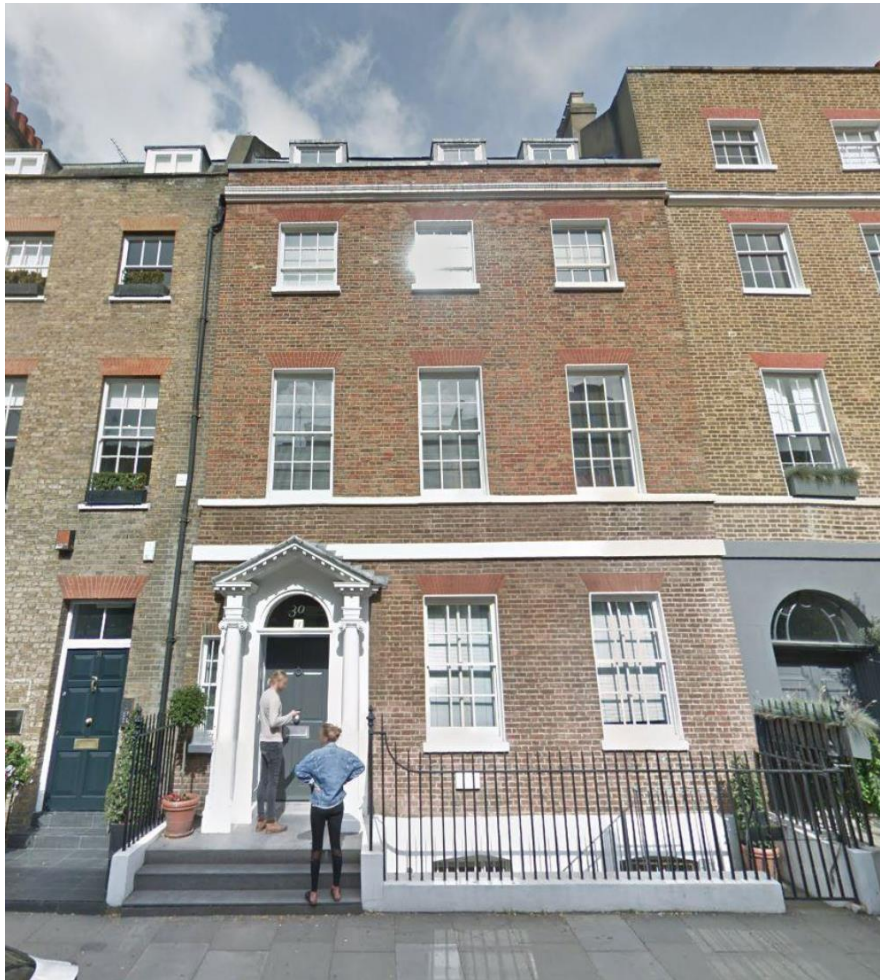


30 Percy Street
London W1T 2DB



Planning Statement

On behalf of Skagen Property Limited
July 2020

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1. Introduction

- 1.1 This planning statement has been produced on behalf of Skagen Property Limited to support a Planning and Listed Building application for their building at 30 Percy Street in London Borough of Camden.
- 1.2 Skagen Property Limited is the freehold owner of the building with a view to granting a long lease to its sister company Skagen Conscience Capital (SCCL). SCCL intends to occupy most of the building for its own use.
- 1.3 Skagen Property Limited has recently obtained planning and listed building consent for the building (Ref 2019/4241/P and 2019/4517/L).
- 1.4 These recent Planning and Listed Building consents allow the change of use of the existing residential use on the second and third floors to office use and the removal and replacement of the rear basement extension and internal works to the listed building.
- 1.5 The accompanying S106 agreement sets out that this planning permission is a personalised permission for Skagen Property Limited. Once Skagen's ownership of the property ends, the residential use on the second and third floors is required to be reinstated.
- 1.6 The S106 to the planning permission also requires that, for the period of Skagen's ownership, the basement of the property is available for the benefit of philanthropic and social enterprises on a rent-free basis.
- 1.7 The recently consented planning and listed building consent followed a series of pre application submissions, workshops and officers' feedback since May 2018.
- 1.8 This new application for Planning and Listed Building consent has been prepared to seek consent for alterations to 30 Percy Street. As set out above, whilst planning and listed building consent has already been granted for more significant planning and listed building works to the building, this new application has been prepared on the basis of the existing state of the premises, i.e. in the scenario that the recently consented planning and listed building applications (Ref 2019/4241/P and 2019/4517/L) above is not implemented.
- 1.9 The reason for this new application is to give our client an understanding of the works necessary to reinstate the residential use on the second and third floors and an understanding of their acceptance to the planning and heritage officers at LB Camden.

