

BELSIZE FIRE HOUSE - TOWER
36 LANCASTER GROVE, LONDON NW3 4PB
LONDON BOROUGH OF CAMDEN

PLANNING, DESIGN AND ACCESS STATEMENT

Prepared By



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1.0 INTRODUCTION

- 1.1 This statement accompanies an application for Planning and Listed Building Consent by Vulcan Properties, the owner of the Belsize Fire House (formerly Belsize Park Fire Station), 36 Lancaster Grove, Belsize Park.
- 1.2 This application proposes to convert the vacant tower of the building, to accommodate a self-contained 1-bed flat (Use Class C3).

Background

- 1.3 Belsize Park Fire Station closed on 9th January 2014, as part of the strategic planned closures by the London Fire and Emergency Planning Authority (LFEPA).
- 1.4 Belsize Park Fire Station is a Grade II* listed building. Such buildings are important assets. Vulcan Properties recognises that they are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance.
- 1.5 In that regard, in 2017, Vulcan Properties secured listed building and planning consents 2016/0745/P, 2016/1128/L, 2016/5813/P, 2016/6119/L, allowing the *alteration and change of use of the former fire station to provide 18 self-contained residential units, including replacement single storey side extension to east elevation and erection of two single storey side extension to west elevation and insertion of roof dormers, with associated external alterations, landscaping and parking*. The approved works retain the intrinsic character of former fire station and secures the listed building's long-term future and condition.
- 1.6 The works are now largely complete with some of the approved units occupied. The development was shortlisted in the AJ Retrofit Awards 2021, for listed building development of the year.
- 1.7 The tower was unaffected by the above and was to remain unused. However, after further consideration, it was considered that a high quality, sensitive conversion of the space would enhance the heritage asset, whilst creating an additional and unique dwelling within this remarkable building.
- 1.8 The applicants applied for planning and listed building consent for the conversion of the tower to a 1 bed flat in 2018 (application refs 2018/4394/P & 2018/4910/L). However, those initial applications were refused and subsequently dismissed at appeal (APP/X5210/Y/19/3222128 & APP/X5210/W/19/3222123) in August 2019. The principle reason for the dismissal was that the proposals resulted too great a loss of heritage fabric.
- 1.9 In late 2019, the applicants submitted revised proposals for the conversion of the tower (application refs 2019/4604/P and 2019/4965/L). However, those revised applications were also refused and subsequently dismissed at appeal (APP/X5210/W/20/3246051 & APP/X5210/Y/20/3246053) in August 2020.
- 1.10 In dismissing the latest appeal, the appointed Inspector considered that the development would not preserve the special historic interest of the listed building. Whilst the level of harm was confirmed to be less than substantial, this did not equate to a less than substantial planning objection. The identified harm related principally to the removal of historic fabric important to the former function of the tower, diminishing the historic plan form and the illustrative value of its layout.

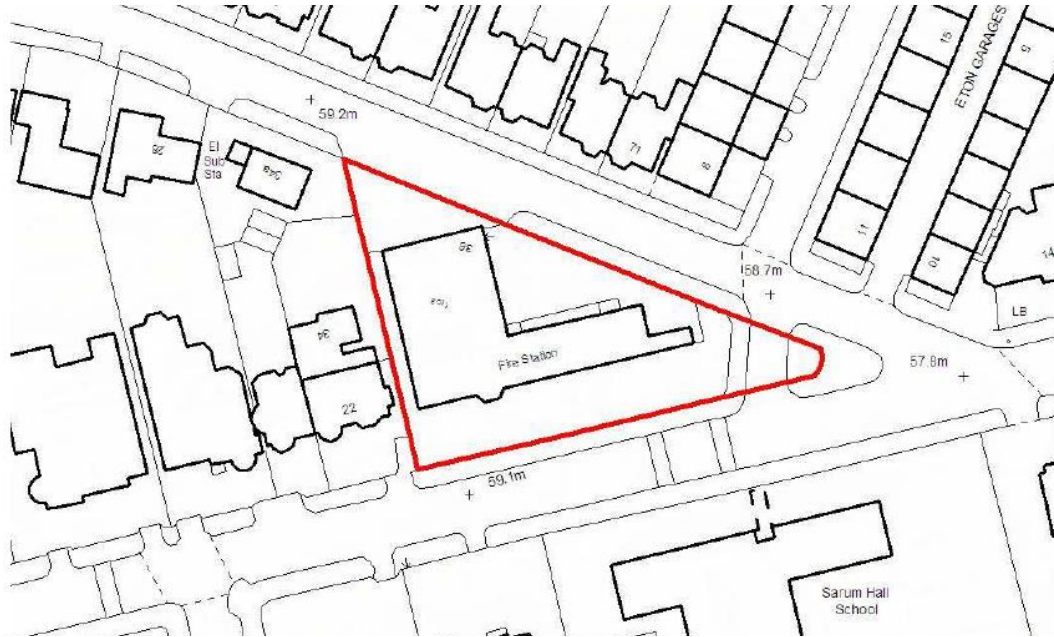
- 1.11 Accordingly, taking on board the comments of the latest Inspector's decision, the applicants have prepared a further revised application which looks to preserve more of the original plan form, the historic fabric, and the illustrative value of its layout.

Layout of this Document

- 1.12 This statement provides a detailed description of the site and surrounding area in section 2.
- 1.13 In section 3 we provide a summary of the background to these proposals.
- 1.14 In section 4 we provide a summary of relevant planning history.
- 1.15 In section 5 we provide a detailed description of the revised application proposals.
- 1.16 In section 6 we identify the relevant planning framework; followed by an assessment of the proposals against relevant policies and other material planning considerations in section 7.

2.0 DESCRIPTION OF THE SITE

- 2.1 The former Fire Station lies in Belsize Park at the junction of Lancaster Grove and Eton Avenue. The triangular shaped plot comprises 0.44 acres (0.1761 hectares).



SITE LOCATION PLAN

- 2.2 The building was designed by Charles Canning Winmill of the Fire Brigade Branch of the London County Council Architects Department, and erected 1914-5. The building is Grade II* listed and is of special architectural merit.



BELSIZE FIRE HOUSE (NORTH ELEVATIONS)

- 2.3 The building has an L shaped plan and comprises a part basement, ground/upper ground and first floor levels. There is also a substantial roof void at second floor level.
- 2.4 The focus of this application is the internal integrated former drill tower, arranged over four additional upper floors.



TOWER EXTERIOR AND INTERIOR

- 2.5 Elevations are constructed principally from brick. High architectural quality of an Arts and Crafts style is manifest in its design, detail and materials. The building is mostly intact, having not been extended or significantly altered externally. The tower benefits from a window lighting each level.
- 2.6 Internally, the tower contains the central staircase linking the ground first and second floor levels. Above that there is a circular staircase in one corner giving access to the upper levels of the tower, culminating with hatch access to the roof of the tower.
- 2.7 We submit a Heritage Statement herewith (produced by DLG Architects), which provides a more in-depth heritage analysis of the tower.

