

Application ref: 2017/5881/P
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Thomas Croft Architects
9 Ivebury Court
325 Latimer Road
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W10 6RA

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:
33 Fitzroy Square
London
W1T 6EU

Proposal:

Variation to condition 3 of planning permission granted on 24/08/2017 (ref 2016/4282/P) for demolition of existing external lift enclosure and Conway Street annex behind retained front façade of existing dwelling house and erection of three storey annex building behind the retained façade: **CHANGES INCLUDE** relocation of staircase at lower ground floor level fronting Conway Street, retention of existing first floor windows to Conway Street elevation, replacement and alterations to first and second floor timber windows on east elevation of Conway Street annexe to metal windows, relocation of third floor external wall to rear of no. 33 to align with wall of stairwell below, 4 new conservation rooflights on pitched roof of main building, and replacement of timber roof terrace with walk-on glass rooflight above a new cupola and replacement of timber and glass belvedere on roof with metal and glass belvedere.

Drawing Nos: 120 rev E; 121 rev E; 122 rev H; 123 rev G; 124 rev E; 125 rev D; 130 rev D; 130.1; 131 rev E; 133 rev A; 140 rev B; 140.1; 141 rev F; 220 rev A; 221 rev A; 222 rev A; 223 rev A; 224 rev A; 225 rev A; 230 rev A; 231 rev A; 232 rev A; 240 rev A

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new 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.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 For the purposes of this decision, condition no. 3 of planning permission 2016/4282/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans-

090 (Site location plan); 120 rev E; 121 rev E; 122 rev H; 123 rev G; 124 rev E; 125 rev D; 130 rev D; 130.1; 131 rev E; 132 rev C; 133 rev A; 140B; 140.1; 141F; 150; 151A; 220 rev A; 221 rev A; 222 rev A, 223 rev A, 224 rev A, 225 rev A; 230 rev A, 231 rev A, 232 rev A; 240 rev A, 241, 900, 901, 902 rev A; 903 rev A; 904; 905; Planning and Heritage Statement produced by Montague Evans dated July 2016; Daylight and sunlight assessment produced by Behan Partnership Ltd dated 25th July 2016.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 The second floor staircase window on the eastern rear elevation of the annexe building shall be obscure glazed and fixed shut to an internal height of 1.7m and shall be permanently retained and maintained as such thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the Camden Local Plan 2017.

- 5 The use of the part of the first floor roof as a terrace hereby approved shall not commence until the 2m high timber trellis, as shown on the approved drawings, has been constructed. The trellis shall be permanently retained and maintained thereafter. The remainder of the roof at that level shall not be used as a roof terrace at any time.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the Camden Local Plan 2017.

Informative(s):

1 Reason for granting permission-

Changes externally, other than those already approved under ref 2016/4282/P are limited to the installation of a new masonry lightwell staircase which replaces a modern steel stair, replacement of modern cellar vault doors at lower ground floor level. At roof level the changes involve the rebuilding of the existing modern timber and lead Belvedere in steel and glass, 4 new conservation-style rooflights to the inner roof pitches at roof level and the installation of a glass floor over new lantern rooflight over the staircase. The lantern over the staircase would be a major intervention which would remove a room at the top floor level and allow light to the main stair. This would also include a glass rooflight over the lantern to retain a terrace from the belvedere at roof level. The applicants have demonstrated the accommodation above the staircase is awkwardly built and detailed and there would be substantial heritage benefit to providing a lantern to light the main staircase. The Bloomsbury CAAC welcomes the removal of the top floor room and the restitution of the roof light over the staircase.

Other minor works including replacement windows at first and second floor level are considered acceptable in terms of materials and design.

The proposed works would not have an adverse impact on the amenity of neighbouring occupiers and would be considered acceptable and the previous conditions to prevent overlooking will continue to be imposed.

The same conditions and informatives as before will be imposed. The original scheme was granted permission subject to a s106 legal agreement. This permission would be granted subject to a deed of variation to the original s106 agreement.

The planning history of the site has been taken into account when coming to this decision. No objections were received prior to the determination of the application.

Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, and of preserving or enhancing the character or appearance of the conservation area, under s.66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies A1, D1, and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS

(tel: 020-7974 6941).

- 3 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, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer