

Delegated Report		Analysis sheet		Expiry Date:		14/01/2021	
		N/A		Consultation Expiry Date:		20/12/2020	
Officer				Application Number(s)			
Patrick Marfleet				2020/4848/P 2020/5385/L			
Application Address				Drawing Numbers			
11 Regent Square London WC1H 8HZ				Please refer to decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
i) External alterations including erection of external lift to the rear from lower ground to second floor level, replacement of non-original windows and alterations to windows of existing roof extension.							
ii) Internal and external alterations including erection of external lift to the rear from lower ground to second floor level and internal lift between second and third floor levels.							
Recommendation(s):		1. Refuse Planning Permission 2. Refuse Listed Building Consent					
Application Type:		Full Planning Permission and Listed Building Consent					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. of responses	8	No. of objections	0		
Summary of consultation responses:		<p>Site notice: displayed from 25/11/2020 – 19/12/2020 Press notice: displayed from 26/11/2020 – 20/12/2020</p> <p>8 letters of support were received from neighbouring properties:</p> <ul style="list-style-type: none"> The external lift is necessary to enable a disabled person, Mr Smith, to gain access to all his property and so live a decent life in a house which he and his wife bought before he became disabled and wheelchair-bound. I do not believe that it will impinge significantly upon the rear appearance of the building, the more so because it will hardly be visible - and certainly not from St George's Gardens. As an external lift, it will barely affect the internal structure of the building - which retains its intrinsic integrity as one of the few entire houses remaining in the terrace. It is clear from the rest of the application that Mr and Mrs Smith respect the architectural value of the building, in their wish to replace non-original windows. 					

- We are of the view the applicant can be trusted not to attempt to make any changes to the building that would materially alter its architectural or historical status - and that in a terrace that has suffered many unfortunate changes to its historic integrity in past decades.

Local Groups

The **Bloomsbury CAAC** submitted the following comments in support of the application:

We do not object to the application on the basis that the level of harm to the building and Conservation Area caused by the lift is relatively low and is balanced by the proposed improvements ie, removal of stair partitions, restoration of original plan forms on lower floors etc. We think that the building will benefit by being in the ownership of one family who see it as a home to cherish and appreciate rather than an investment. We also support the prospect of making it more accessible to the disabled.

The **Bloomsbury Residents Association Group** submitted the following comments in support of the application.

We have been asked to support the planning application by Mr and Mrs Smith for an lift to be installed at 11 Regent Square, which is a listed building within the Bloomsbury Conservation Area. Access to a lift will considerably improve the quality of life for Mr Smith, whose disability (due to polio) prevents him from using the whole house as his home. No 11 Regent Square will benefit from being lived in and cared for by the owner occupiers, if it is able to suit their needs. So many Georgian town houses in Bloomsbury have been bought as "investment properties" and turned into separate flats. This tends to impact much more harmfully on any original heritage features. We also feel that the genuine disability of the owner has to be taken into consideration and that these special circumstances should permit the erection of a lift so he can continue to enjoy residential amenity within his own home. We therefore fully support the Application.

Site Description

The application site is located on the south side of Regent Square and relates to a four storey (plus basement) building that is largely unaltered externally and at its lower three storeys. The property is currently in use (on its upper floors) as a licensed HMO (Sui Generis), with the most recent license being issued by the Council to the current owners on 23/02/15 expiring 22/02/20.

The property is Grade II listed and is located within the Bloomsbury Conservation Area.

Relevant History

No relevant planning history.

Relevant policies

National Planning Policy Framework 2019

The London Plan March 2016

Publication London Plan 2020

Camden Local Plan 2017

A1 Managing the impact of development

C6 Access for all

D1 Design

D2 Heritage

Camden Planning Guidance

CPG Design

CPG Amenity

Bloomsbury Conservation Area Appraisal and Management Strategy 2011

Assessment

1 PROPOSAL

1.1 The current applications seek permission for the erection of a four storey rear extension to accommodate an external lift at the property which will provide step free access from lower ground floor to second floor level. The applications also seek permission for the installation of an internal lift to provide step free access between second and third floor level.

1.2 There are a number of more minor alterations proposed which include but are not limited to, the enlargement of the existing rooftop extension and installation of floor to ceiling glazing, the replacement of non-historic windows at ground and lower ground floor level and removal of partition walls at third floor level.

2 ASSESSMENT

2.1 The material considerations for this application are as follows:

- Design and Heritage impact
- Amenity of neighbouring residential occupants

2.2 Design and Heritage

Policy background

2.2.1 Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

2.2.2 Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") is relevant. Sections 16 and 66 require local authorities to have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings, whilst section 72(1) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.

2.2.3 The effect of these sections of the Act is that there is a statutory presumption in favour of the preservation of the character, appearance and historic significance of listed buildings and conservation areas. Considerable importance and weight should therefore be attached to their preservation. Should the Council define 'harm' it would only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the harm. Section 16 of the NPPF provides guidance on the weight that should be accorded to harm to heritage assets and in what circumstances such harm might be justified.

Site description

2.2.4 Built in 1829, the application property is considered to represent a high quality example of late Georgian architecture which is reflected in its Grade II listed status. Officers note that WWII bomb damage maps from 1945 show number 11 to be "seriously damaged - repairable at cost" with the two houses adjacent to the east being struck directly and "damaged beyond repair". The infill houses were built in 1951 with front facades that replicated those of the original properties in the street. The damage to number 11 required the upper levels to be rebuilt including a new flat roof and the remains of the rear closet wing was cleared and reconstructed.

2.2.5 Therefore, whilst there have been alterations to the 1829 building, the property is considered to retain the majority of its historic significance which is derived through the largely unaltered front and

rear facades, and the contribution they make to the wider terrace, and the internal layouts of the lower ground, ground and first floor levels, which retain their original plan form and historic features.

External alterations

Listed building

2.2.6 The current proposals include the erection of a four storey rear extension to accommodate the proposed external lift at the site, which would provide step free access between lower ground and second floor level. The proposed extension, by reason of its overall height and scale, is considered to represent an incongruous and alien addition that would be at odds with the historic character and proportions of the existing rear elevation of the host property. The extension would also be at odds with the prevailing pattern of development to the rear of adjoining properties in the terrace, which is generally characterised by one and two storey part width extensions.

2.2.7 The proposed extension would create three new openings in the existing rear elevation at ground, first and second floor level which would cause unacceptable and irrevocable harm to the listed building in terms of loss of original fabric and plan form. Furthermore, the proposed lift shaft would be clad in what is described on the proposed plans as a grey zinc sheet, which would give the appearance of a metal box fixed to the back of the building. The proposed lift extension is therefore considered to cause less than substantial harm to the original character and historic significance of the listed building and wider terrace.

Conservation Area

2.2.8 Paragraphs 5.28 and 5.29 of the Bloomsbury CAAMS states: Development proposals must preserve or enhance the character or appearance of the Bloomsbury Conservation Area. This requirement applies equally to developments which are outside the Conservation Area but would affect its setting or views into or out of the area. High quality design and high quality execution will be required of all new development at all scales. It will be important that applications contain sufficient information to enable the Council assess the proposals.

2.2.9 As noted above, the majority of the rear elevations along this side of Regent Square remain largely intact and are characterised by one and two storey, part width, rear extensions which read as subordinate additions to the host buildings. It is this absence of large extensions to the rear of existing properties, and subsequent uniformity, which officers consider to be the most significant contribution (apart from the unaltered front façade) the site and wider terrace makes to the character of the surrounding conservation area.

2.2.10 Therefore, the installation of a four storey metal clad lift at No.11 would represent an incongruous addition that would be much higher than the existing extensions to neighbouring properties in the street and would be at odds with the prevailing character of the adjoining terrace and wider conservation area. Furthermore, whilst the proposed extension would be mainly seen in private views from neighbouring properties, it would also have some visibility from the public realm of St. George's to the rear, thus further increasing the impact on the appearance of the conservation area.

2.2.11 Given the above, the proposed extension is not considered to be of high quality design and would cause less than substantial harm to the character and appearance of the Bloomsbury Conservation Area, contrary to the requirements of the Bloomsbury CAAMS and policies D1 (Design) and D2 (Heritage) of the Camden Local Plan.

Internal alterations

2.2.12 In order to facilitate access between the proposed external lift and the different floors of the property, the proposals include the installation of jib doors at ground, first and second floor level. These doors, whilst resulting in loss of original fabric as discussed above, would also disrupt the original plan

form and legibility of the aforementioned floors. Doors in this location are not a common feature of historic properties such as this and would also crowd the existing windows they would be located adjacent to, thus causing harm to the historic significance of the building.

2.2.13 Aside from the new door openings for the proposed external lift, the most significant internal alterations are located at second and third floor level. The already altered second floor is to be reordered to make it wheelchair accessible and an internal lift is then to be installed between the second and third floors. The existing second and third floors are considered to be secondary and somewhat altered spaces which do not have the same historic value as the floors below. Therefore, whilst these parts of the scheme, if the fabric is non-original as described, are considered to be less harmful, they are still considered to cause harm to the significance of the listed building. Internal lifts such as this are not a traditional feature of Georgian properties and the proposal would therefore introduce an alien feature that would cause harm to the plan form and internal proportions of the building at second and third floor level.

2.2.14 Given the above, the proposed internal and external alterations are considered to have an unacceptable impact on the original character and appearance of the host building, and when coupled with the loss of historic fabric proposed, would cause less than substantial harm to the historic significance of the listed building.

NPPF

2.2.15 Officers acknowledge that the proposed works are required to improve accessibility around the property which would allow the applicant to live more comfortably at the property. However, the Council need to weigh the wider public benefits of a proposal against the harm it would cause to a heritage asset, in line with the requirements of the NPPF.

Paragraphs 195 and 196 of the NPPF state:

2.2.16 Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. 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.

2.2.17 Whilst “public benefit” is not defined anywhere in the NPPF, the NPPG (Paragraph: 020 Reference ID: 18a-020-20140306) explains that Public benefits should flow from the proposed development and should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit.

2.2.18 When dealing with planning applications such as this, the particular (private) needs of the occupiers can often constitute material considerations. However, the special protection afforded to listed buildings means that there have to be sufficiently substantial public benefits to outweigh the harm caused, which is what elevates the special protection to listed buildings and conservation areas above other considerations. The PPG says public benefits ‘should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit’. Therefore, in the case of the current proposal, the benefits of the scheme are private and relate solely to the current occupants. As such, officers do not consider there to be any level of public benefit in this case that would sufficiently justify and outweigh the harm that would be caused to the significance of the listed building.

2.2.19 Officers note that modest heritage benefits are proposed, such as altering modern windows, removing a partition from the staircase, removing the ground-floor kitchen, removing drainpipes, adding two fireplaces and reinstating shutters. However, these measures are not related to the provision of the lift and unfortunately do not outweigh the less-than-substantial harm caused by the addition of the lift shaft and its doorways.

2.2.20 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the host building and conservation area under s.16 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

2.2.21 Given the above, the proposed external and internal lifts, and associated alterations, are considered to cause unacceptable harm to the special historic significance of the listed building, adjoining terrace and the character and appearance of the wider Bloomsbury Conservation Area. Whilst officers appreciate the proposed alterations would deliver a number of private benefits to the current occupants in terms of improving disabled access around the building, the level of public benefit in this case is not considered to be of sufficient magnitude to justify the clear harm that would be caused to the listed building and conservation area.

2.3 Amenity of neighbouring residential occupants

2.3.1 Policy A1 of the Local Plan seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents.

2.3.2 The size, scale and location of the proposed extension is not considered to cause harm to neighbouring amenity in terms of loss of light, outlook or privacy.

3 Recommendation

3.1 Refuse planning permission and listed building consent