3.0 BACKGROUND TO THE PROPOSALS

Closure of Belsize Fire Station

- 3.1 On 12 September 2013 the London Fire and Emergency Planning Authority approved the 'Fifth London Safety Plan' (LSP5). LSP5 outlines a wide range of policies and measures which are intended to improve the safety of Londoners. Amongst other things, the document set out proposals to find significant cost savings over the next two years.
- 3.2 Part of those measures reviewed the Authority's largely freehold estate comprising 112 stations, characterised by a significant number of ageing buildings; a third of which were listed and in need of repairs and improvements.



LSP5

- 3.3 An asset management plan completed in 2012 found that only 54 per cent of the fire stations were considered 'suitable' (fit for fire service purposes); the remainder were released. Belsize Park Fire Station was one of the stations deemed no longer fit for purpose and was therefore released.

4.0 PLANNING HISTORY

Parent Consents

- 4.1 In 2017, Vulcan Properties were granted planning permission and listed building consents for the change of use and alteration of the former fire station to provide 18 self-contained residential units (LPA references 2016/0745/P, 2016/1128/L, 2016/5813/P, 2016/6119/L).
- 4.2 In recommending the applications for approval, officers stated within their report to committee that *'the proposal to convert a vacant Grade II* listed fire station for residential use is welcomed by officers'*. The proposal, providing 18 new residential units in a sensitive manner, would preserve the important elements of the listed building. Officers considered that the public benefits of the proposal, including 18 new residential units whilst preserving a Grade II* heritage asset, outweighed the limited harm caused.

2018/4394/P & 2018/4910/L

- 4.3 Subsequently, a full planning application and listed building consent application (2018/4394/P & 2018/4910/L) were submitted to the Council in October 2018. The applications sought external and internal alterations for the conversion of the tower into a residential unit. Unfortunately, the Council refused the applications on the 26th November 2018.
- 4.4 The full planning application (LPA Ref: 2018/4394/P) was refused for the following three reasons:
- 1. The proposed development, by reason of poor-quality internal amenity, would fail to provide high quality residential accommodation, contrary to policies H6 and A1 of the Camden Local Plan 2017.*
 - 2. The proposed development, in the absence of a legal agreement to secure car-free housing, would fail to promote healthy or sustainable transport choices, contrary to policy T2 of the Camden Local Plan 2017.*
 - 3. The proposed development, in the absence of a contribution to affordable housing, would fail to maximise the contribution of the site to the supply of affordable housing in the borough, contrary to policy H4 of the Camden Local Plan 2017.*
- 4.5 The listed building application (LPA Ref: 2018/4910/L) was refused for the following one reason:
- 1. The proposed demolitions and alterations, by reason of loss of historic fabric and planform, would cause harm to the special architectural and historic interest of the Grade-II* listed building, contrary to policy D2 Heritage of the Camden Local Plan 2017.*

APP/X5210/Y/19/3222128 & APP/X5210/W/19/3222123

- 4.6 An appeal was submitted to the Planning Inspectorate, however both the planning and listed building decision were dismissed on 1st of August 2019 (PINS decision attached at Appendix 1).
- 4.7 Whilst the Inspector dismissed the appeals, the comments offered by the Inspector are pertinent. Addressing firstly the three planning reasons for refusal;

- 4.8 Under reason for refusal 1 (internal amenity and quality of residential accommodation), the Inspector states at paragraph 38 of his decision that *“Overall therefore, I disagree with the Council that the opened out living space would be awkward or claustrophobic. Consequently, I conclude that **the proposed flat would provide acceptable living conditions for future occupiers, with particular regard to internal living space, access to light and outlook. Indeed, it would provide a unique and novel living space within a remarkable building. It follows that there would be no significant conflict with policies H6 and A1 of the CLP, which amongst other things, seek to ensure that housing is well designed and provide a good quality of life for future occupiers, taking account of factors such as living, space, sunlight and daylight. The proposals would also comply with similar policies with the Framework, in that respect.***
- 4.9 With regard to reasons for refusal 2 and 3 (absence of legal agreement to secure car-free housing and affordable housing respectively) the Inspector noted that the Council had prepared and executed a s106 Agreement under the appeal (along with the appellant and mortgagee). The s106 Agreement secured both car free housing and an affordable housing payment of £96,990 (which was calculated by the Council as an appropriate sum). The Inspector concluded that *“I am satisfied that it addresses the Councils second and third reasons for refusal”.*
- 4.10 In light of the above, the Inspector resolved that all three reasons for refusal under the *planning* appeal were acceptable.
- 4.11 With regard to the listed building consent appeal, externally the proposed alterations were considered minor and it was concluded by the Inspector at paragraph 12 of his report that *“Those minor alterations would not materially compromise the external appearance or character of the tower, which contributes to the special interest of the listed building and provides a landmark within the BCA”.*
- 4.12 Internally however, the changes were deemed to be more extensive, with particular reference made to the loss of the tight spiral staircase, infill of the stair void, and the alternation to the barefaced brick walls and exposed concrete floor and ceiling. The Inspector considered that the cumulative effect of all of these changes would result in harm.
- 4.13 In assessing the degree of harm, the Inspector considered that the tower forms one part of the listed building, albeit an important one, and that its external appearance, a principal contributor to its significance would be unaffected.
- 4.14 Internally, the Inspector concluded that the loss of historic fabric would, in terms of the Framework, amount to *‘less than substantial harm’*, however he was mindful that less than substantial harm still attracts great weight. The appeals were dismissed on this basis.

2019/4604/P & 2019/4965/L

- 4.15 A revised application was submitted in 2019 which sought the conversion of former fire station tower (Sui Generis) to a 1 bedroom residential unit (Class C3) on 2nd to 5th floors plus creation of roof terrace including installation of balustrade and removal of chimneys. An accompanying listed building consent application sought alterations associated with conversion of former fire station tower to a residential unit, including removal of chimneys and infill of central void at 2nd to 5th floors and installation of balustrade at roof level.
- 4.16 In response to the earlier refusal, this application proposed a lighter touch to the conversion, retaining more of the historic plan form and fabric. However, ultimately the revised application was refused for three reasons, namely;

1. The proposed conversion of the tower to a residential unit would result in 'less than substantial' harm to the listed building as a designated heritage asset which is not outweighed by any planning benefits, contrary to policy D2 (Heritage) of the Camden Local Plan 2017.
 2. The proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more healthy or sustainable transport choices, contrary to policy T2 (Parking and car-free development) of the Camden Local Plan 2017.
 3. The proposed development, in the absence of a legal agreement to secure a contribution to affordable housing, would fail to maximise the contribution of the site to the supply of affordable housing in the borough, contrary to policy H4 (Maximising the supply of affordable housing) of the Camden Local Plan 2017.
- 4.17 The associated listed building application was refused for a single reason;
1. The proposed demolitions and alterations, by reason of loss of historic fabric and plan-form, would cause harm to the special architectural and historic interest of the Grade II* listed building, contrary to policy D2 (Heritage) of the Camden Local Plan 2017.

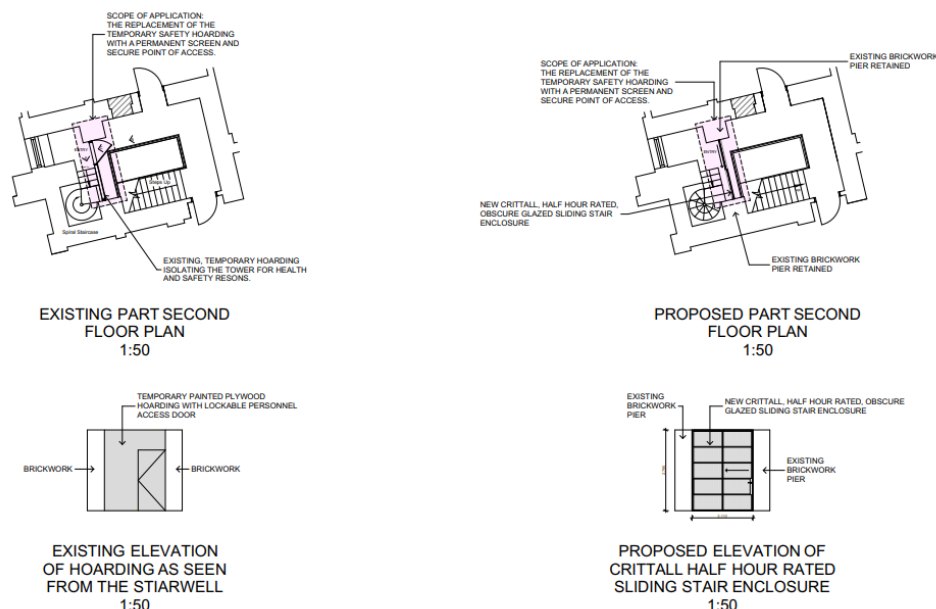
APP/X5210/W/20/3246051 & APP/X5210/Y/20/3246053

- 4.18 An appeal was submitted against the above decisions, however both appeals were subsequently dismissed on 20 July 2020.
- 4.19 The appointed Inspector noted that 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, these alterations would not harm the historic significance of the listed building.
- 4.20 The external additions to the tower, including the slender, metal handrail would not harm the historical or architectural significance of the building.
- 4.21 The proposal included 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. The inspector concluded that he could not see any harm to the spatial significance of the section across the second floor from a separating screen. (This screen has since been granted LBC under a separate application, see paragraph 4.28 below).
- 4.22 Regarding the circular stair (second floor to fifth floor) this was noted as being retained and enclosed by glass screens. A new stair to the roof was noted, and it was considered that its details could be conditioned to secure their sensitivity to the utilitarian character and finishes of the tower. Despite some loss of structural fabric, the Inspector found no harm to historic significance from an unobtrusive skylight in the roof deck.
- 4.23 It was further noted that new domestic scale services could be accommodated without disturbing the architectural character of the spaces.

- 4.24 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 Inspector considered that 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.
- 4.25 Regarding the obstructive elements, it was noted that not all would be removed, however, the spaces were designed to be challenging to move through. The removal of the degree of the historic fabric, was ultimately resolved to diminish the illustrative value of its layout, and part of the historic significance of the listed building.
- 4.26 On affordable housing, the appellant provided a legal agreement to secure the contribution sought by the Council,
- 4.27 With regard to parking, a unilateral undertaking was offered by the appellant, which would restrict parking and would require future occupiers to be informed of the parking permit restrictions. The Inspector was satisfied that the car-free housing undertaking and alternative obligation were and acceptable.

2020/5858/L

- 4.28 Finally, in late 2020, listed building consent was sought for the installation of crittal frame sliding door at second floor level. Listed building consent was granted on 15th February 2021.
- 4.29 It resolving to grant the proposal, officers noted the safety needs for the installation, to prevent access to the tower. Initially this was proposed to be opaque but, following negotiation, the glass will be clear. Officers noted that the proposal is lightweight and reversible and would not harm the special interest of the grade-II*-listed building.
- 4.30 Works are currently underway to implement this consent.



APPROVED CRITTALL DOOR AT SECOND FLOOR/BASE OF TOWER

5.0 THE REVISED PROPOSALS

- 5.1 The revised proposals seek provision of a self-contained 1 bed dwelling. However, the architectural design solution takes as its point of departure the main points raised by the appeal inspector in decisions APP/X5210/W/20/3246051 and APP/X5210/Y/20/3246053. In summary,

The open well

- 5.2 The Inspector's decision noted that *"... the open well which was continuous through the floors of the tower is a distinctive historical feature of its design and use."*

- 5.3 The architectural layout seeks to benefit actively from the open wells by employing trafficable, clear glazed floor panels to affect a working floor, while ensuring the spatial continuum afforded by the wells remains visually accessible. The glazed panels, allied to an "unobtrusive skylight in the roof deck", which the appeal inspector was not averse to, allows light to penetrate down the tower. All the rooms are laid out such that the removable glazing in the wells is unobstructed by furniture in any way, thus safeguarding the visual continuity.

- 5.4 The works are fully reversible without harm to the fabric of the listed building.

Floor upstands

- 5.5 The appeal inspector alluded to the importance of the floor upstands on the third and fourth floors as being central to the *"historic function of the spaces in the tower"*. Accordingly, the scheme retains these important upstands, protected by removable raised floors.

Circular stair

- 5.6 The circular stair that rises from the second floor to the fifth would be retained and enclosed by clear Crittall glazed screens. These will maintain *"...the legibility of the stair at each floor level and ... not conflict with its architectural character of lattice-work treads and rope-twist balusters"*.

- 5.7 The stair enclosure is similar to the structure of the crittall screen at second floor (approved under 2020/5858/L), and is therefore fully reversible without harm to the fabric of the building.

- 5.8 Non-original fabric

- 5.9 Non-original fabric, be it stand alone cupboards, free standing kitchen cabinetry, sofa, bed and shower room pod will be removable, *"... 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"*.

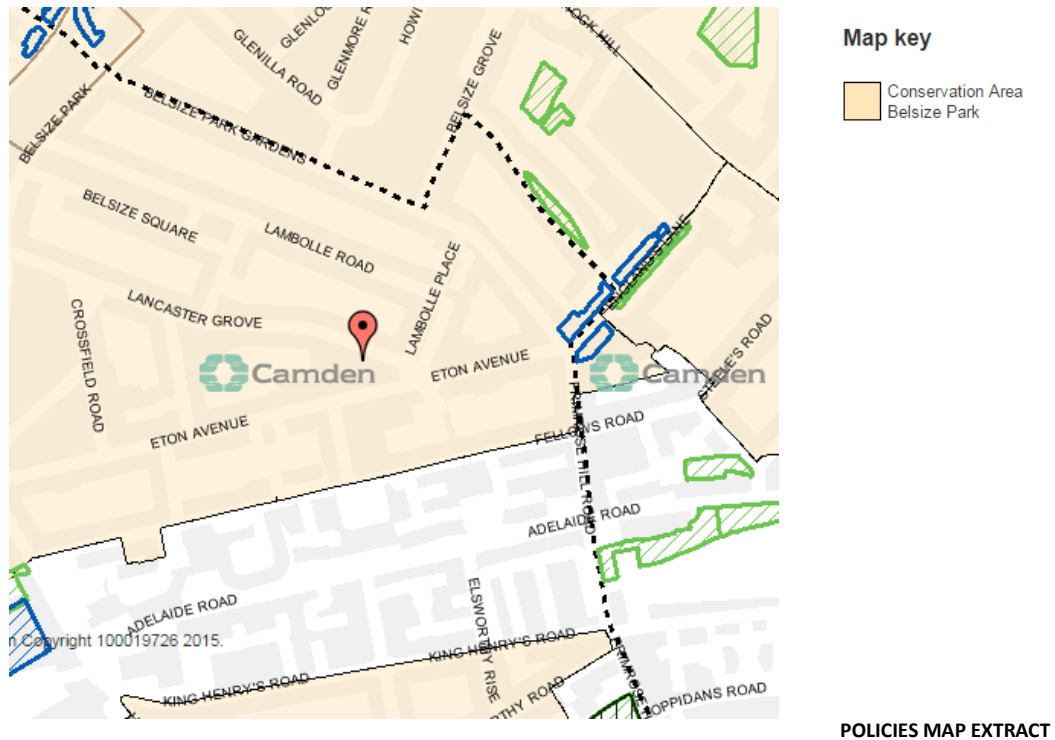
- 5.10 All of the these associated works are fully reversible without detriment to the fabric of the building.

The tower and its illustrative value

- 5.11 Having distilled the lessons of previous applications and appeals, it is felt that the revised architectural solution now imposes the lightest possible touch to the conversion of the tower. The proposal would diminish neither the historic plan form of the tower, nor its illustrative value. Detailing cues ensure the visual journey through the tower is undiminished. Indeed, the tower is re-invigorated by new life.

6.0 RELEVANT PLANNING FRAMEWORK

- 6.1 The relevant planning framework comprises the National Planning Policy Framework (NPPF 2019), Mayor's London Plan (2021) and the Camden Local Plan (2017).
- 6.2 The site falls within the Belsize Park Conservation Area (BCA). The host building is grade II* listed.



Planning Considerations

- 6.3 The following matters are considered to be material planning considerations:

- Land use
- Provision of Housing
- Design and Heritage
- Transport
- Energy and Sustainability
- CIL
- S106 contributions.

7.0 PLANNING ASSESSMENT

a. Land Use

- 7.1 In accordance with the Town and Country Planning (Use Classes) Order 1987 (as amended), a fire station is *Sui Generis*. Accordingly, any material change of use of the building to an alternative use would require prior planning permission.
- 7.2 It should be recognised that the closure of the fire station, which took place over five years ago (January 2014) formed part of the Fifth London Safety Plan (LSP5). A defined need for a fire station in this location no longer exists.
- 7.3 In 2017, permissions 2016/0745/P, 2016/1128/L, 2016/5813/P, 2016/6119/L granted the change of use of the building from a fire station to accommodate 18 self-contained flats (Use Class C3). Those permissions have been implemented. The lawful use of the building, including the tower, is now residential (Use Class C3).

b. Provision of Housing

- 7.4 In accordance with Policy H1 of the Local Plan, Camden will seek to maximise housing supply by securing homes to meet the needs of existing and future households. Policy H1 seeks to exceed a target of 16,800 additional homes before 2031. The proposal will go towards exceeding this target.
- 7.5 Furthermore, in accordance with policies H1, H6 and H7, Camden seek overall internal floorspace in new self-contained dwellings to meet or exceed the minimum standards.
- 7.6 Considering the grade II* listed nature of the building, and the unique configuration of the existing tower, the applicants have taken a fabric first approach to the development. Notwithstanding this, the overall flat, at 57.8m² GIA, complies with the minimum internal space standards.
- 7.7 The proposed flat benefits from an open-plan kitchen and dining room on the third floor, together with living and enclosed shower room on the fourth floor. The double bedroom is located at fifth floor. All rooms also benefit from existing windows providing natural light and ventilation. No additional openings are required.
- 7.8 Finally, the unit will benefit from a private terrace on the roof, in excess of minimum standards and with unprecedented views in this location.

Affordable Housing

- 7.9 In accordance with policy H4 of the CLP and relevant parts of the Framework, all new housing developments of less than 10 units are required to make a financial contribution towards the supply of affordable housing in the area.
- 7.10 An agreement has previously been reached with the Council for an affordable housing contribution of £96,990. The applicants remain committed to this obligation under this revised application and will enter discussions with Camden legal team and relevant juncture to secure this as part of any forthcoming consent.

c. Design and Heritage

- 7.11 The interior parts of the tower are utilitarian, reflecting the place in which fire hoses were hung to dry, and in which firemen were trained in rescue. This is reflected in the open well, the narrow circular stair, nooks and returns, and changes in level, together with dark and light spaces. The plan form and features within the tower are noted to provide illustrative historical value of its purpose, providing some insight into its past operation by the fire service.
- 7.12 The works at roof level, including alterations to the chimney pots, the provision of a new roof hatch, and new handrail were all found to be acceptable by previous officers and Inspectors, and are therefore retained as part of these latest proposals.
- 7.13 Regarding the open lightwell, the latest proposals employ clear glazed floor panels to affect a working floor. These clear glazed elements will ensure that the continuous open well through the floors of the tower remain distinctive, and reflective of it being a central architectural feature in the floors and an essential part of the historic significance of the tower.
- 7.14 With the exception of brick elements surrounding the circular stair, the existing fabric, including obstructive elements of brickwork, the stair core and the floor upstands on the third and fourth floors are now all retained as a further reference to the historic function of the spaces in the tower. The spaces will therefore retain a rational degree of restriction and physical challenge when moving through the spaces. The removal of the limited amount of historic fabric, will ensure that the illustrative value of its layout and historic significance of the listed building, is preserved.
- 7.15 With specific regard to the circular stair that rises from the second floor to the fifth, this would be retained in its entirety and enclosed by clear crittal glazed screens. These will maintain the legibility of the stair at each floor level and not conflict with its architectural character of lattice-work treads and rope-twist balusters. The crittal enclosure is fully reversible without harm to the fabric of the building.
- 7.16 Finally, regarding all new/non-original fabric, including cupboards, kitchen cabinetry, sofa, bed and shower room pod etc, all of these will be removable. Furthermore, they will be detailed to differentiate it from original fabric, to preserve the legibility of the host tower. 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.

d. Neighbouring Amenity

- 7.17 Policy A1 of the Local Plan states that development should protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity in terms of privacy, overlooking, noise etc.
- 7.18 The closest neighbouring residential units are located at 22 Eton Avenue and 34 Lancaster Grove. As no external changes are proposed, and given the residential use proposed, it is considered there will be no impact on neighbouring amenity.

e. Transport

- 7.19 Policy T1 of the Local Plan seeks to promote sustainable transport by prioritising walking, cycling and public transport. In support, Policy T2 states that the Council will limit the availability of parking and require all new development in the borough to be car-free.

- 7.20 It is confirmed that the development is proposed to be car free and will be secured by s106, addressing the second reason for refusal of the previous application.
- 7.21 A series of cycle bays are provided at ground floor level under the parent consents at this site, one of which will be made available for the proposed flats. The development will meet the Council's standards for cycle parking, comprising 1 space per 1 bed unit.
- 7.22 A construction management plan has been secured under planning permission 2016/0745/P. The principal access to the site is from Lancaster Grove. Deliveries and servicing will be taken on street adjacent to the public highway. The proposed development will respect the approved construction and servicing standards.

f. Energy, Sustainability

- 7.23 All new development is expected to incorporate sustainable development principles into its design and implementation.
- 7.24 The proposed scheme comprises the change of use and refurbishment of the former hose tower of a Grade II* Listed former Belsize Park Fire Station. The proposed works follows the approval of the conversion of the building to 18 flats, where energy and sustainability matters were fully assessed by XCO2 energy consultants.
- 7.25 As the former Belsize Park Fire Station is a Listed Building located within the Belsize Park conservation area, all of the existing facades, roof, windows and floors will be retained and re-used as far as possible to maintain the character of the existing building. Furthermore, due to the conservation requirements of the existing Grade II listed building, it will not be feasible to install renewable technologies without considerable alterations to the former Belsize Park Fire Station.
- 7.26 In total (together with the 18 units already approved), the development is expected to reduce regulated CO2 emissions by approx. 46% when compared to the existing baseline building.
- 7.27 Regarding sustainability, again as the proposed development comprises the refurbishment of an existing Listed Building, the design team has aimed to preserve the appearance and character, both internally and externally. Therefore, it is not considered feasible to provide insulation to the existing external elements or carry out extensive works to the existing windows and internal walls.
- 7.28 As per the approved sustainability assessments (under the parent consents) it is anticipated that the overall development will achieve a maximum of 55.91 credits, whilst meeting all mandatory credits for BREEAM Domestic Refurbishment 'Good'. Although this fall short of Camden's Council's Target of BREEAM 'Excellent', it is a significant achievement for a Grade II* Listed Building within a Conservation Area where the scope for alterations to the existing building is very limited.

g. CIL

- 7.29 No additional floorspace is proposed as part of this application. Accordingly, the development would not be subject to the Mayor of London's CIL or Camden CIL. A completed CIL form is submitted as part of the application, nonetheless.

h. S106 Contributions

- 7.30 An agreement has previously been reached with the Council regarding an affordable housing contribution and the car free status of the application.
- 7.31 The applicants will complete a Section 106 Agreement (alongside the Council and Mortgagee) as part of any forthcoming consent.

8.0 SUMMARY AND CONCLUSIONS

- 8.1 This statement has been prepared on behalf of Vulcan Properties Limited.
- 8.2 The former fire station was closed on 9th January 2014 following the implementation of the London Fire and Emergency Planning Authority's latest London Safety Plan (LSP5, 2013-2016).
- 8.3 Planning permission was granted last year (2016/0745/P, 2016/1128/L, 2016/5813/P, 2016/6119/L) for the change of use of former fire station (Sui Generis) to provide 18 self-contained residential units (Class C3) including replacement single storey side extension to east elevation and erection of two single storey side extensions to west elevation and insertion of roof dormers, with associated external alterations, landscaping and parking.
- 8.4 The applicants applied for a subsequent planning and listed building consent for the conversion of the tower to a 1 bed flat in 2018 (application refs 2018/4394/P & 2018/4910/L). However, the applications were refused and subsequently dismissed at appeal (APP/X5210/Y/19/3222128 & APP/X5210/W/19/3222123).
- 8.5 A further planning and listed building application for the conversion of tower to a 1 bed flat was submitted in 2019 (2019/4604/P & 2019/4965/L), however these applications were also refused and subsequently dismissed on appeal in July 2020 (APP/X5210/W/20/3246051 & APP/X5210/Y/20/3246053).
- 8.6 The determining Inspector of the most recent appeal found the external additions to the tower, to be acceptable.
- 8.7 Internally, the stair enclosure and provision of services within the tower were acceptable. However, the infilling of the central open well was considered to obscure its continuity, undermining the historic function of the spaces in the tower.
- 8.8 The removal of obstructive elements within the tower were also considered to diminish the illustrative value of its layout.
- 8.9 In response to the above the revised proposals have considered the criticisms of the previous application, resulting in very limited loss of historic fabric and plan form. Regarding the open well, the proposals employ clear glazed floor panels to affect a working floor whilst ensuring that the continuous open well through the floors remain an essential part of the historic significance of the tower.
- 8.10 The existing circular stair is retain as are the majority of the obstructive elements of brickwork, floor upstands on the third and fourth floors, ensuring the spaces retain a proper degree of restriction and physical challenge when moving through the spaces.
- 8.11 The crittal enclosure around the stair is fully reversible without harm to the fabric of the building, as are the glass floors within the well and all new cupboards, kitchen cabinetry, sofa, bed and shower room pod etc.
- 8.12 The proposed dwelling will be delivered as car free, secured by legal agreement. The legal agreement will also secure an appropriate contribution towards affordable housing.
- 8.13 It is concluded that the proposals comply with both national and local conservation legislation and guidance and conserve the building and the conservation area in accordance with their significance.

APPENDICIES

APPENDIX 1 - APPEAL DECISIONS (PINS REF: 3222128 AND 3222123)



The Planning Inspectorate

Appeal Decisions

Site visit made on 1 May 2019

by JP Tudor BA (Hons), Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 01 August 2019

Appeal A - Ref: APP/X5210/Y/19/3222128

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: 2018/4910/L, dated 6 September 2018, was refused by notice dated 26 November 2018.
 - The works proposed are external and internal alterations associated with conversion of former fire station tower to residential unit including removal of chimneys, infill of central void and replacement of staircase.
-

Appeal B - Ref: APP/X5210/W/19/3222123

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: 2018/4394/P, dated 6 September 2018, was refused by notice dated 26 November 2018.
 - The development proposed is conversion of former fire station tower (Sui Generis) to 1-bed residential unit (C3) including installation of balustrade at roof level and removal of chimneys.
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Decision – Appeal A

1. The appeal is dismissed.

Decision – Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. As the proposal relates to a listed building and is within a conservation area, 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). I have also taken account of the guidance within section 16 of the National Planning Policy Framework (the Framework).¹
4. The Council did not include, in its reasons for refusal relating to the planning application, a consideration of the effect on the Grade II* listed appeal

¹ February 2019

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building. However, the statutory duty under s66(1) of the Act, states that: *'In considering whether to grant planning permission for a development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the listed building or its setting or any features of special or historic interest which it possesses'*. Accordingly, it is appropriate and necessary for me to consider that aspect in relation to both appeals.