- 1.10 This reinstatement of the residential use needs to be undertaken in such a way as to be compliant with the necessary building control regulations and fire safety standards for mixed office and residential uses. It is our current understanding that the existing use of the second and third floors for residential would not comply with these standards.
- 1.11 Therefore, this new planning and listed building application sets out details of the proposed works to the building to accommodate a residential unit in the second and third floors of the building.
- 1.12 Permission is being sought for these physical works. The land use of the second and third floor for residential use does not require planning permission.
- 1.13 This planning statement provides details of the site and surrounding area, planning history, planning policy and justification for the proposals.
- 1.14 Accompanying this planning statement are a number of other documents that form part of the Planning and Listed Building Application including:
1. A Design and Access Statement (DAS), produced by SPPARC Architects (Dated Feb 2020);
 2. A Heritage Statement produced by KM Heritage (Dated Feb 2020); and
 3. Fire Strategy Report produced by Magnus Opifex Ltd (Dated Feb 2020).
 4. Existing and proposed plans.
- 1.15 The DAS and separate plans include existing floorplans and details of the proposed remodelling of the building.
- 1.16 A Heritage Statement has also been produced by KM Heritage to accompany the Planning and Listed Building Application. This document considers the impacts on the historic fabric of the listed building of the remodelling of the second and third floors for residential use. The proposed remodelling seeks to reinstate the more historical/traditional room layout and alterations to address fire safety and building control matters.
- 1.17 The rest of this report is set out in the following sections:
- Section 2. Site and Surroundings
- Section 3. Planning History

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Section 4.	The Proposals and Response to Consultation
Section 5.	Planning Policy Considerations
Section 6.	Conclusions

2. Site and Surroundings

- 2.1 The site address is 30 Percy Street, Fitzrovia, London W1T 2DB.
- 2.2 The building is a Grade II listed building. The listing description sets out that it is listed as part of a terrace of three buildings – 28, 29 and 30 Percy Street.
- 2.3 An extract of the listed building description for number 30 Percy Street is included below:
- “No 30: multi-coloured stock brick, refaced above 2nd floor with stone cornice replaced by brick band below parapet. Slated mansard roof with dormers. Stucco bands at 1st floor and 1st floor sill levels. 3 storeys, attic and basements. 3 windows. Doorway with wooden Ionic doorcase with broken pediment, round arched fanlight and panelled door with lion mask knocker. Margin light to the left of doorcase. Gauged red brick flat arches to recessed C20 sash windows. INTERIOR: panelled hall and stone staircase with foliated wrought-iron balustrade. Ground floor front room panelled. SUBSIDIARY FEATURES: attached cast-iron railings with torch flambe finials.”*
- 2.4 Changes to the building through the second half of the 20th century and particularly in recent years, described in the report, have considerably altered the interior, and much of its internal appearance and fabric is relatively modern. More detail is set out in the accompanying Heritage Statement and Design and Access Statement.
- 2.5 The building’s use is currently as offices on the basement, ground and first floors (B1a) and a single residential unit across the second and third floor (C3).
- 2.6 The site is located in the Charlotte Street Conservation Area. The conservation area was initially designated in 1974. The Charlotte Street conservation area appraisal and management strategy was adopted on 24 July 2008. There are other Grade II listed buildings on Percy Street including number 32 – 37, 12 – 20 and 1-9 Percy Street.
- 2.7 The site is located within the designated Central Activities Zone as defined in Camden’s Local Plan dated July 2017 and the adopted London Plan dated 2016.
- 2.8 There are a mix of uses surrounding the site. There are large scale offices at the corner of Percy Street and Tottenham Court Road and smaller scale offices and retail units in the immediate surrounding buildings. The surrounding area also includes residential and hotel uses.

- 2.9 The site is located close to, but outside of, the Tottenham Court Growth Area where growth is being supported as a result of the transport improvements as part of Crossrail. The London Plan expects a minimum of 500 new homes and 5000 new jobs to be delivered in this growth area.
- 2.10 In summary, the site has the following allocations from the London Borough of Camden's Local Plan which was adopted on 3 July 2017:
- Grade II listed Building;
 - Charlotte Street Conservation Area;
 - Central Activities Zone;
 - Fitzrovia Area Action Plan; and
 - Viewing corridor.

3. Planning History

The Site

- 3.1 As set out above, planning and listed building consent was recently granted for the property. Consent was granted for the loss of the residential use on the second and third floor, change of use of these floors to office use, removal and replacement of the rear extension and the use of the basement for social enterprise activities. The details of these consents are included in the table below.
- 3.2 There have also been a number of historic developments approved at the site including the two-storey glazed rear extension which was granted planning and listed building consent in 1991. We understand that this permission was implemented.
- 3.3 The previous planning applications which were submitted are set out below.

Application Number	Description of Development	Date Registered	Decision
2019/4241/P	External alterations including replacement rear extension at ground floor and basement level with roof terrace above, change of use of existing flat (Class C3) at second and third floor level to office space (Class B1a) and use of basement level as social enterprise space.		
2019/4517/L	Internal and external alterations including replacement rear extension at ground floor and basement level with roof terrace above, change of use of 3 bed flat (Class C3) at second and third floor level to office space (Class B1a) and use of basement level as social enterprise space.		
9100602	The change of use of the second and third floors from residential to offices for a limited	04-06-1991	Refused

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	period of five years personal to Claessens International Ltd.		
9170070	Construction of new rear extension replacing existing floor area of office use. New extension comprising 2 levels with glazed conservatory over.	28-03-1991	Granted
8992119	Advice on Trees	28-06-1989	Granted
8970096	Demolition of existing rear extension internal alteration and erection of a two-storey glazed rear extension for office purposes.	06-06-1989	Granted
8970095	Demolition of existing rear extension internal alteration and erection of a two-storey glazed rear extension for office purposes. (Appeal for non-determination)	06-06-1989	Appeal approved
8900269	The erection of a two-storey rear glazed extension for office purposes and excavation of part basement area.	06-06-1989	Granted
8900268	The erection of a two-storey rear glazed extension for office purposes and excavation of part basement area. (Appeal for non-determination)	06-06-1989	Granted
8800446	Works of alteration to form a self-contained residential maisonette on the second and third floors and the erection of a first floor extension to the rear to be used for B1 purposes.	29-09-1988	Refused
8870085	Works of alteration and erection of a first floor extension to the rear.	13-05-1988	Refused

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8602092	Established Use Certificate with respect to the use of the basement ground and first floors as offices.	24-10-1986	Granted
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Surrounding Area

- 3.4 An initial review of the planning history of other buildings in the surrounding street indicates that many of the properties have implemented consents for rear extensions and that changes of use have also been authorised.

4. The Proposals and Response to Consultation

- 4.1 The accompanying Design and Access Statement produced by SPPARC sets out further details of the proposed remodelling. The proposals have been informed by previous discussions with Camden's Conservation Officer and Planning case officer and advice from the client teams heritage consultants, KM Heritage, and Fire Safety consultants.
- 4.2 The current proposals have two key elements:
 - a. Sensitive reinstatement of the residential apartment to existing second and third floors, with reference to the spirit of the historic form in order to repair the harm caused to the property by the unauthorised residential works; and
 - b. Works to meet with associated fire and building regulation statutory requirements including both internal works and the introduction of a new rooflight and changes to the existing rooflights to the third floors.
- 4.3 The full detail of these proposals, including existing and proposed floor plans is set out in the accompanying SPPARC Design and Access Statement (Feb 2020).
- 4.4 The accompanying Heritage Report from KM Heritage and the Fire Strategy Report from Magnus Opifex Ltd also support the proposals.

Land Use

- 4.5 Notwithstanding the recent approval for the change of use of the second and third floors from residential use to office use, the current lawful use of the second and third floor is residential use. These planning and listed building applications do not seek to make any changes to the consented land uses, either the residential use on the second and third floor or the office use on the basement, ground and first floors.

Fire Safety

- 4.6 **Fire Safety requirements** – many of the previous works to the listed building on the 2nd and 3rd floor, associated with the residential use, were unauthorised. Therefore, if the residential use was to remain in the building it would need to comply with the building regulations for mixed use development where there is residential use above offices using the same staircase.

- 4.7 These requirements are set out in the accompanying DAS and Fire Strategy Report. The effect of meeting these requirements for residential use would have an impact on the listed building. The detail of this impact is set out in the accompanying DAS and Heritage Statement and summarised below.

Works to the Listed Building

- 4.8 The full details of the proposed works as set out in the accompanying DAS and Heritage Statement. In summary, they include:
- Reinstatement of the residential use at second and third floors;
 - Introduction of residential layout which relates as closely as possible to the historic plan form that was lost as a result of the unauthorised works.
 - Existing windows at each floor of the main staircase will be provided with automated opening mechanical devices being transformed into Automatic Opening Ventilations (AOVs);
 - Introduction of a mechanical smoke extract fan at the top of the first floor staircase to ensure that the top of the main stair will not become a smoke reservoir;
 - Provision of an internal staircase in the residential apartment with an AOV located on the roof;
 - Insertion of new conservatory rooflights in the valley on the roof;
 - Half landing door/ window to be mechanically opened outwards to provide a physical means of escape and an AOV;
 - The residential apartment to be provided with 30min fire rated enclosure lobbies;
 - The lower ground floor staircase enclosure and staircase lobby will be provided with 30 mins of fire performance. All the doors present in the lobby will be fire rated;
 - A direct connection is proposed between the area of the lower ground floor accommodation beneath the main part of 30 Percy Street and the existing extension to the rear of the building. A lobby connecting the two parts is proposed which would accommodate the relocated WC and shower facilities.

Effect on Heritage Significance

- 4.9 As set out in more detail in the accompanying Heritage Statement, the proposed scheme for 30 Percy Street acknowledges both the surviving special architecture or historic interest of the listed building and the changes that have occurred over time. It will reverse the harm caused to the special interest of the listed building by the unauthorised works at second and third floors.
- 4.10 The residential apartment reinstated at the second and third floor levels in a manner consistent with the likely historical plan form while at the same time providing up to date accommodation. Associated works proposed are to ensure the safety of occupants in case of fire and are necessary and minimal in nature and effect on special architectural or historic interest.
- 4.11 The accompanying Heritage Report reaches a conclusion stating that the special architectural or historic interest of 30 Percy Street is preserved and enhanced by the proposed scheme. There is no effect on the Charlotte Street Conservation Area or the setting of other listed buildings and thus the special interests of these designated heritage assets is preserved.

5. Consideration of key issues

Planning Policy Considerations

- 5.1 We set out below a summary of the key policy considerations for the proposed development as assessed against the relevant guidance and policies within the NPPF and the Development Plan.
- 5.2 The current proposals have two key elements:
 - a. Sensitive reinstatement of the residential apartment to existing second and third floors, with reference to the spirit of the historic form in order to repair the harm caused to the property by the unauthorised residential works; and
 - b. Works to meet with associated fire and building regulation statutory requirements including both internal works and the introduction of a new rooflight and changes to the existing rooflights to the third floors.
- 5.3 The key policy area of relevance is the protection of heritage assets.

National Planning Policy Framework

- 5.4 The updated National Planning Policy Framework (NPPF) was published in February 2019. This is part of the Government's ongoing reforms to make the planning system less complex and more accessible and promote sustainable growth.
- 5.5 The updated NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would "significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole" (NPPF para 11).
- 5.6 Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, the determination of planning applications must be made in accordance with the development plan, unless 'material considerations' indicated otherwise.
- 5.7 The NPPF promotes conservation and enjoyment of the historic environment. Para 189 of the NPPF sets out that, "in determining applications, local planning authorities should require an applicant to describe the significance of any heritage asset that may be affected by a proposal...".

- 5.8 Para 192 also states that local authorities should take account of:
- “the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.”
- 5.9 The proposed remodelling options for 30 Percy Street reflect the NPPF objectives to support a strong and competitive economy whilst promoting the conservation and enjoyment of the historic environment.

The Development Plan

- 5.10 The Development Plan relevant to the site comprises the following:
- a. The London Plan (2016); and
 - b. The London Borough of Camden Local Plan (July 2017).

Emerging Planning Policy Framework

Draft London Plan

- 5.11 At a London wide level, there is an emerging new London Plan which was published in draft on 29 November 2017. This draft plan represents the current views and focus of the Mayor. The Examination in Public of the Draft London Plan commenced on 15 January 2019 and ran until May 2019. The response from the Secretary of State and Directions were received by the GLA on 13 March 2020. The Mayor provided a response back to the Secretary of State on 24 April 2020.
- 5.12 Both the adopted and emerging London Plan recognise the need for London to have a strong economy. The need to meet the housing needs of the capital is also a clear priority in the adopted and emerging London Plan documents.

The London Borough of Camden Local Plan 2017

- 5.14 Policy A1 seeks to manage the impact of development and protect the quality of life of occupiers and neighbours.
- 5.15 Good design and the protection and enhancement of heritage assets is also a key concern in the adopted Local Plan. Policy D1 seeks to secure high quality design in development.
- 5.16 Policy D2 sets out the Council's approach to heritage. Policy D2 states that the council will not permit the loss or substantial harm to a designated heritage asset, including conservation areas and listed buildings unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Design and Conservation

- 5.17 The proposed remodelling, as set out in the accompanying SPPARC DAS report and KM Heritage report, has been designed to be sympathetic and in keeping with the character of the listed building, adjacent listed buildings and the conservation area.
- 5.18 The façade of the building will remain as it is currently. The internal alterations are supported by the accompanying Design and Access Statement and Heritage Statement.

Other Design Considerations

- 5.19 The proposed remodelling mostly occurs within the fabric of the existing building. The accompanying DAS and KM Heritage report provide the details. Therefore, issues such as daylighting and sunlighting, parking and flood risk have limited impact.
- 5.20 There are only limited changes proposed to the external areas, the new proposals include additional rooflight windows to the internal roof valley and changes to AOV windows as the half landing level.

6. Conclusion

- 1.18 This new application for Planning and Listed Building consent has been prepared to seek consent for alterations to 30 Percy Street. As set out above, whilst planning and listed building consent has already been granted for more significant planning and listed building works to the building, this new application has been prepared on the basis of the existing state of the premises, i.e. in the scenario that the recently consented planning and listed building applications (Ref 2019/4241/P and 2019/4517/L) above have not been implemented.
- 1.19 The reason for this new application is to give our client an understanding of the works necessary to appropriately reinstate the residential use on the second and third floors and an understanding of their acceptance to the planning and heritage officers at LB Camden.
- 1.20 This reinstatement of the residential use needs to be undertaken in such a way as to be compliant with the necessary building control regulations and fire safety standards for mixed office and residential uses. It is our understanding that the existing use of the second and third floors for residential would not comply with these standards.
- 1.21 Therefore, this new planning and listed building application sets out details of the proposed works necessary to the listed building required to accommodate a residential unit in the second and third floors of the building.
- 1.22 This planning report, and the accompanying DAS and Heritage Statement, conclude that the proposals will reverse the harm caused to the special interest of the listed building by the unauthorised works at second and third floors. The reinstatement of a residential layout, that is in a manner consistent with the likely historical plan form, is a benefit for the listed building.
- 1.23 In conclusion, the special architectural or historic interest of 30 Percy St is preserved and enhanced by the proposed scheme.