Main Issues

5. Therefore, the main issues in these appeals are as follows:

- Appeal A & B: whether the proposal would preserve a Grade II* listed building, Belsize Fire Station, and any of the features of special architectural or historic interest that it possesses.
- Appeal B: whether the proposed development would provide acceptable living conditions for future occupiers, with particular regard to internal living space, access to light and outlook.

Reasons

Listed building

6. The appeal relates to a former fire station tower, which forms part of Belsize Fire Station. The site is located on the corner of Lancaster Grove and Eton Avenue and lies within the Belsize Conservation Area (BCA).
7. The building is no longer in use as a fire station. The appellant has secured planning and listed building consents to convert the rest of the building to residential use,² with the provision of 18 self-contained flats. That work was already well under way at the time of my site visit. The proposal is to convert the fire station tower to a 1 bedroom residential flat.
8. Belsize Fire Station is a Grade II* listed building, built under the direction of Charles Canning Winmill of the Fire Brigade Branch of the London County Council Architects Department, between 1912 and 1915. It was first listed in 1974 and has an L-shaped plan with an accommodation range orientated towards Eton Avenue and an appliance room facing Lancaster Grove, with a large red-brick tower at the hinge. The tower was used for the training of firemen within its intentionally confined spaces and for the drying of fire hoses.
9. According to its list description the building is a clever interpretation of an Arts and Crafts-style house, adapted to meet the needs of the fire brigade. It is described as one of the most distinctive and original of a remarkable series of fire stations built by London County Council between 1896 and 1914, each executed to a bespoke design. Belsize Fire Station is one of a number in which the architecture, design and attention to detail display particular sensitivity to their settings, here on the apex of two roads lined with many high-quality Edwardian houses, several of which are also listed buildings. In the 'reasons for designation' section of the list description, the fire station is described as being one of the most intact with its plan form and numerous other features retained.

² 2016/0745/P, 2016/1128/L, 2016/5813/P and 2016/6119/L

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10. The tower is an impressive structure in views from the surrounding roads, although its brick detailing and recessed panels soften its bulk. Whilst centrally positioned and striking, the tower does not ultimately disrupt the essentially domestic character and proportions of the rest of the building, set within the context of its steeply pitched, hipped roofs and tall red-brick chimneys. The tower contains a central stair linking the ground, first and second floor levels of the building, with an iron spiral staircase providing access to the floors above. There is also a central aperture, bounded by railings, at each level from the ground floor upwards for the drying of fire hoses, which were dangled through it.
11. Given the above, a key part of the significance of the fire station tower rests on its impressive external appearance, at the centre of this Arts and Crafts-style Grade II* listed building. Internally, whilst generally more functional in character, its narrow iron spiral stair and hose-drying chamber, both referred to in the list description, along with internal partitions and chimney breasts are significant original features specific to its former use. They contribute to its special plan form and are intrinsically linked to its historic purpose and interest, as part of a vital facility intended to safeguard the local populace in the event of fire.
12. Alterations to the exterior of the tower would be relatively minimal, with the removal of some short chimney stacks on the roof and the installation of a balustrade, rising only 8cm above the existing parapet height. An access hatch in the roof would also be replaced by a slightly larger hatch in a new position and a skylight installed to provide additional light to the fifth-floor bedroom. The current rudimentary ladder from the fifth floor to the roof would be substituted for a discreetly situated compact staircase. Notwithstanding the loss of some external fabric to facilitate the use of the roof as a terrace, there would be limited visibility of those changes from street level or from surrounding houses. Those minor alterations would not materially compromise the external appearance or character of the tower, which contributes to the special interest of the listed building and provides a landmark within the BCA.
13. Internally however, more extensive changes are proposed to convert the tower to a flat, with living accommodation over floors 3-5. As the tower was, in part, designed to train firemen to work in confined spaces, the iron spiral staircase is deliberately narrow. It would be replaced by a wider metal spiral staircase to provide easier access throughout the tower. The appellant submits that the replacement would respect the spiral form of the original, would be located in the same corner of the tower and that the proposed crittall-glazed enclosure would echo the existing nibs. However, the original spiral staircase, with its decorative rope-twist newel posts and perforated stair treads, a notable element of the tower, would be entirely lost.
14. The original extent of the hose drop would be visually indicated by a backlit acrylic panel on the second-floor ceiling and inset metal trims on the floors above. Nevertheless, the central void would be infilled, albeit with a reversible construction, and its metal railing surrounds removed, which would diminish the legibility of the plan form and historic interest of the tower. Moreover, whilst the infill may be theoretically reversible, it is difficult to envisage circumstances in which it would be likely to be reversed, once the tower had been converted to a residential flat.

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15. Chimney breasts and various internal dividing walls would also be removed to open out the proposed living space. The design of the interior partition walls, including low openings to other small rooms, create the confined spaces with difficult restricted accesses that were integral to the training of firemen in the tower. Therefore, that intentional layout, pertinent to the original function and history of the tower, would also be lost to the detriment of the special interest of the listed building.
16. The internal brick walls are functional in appearance, illustrating the more utilitarian aesthetic of the building's interior. Whilst it is proposed to dryline one of the main walls, in connection with the provision of services, the other three would remain as exposed red-brick. Concrete floor finishes on the second, fourth and fifth floor levels would be retained, and white painted concrete soffits maintained on all levels, sympathetic to the functional design of the tower. Although those mitigating aspects are noted, they do not sufficiently compensate for the extent and effects of the proposed changes and loss of internal fabric.
17. I also appreciate that some original fabric would be lost in relation to the approved wider conversion of the listed building, but that does not necessarily legitimise the extensive internal changes and loss of historic fabric and features within the tower. Whilst the hose drop and other features may no longer be functionally necessary, as the tower is not used for its original purpose, that is not determinative and does not mean that they do not have a heritage value. Indeed, buildings are often listed to try to ensure that original historic features are protected.
18. The appellant refers to a Council Officer's Report and related allowed appeal decision concerning Rose Cottage³, a Grade II listed building where works included alterations to an existing chimney breast at ground and first floor level. In that case, the Inspector considered that the plan form of the building involved a clear separation of the 'polite' and more utilitarian elements, but that the retention of 'nibs' containing the structural steelwork *'would still allow the pre-existing plan form to be read.'*
19. Furthermore, the appellant in that case was pursuing other works to the property, for which planning permission and listed building consent had been granted. The Inspector considered that the proposed works would be part of this overall programme and help to facilitate the more viable use of the property and its ongoing conservation, which was given considerable weight in the overall balance.
20. The Council considers that there is *'no comparison'* between that case and this appeal, submitting that the Rose Cottage appeal *'entailed a far less harmful intervention in a less interesting and important building, reflected by it being listed at a lower grade.'* It is relevant that Belsize Fire Station is one of a relatively low percentage of Grade II* listed buildings across the country which, along with having great rarity value, signifies its particular heritage importance.
21. However, there do appear to be some broad parallels between the Rose Cottage appeal and the appeal before me, in relation to the consideration of effects on plan form, loss of internal fabric, extant consents for other works on the building and issues about viable use and long-term conservation.

³ APP/X5210/Y/18/3201140

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Nonetheless, such issues are not uncommon in listed building cases and it is a truism that all proposals must be judged on their individual merits, which is the approach I have taken in this appeal.

22. Moreover, aside from the Grade II* listed status, the cumulative effects of the loss of original features and historic fabric, the extent of the internal changes and the particular historic use of the tower, differentiate this proposal from the Rose Cottage appeal.
23. Indeed, Historic England (HE) has expressed serious concerns about the appeal proposal. It submits that the works would cause 'a high degree of harm to the significance of the listed building' by reason of the loss of significant historic fabric which includes the circular staircase, chimney breasts and the loss of the plan form of the building, including the vertical hose shaft. HE and the Council also emphasise the importance of those elements in serving to tell the story of the former uses of the tower, with the narrow staircase and partitions creating confined spaces for firemen to train within.
24. I appreciate that some of the changes, such as the subdivision of the second-floor landing with a new glazed partition, would be partly for fire safety reasons. I also understand that the extant consents/permissions approve a cylindrical glass lift in the lower part of the tower/stair core to provide access to flats on the converted upper floors. The appellant's Heritage Assessment⁴ also suggests that the changes would only be evident to those gaining access to the tower and that the history of its use could be made available in other forms.
25. However, whilst I have considered those points, the protection of listed buildings is not dependent on the extent of public access to them and, currently, the nature of the use of the tower and its history is physically evident in its design and existing features. The proposed changes would result in the significant loss and alteration of much of that internal fabric and the plan form of the tower.
26. Therefore, the above factors lead me to conclude that the proposal would harm the special architectural and historic interest of the listed building. Paragraph 193 of the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Furthermore, Framework paragraph 194 advises that any harm to or loss of the significance of a designated heritage asset from its alteration or destruction should require clear and convincing justification.
27. In assessing the degree of harm caused, I have taken into account that the tower forms one constituent part of the listed building, albeit a central and important one, and that its external appearance, a principal contributor to its significance in the public realm, would be relatively unaffected. Internally, there are attempts in the design to mitigate harm, such as the position of the new spiral staircase and the demarcation of the hose drop infill. Therefore, whilst there would be a significant loss of historic internal fabric and original plan form within the tower, I consider that the overall level of harm to the significance of the listed building would, in the terms of the Framework and in

⁴ Prepared by DLG Architects LLP (August 2018)

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this particular instance, be 'less than substantial' harm. However, I am mindful that 'less than substantial harm' still attracts great weight.⁵

28. In such circumstances, paragraph 196 of the Framework says that the 'less than substantial' harm should be weighed against the public benefits of the proposal, which can include the securing of the optimum viable use of listed buildings. I will consider that aspect further within my conclusion below.

Living conditions of future occupiers

29. The London Plan (2016) incorporated the Government's 'Technical housing standards – nationally described space standard' (the space standard).⁶ That sets out, amongst other things, minimum gross internal floor areas (GIA) for various types of dwellings. For a 1 bed 1 person flat the GIA should be 39m². For a 1 bed 2 person flat the GIA should be 50m² or 58m², if the unit is 2 storeys. However, the space standard does not appear to provide a GIA for a 1-bedroom unit over 3 storeys. The proposed one bedroom flat would, according to the Council, provide 54.6m² of living accommodation spread over three floors (excluding the second-floor entrance lobby leading directly onto the staircase). The Council considers that, given the heritage constraints which would be likely to prevent extensions, the proposed floorspace would be acceptable and I see no reason to take a different view.
30. Nevertheless, the Council is concerned that the proposal would not comply with the space standard requirement for a minimum floor-to-ceiling height of 2.3m for at least 75% of the GIA. It is agreed that the floor-to-ceiling height would be 2.53m at third floor level, 2.22m at fourth floor level and 2.19m at fifth floor level. It is relevant that the supporting text to policy H6 of the Camden Local Plan 2017 (CLP) indicates that: *'Where dwellings will be created from conversions or changes of use, the Council will apply the nationally described space standard flexibly taking into account the constraints arising from conversion of existing buildings, particularly listed buildings and other heritage assets.'*
31. The third floor, which would comprise the dining and kitchen area would be in excess of the minimum, whilst the fourth and fifth floors would fall 8cm and 11cm, respectively, below. The appellant says that whilst under other circumstances, the floor slabs could have been adjusted, that approach was not proposed in recognition of the Grade II* listed status of the building. Therefore, given the relatively minimal extent of the shortfalls and the heritage constraints, acknowledged as relevant factors within the supporting text of CLP policy H6, I am satisfied that no material harm would result to living conditions.
32. There are existing south-west facing windows, about 1.2m² in size, on each of the three floors which would serve the kitchen/dining room, lounge and bedroom, respectively. The fourth floor also benefits from an additional smaller window on the north-east elevation, which would serve a bath or shower room. At the time that the planning application was determined, no daylight or sunlight assessment had been provided. However, the appellant has submitted a 'Daylight and Sunlight Report' (DSR) with the appeal.⁷

⁵ Paragraph 193 of the Framework

⁶ March 2015

⁷ Prepared by Brooke Vincent + Partners (BVP), dated: 11 January 2019

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33. The DSR refers to the Building Research Establishment (BRE) publication, 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' (2011). Whilst I understand that document is due to be updated, as it is based on British Standard BS 8206-2:2008 which has recently been superseded by BS EN 17037:2018, it provides advice rather than mandatory requirements and indicates that *'numerical guidelines should be interpreted flexibly since natural lighting is only one of many factors in site layout design'*.
34. Average Daylight Factor (ADF) is the relevant numerical BRE guideline referred to by the parties. The DSR finds that the ADF would be 1.28% for the dining room/kitchen (third floor) and 1.45% for the living room/lounge (fourth floor), against a recommended level value of 1.5% ADF. The bedroom on the fifth floor would have an ADF of 4.2% against a recommended level of 1%, as it would also benefit from a skylight to the roof terrace. Therefore, two of the rooms would be below the recommended levels with another well above.
35. The Council suggests that the relevant recommended level for the kitchen is 2% rather than 1.5%. However, it is germane in my view that the room would also form a dining room, with the kitchen to the rear served by task lighting. In any case, it is accepted that two of the rooms are below the minimum guideline ADFs. However, the DSR says that the effect is of minor adverse significance and that annual and winter sunlight availability would be above the recommended values. Overall, taking into account the constraints on change in a Grade II* listed building, and from what I saw on my site visit, I consider that the natural light levels would be acceptable.
36. With regard to outlook, there is debate between the parties as to whether the dwelling would be single or dual aspect. Given that there is one south-west facing window on each floor, supplemented by one smaller window on the fourth floor serving a shower room, I agree with the Council that the flat would be essentially single-aspect. Policy D1 of the CLP indicates, in its supporting text, that the Council will seek to ensure that residential development, both for new buildings and changes of use, is dual aspect except in exceptional circumstances. The Mayor of London's Housing Supplementary Planning Guidance (SPG) also seeks to minimise the number of single aspect dwellings. However, the SPG does acknowledge that good single aspect one and two bedroom homes are possible where limited numbers of rooms are required, the frontage is generous, the plan is shallow and the orientation and or outlook is favourable.
37. In this case, the significance of the external appearance of the tower within the Grade II* listed building, would be very likely to preclude additional windows. It seems to me, as alluded to by the Council, that would form an 'exceptional circumstance', as referred to in the supporting text of CLP policy D1. The south-west facing window on each floor provides increasingly good views across the rooftops of other parts of the listed building and beyond, as one ascends the tower. Moreover, the proposed roof terrace would provide 20m² of outdoor living space and spectacular 360-degree views across London. In any case, in planning terms, poor 'outlook' is more usually understood to relate to the proximity of large or dominant structures that would have an overbearing effect, which is not the case here. In the round, I consider the outlook to be acceptable.

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38. Overall therefore, I disagree with the Council that the opened out living space would be awkward or claustrophobic. Consequently, I conclude that the proposed flat would provide acceptable living conditions for future occupiers, with particular regard to internal living space, access to light and outlook. Indeed, it would provide a unique and novel living space within a remarkable building. It follows that there would not be significant conflict with policies H6 and A1 of the CLP, which, amongst other things, seek to ensure that housing is well-designed and provides a good quality of life for future occupiers, taking account of factors such as living space, sunlight and daylight. The proposal would also comply with similar policies within the Framework, in that respect.

Other Matters

39. With regard to Appeal B, the Council's additional reasons for refusal related to the absence of a legal agreement to secure the development as 'car-free', with no entitlement to a Resident Parking Permit, and to provide a financial contribution towards the provision of off-site affordable housing. The appellant was willing to enter into such an agreement and a completed s106 Agreement has been provided during the course of the appeal, signed by the relevant parties. It secures both car-free housing and an affordable housing payment of £96,990, which was the sum calculated by the Council as appropriate, in addition to the contribution made in relation to the development of the rest of the site under the extant permissions.
40. I am satisfied that it is necessary and reasonable to secure the development as car-free, as it is within an area which has an excellent Public Transport Accessibility Level (PTAL) of 6a, so that it promotes healthy and sustainable transport choices, in accordance with policies T1 and T2 of the CLP and similar policy in the Framework. An affordable housing payment is also necessary to maximise the contribution of the site towards the supply of affordable housing in the area, in accordance with policy H4 of the CLP and relevant parts of the Framework.
41. Given those factors, the s106 planning obligation would comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 and paragraph 56 of the Framework, as it is necessary to make the development acceptable in planning terms; directly related to the development; and, fairly and reasonably related in scale and kind to the development. Therefore, given that the Council have prepared and executed the s106 Agreement (along with the appellant and a mortgagee), I am satisfied that it addresses the Council's second and third reasons for refusal, in relation to Appeal B.
42. Whilst some local residents have expressed concerns about effects on the BCA, in addition to the listed building, the main proposed changes would be to the interior of the tower, with external works largely confined to the removal of some chimney stacks on the roof, which are already mostly shielded by a parapet. Given the limited nature of the external alterations there would be little effect on public or private views of the building. Therefore, the character and appearance of the BCA would be preserved. I note that the Council takes a similar view in that respect.

Conclusions – Appeal A and Appeal B

43. Paragraph 192 of the Framework advises that in determining applications, account should be taken of the desirability of sustaining and enhancing the

<https://www.gov.uk/planning-inspectorate>

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significance of heritage assets and putting them to viable uses consistent with their conservation. That is echoed in Framework paragraph 196 which acknowledges that public benefits can include securing the optimum viable use of the heritage asset.

44. The proposal would utilise a functionally redundant part of a listed building for a residential use, in a context where extant planning permissions and listed building consents permit the sensitive conversion of the rest of the building to residential flats. Accordingly, the appellant submits that the proposed conversion would be a means of securing the viable use of the tower and enable its assimilation with the use of the rest of the development.
45. However, the Council says that it was understood that the service charges associated with the already consented development across the rest of the site would enable the tower to be maintained in the future. As those extant consents are being implemented, it appears, therefore, that there is already a mechanism by which the tower and the building, as a whole, would be maintained. Given the sturdy design and construction of the tower and the lack of any suggestion that it is in a state of disrepair, the extent of future maintenance required is also likely to be relatively limited. Alternatively, there may be some other functional use to which the tower could be put or the possibility of other proposals which do not entail such extensive loss of internal fabric and plan form.
46. Consequently, I am not convinced that the proposed re-development of the tower is necessary to conserve it or secure the optimum viable use of the listed building. There is no evidence before me to indicate that the conversion of most of the rest of the fire station to 18 flats would fail to secure the long-term future of the building, as a whole, putting it to a viable use that will ensure its conservation. That aspect also further differentiates the appeal from the Rose Cottage appeal. Therefore, I give limited weight to that public benefit argument.
47. In providing an additional dwelling with reasonable living conditions, the proposal would contribute to the Borough's housing stock. Policy H1 of the CLP confirms that the Council will aim to exceed its target for additional homes. The Framework also recognises that small and medium sized sites can make an important contribution to meeting the housing requirement for an area⁸ and encourages the use of previously developed or 'brownfield land'⁹, such as the appeal site. However, 18 units are being provided on the rest of the site and whilst all contributions have a value, a one bedroom flat would be a relatively limited addition to the supply of housing.
48. The supplementary financial contribution towards offsite affordable housing, as required by policy H4 of the CLP, would also offer some benefit, but there would already be a contribution associated with the wider development of the site. In any case, such payments would not, in themselves, normally legitimise causing harm to a listed building.
49. I have found that the proposed flat would provide acceptable living conditions for future occupiers and that issues regarding car-free housing and an

⁸ Paragraph 68

⁹ Paragraph 117

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affordable housing payment have been satisfactorily dealt with by means of a completed legal agreement.

50. Overall however, I conclude that the proposed works fail to preserve the special architectural and historic interest of the Grade II* listed building and that the harm would not be outweighed by the relatively limited public benefits. Nor am I satisfied that the proposal is necessary to secure the optimum viable use of the building. Therefore, the proposal would not satisfy the requirements of paragraph 192 of the Framework or development plan policy D2 of the CLP, insofar as it is relevant.

Overall Conclusion

51. For the reasons set out above and having regard to all other matters raised, I conclude that both Appeal A and Appeal B should be dismissed.

JP Tudor

INSPECTOR

APPENDIX 2 - APPEAL DECISIONS (PINS REF: 3246051 AND 3246053)



Appeal Decisions

Site visit made on 20 July 2020

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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).

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).

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

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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

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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

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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.

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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