

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b> 21/05/2024	
		N/A		<b>Consultation Expiry Date:</b> 30/06/2024	
<b>Officer</b>			<b>Application Number(s)</b>		
Brendan Versluys			2024/1213/P and 2024/2102/L		
<b>Application Address</b>			<b>Drawing Numbers</b>		
26 Medburn Street London NW1 1RH			See decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
<u>Planning permission:</u> Erection of single storey infill rear extension, replacement of existing rooflight, external alterations to existing rear extension.					
<u>Listed building consent:</u> Erection of single storey infill rear extension, replacement of existing rooflight, internal and external alterations to existing rear extension.					
<b>Recommendation(s):</b>		<ol style="list-style-type: none"> <li>1. Refuse Planning Permission</li> <li>2. Refuse Listed Building Consent</li> </ol>			
<b>Application Type:</b>		<ol style="list-style-type: none"> <li>1. Planning Permission (Householder)</li> <li>2. Listed Building Consent</li> </ol>			
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice			
<b>Informatives:</b>					
<b>Consultations</b>					
<b>Adjoining Occupiers:</b>	<b>No. notified</b>	0	<b>No. of responses</b>	0	<b>No. of objections</b>
					0
<b>Summary of consultation responses:</b>		<p>Two site notices were displayed 5/06/2024 which expired 29/06/2024 A press notice was published 6/06/2024 which expired 30/06/2024.</p> <p>No responses were received.</p>			
<b>Site Description</b>					
<p>The application site relates to a three-storey end-of-terrace period property, with single-storey full-width and part width rear extension at ground floor.</p> <p>The property is Grade II listed and is located within the Kings Cross St Pancras Conservation Area.</p>					
<b>Relevant History</b>					

## Site History:

**31690** - The erection of a ground floor single-storey rear extension. **Conditional 04/11/1982**

**HB3004** - The erection of a ground floor single storey rear extension. **Conditional 04/11/1982**

## Relevant Policies

### National Planning Policy Framework 2021

### The London Plan 2021

### Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

### Camden Planning Guidance (CPG)

CPG Design (January 2021)

CPG Amenity (January 2021)

CPG Home Improvements (January 2021)

### Kings Cross / St. Pancras Conservation Area statement

## Assessment

### 3. Proposal

3.1. Planning permission and listed building consent is sought for alterations and additions to the existing dwelling, specifically:

- Infill single storey extension to the rear of the property;
- Replacement of existing rooflight with smaller rooflight;
- Internal alterations, to include new sanitaryware to ground floor WC, new flooring, and works to first floor bathroom including replacement of sanitaryware.

### 4. Planning Considerations

4.1. The material considerations in the determination of this application are as follows:

- Design and Heritage
- Amenity

4.2. As the application site is situated within a Conservation Area and the building is Grade II listed, the following statutory provisions are relevant to the determination of these applications: Section 16, 72 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

4.3. Section 16 requires that in considering whether to grant listed building consent for development which affects a listed building, the local planning authority shall have special regard to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest.

4.4. Section 66 of the Act requires that in considering whether to grant planning permission for

development which affects a listed building, the local planning authority shall have special regard to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest.

- 4.5. The NPPF terms listed buildings designated heritage assets. Section 16 of the NPPF provides guidance on managing change to designated heritage assets through the planning system, including avoiding or justifying harm to the special architectural or historic interest of listed buildings. Paragraph 208 states that “less-than-substantial harm” to a designated heritage asset must be weighed against the public benefits secured by the proposals, including heritage benefits to the assets.
- 4.6. The significance of the listed building derives from its architectural design and materials, planform, evidential value as a mid nineteenth century townhouse, its immediate group value with numbers 27, 28 and 29 (all Grade II listed) and its positive contribution to the character and appearance of the Kings Cross Conservation Area.

### **Assessment of proposals**

## **5. Design and Heritage**

- 5.1. No 26 Medburn Street is part of a terrace of four Grade II listed buildings. The surrounding terraces on Medburn Street are also Grade II listed. The Council has a statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, under Sections 16 and 66 of The Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended).
- 5.2. The application site is located within the Kings Cross Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- 5.3. 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.
- 5.4. Guidance contained within CPG ‘Design’ states that design should respond positively to context and character and integrate well with the existing character of a place, building and its surroundings. In addition, development in conservation areas should only be permitted if it preserves or enhances the character and appearance of the conservation area.
- 5.5. CPG Home Improvements states that rear extensions should be subordinate to the building being extended, be built from materials that are sympathetic to the existing building, respect and preserve the historic pattern and established townscape of the surrounding area. It also states that materials should be contextual, resilient and durable.
- 5.6. Although helpful, it is noted that the CPG does not provide any further guidance in relation to listed buildings, which need a higher level of care and attention. It does note however that ‘the texture, colour, pattern and finish of materials (detailing) should relate well to the existing character and appearance of both the existing home and the wider area, particularly in Conservation Areas and listed buildings.

- 5.7. The house already benefits from a considerably larger rear extension than others in the group. The proposal would result in a rear extension with a floorplate the same size as that of the host building, which would fail to be subordinate. It would additionally conceal the pattern of development and obscure the public view of the back of the terrace through the side gate on Penryn Street, presenting instead a solid form. The infill extension would further erode the uniformity of the rear of the listed terrace, of which this property forms a part.
- 5.8. Given the communal access to the passage and park, works to the back of the house are more widely exposed than similar works would be to houses not arranged in this way, so are more harmful.
- 5.9. For these reasons, the enlargement of the rear extensions is considered harmful to the special interest of the listed building and the character and appearance of the Kings Cross conservation area.
- 5.10. The proposed materiality of the infill extension, being white render with coping stone, to match the materiality of the existing rear extension, as well as the design of the timber panel door to the rear elevation of the infill extension, are considered appropriate and no concern is raised with this aspect of the works.
- 5.11. The internal alterations appear acceptable as is the alteration to the roof light on the rear extension.
- 5.12. There are no public benefits to outweigh the harm caused under Para 208 of the NPPF.

## **6. Residential Amenity**

- 6.1. Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The policy notes that the factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial lighting levels; impacts of the construction phase; and noise and vibration.
- 6.2. The infill extension may result in additional shadowing to the rear garden of 27 Medburn Street, however given the scale of the extension and the presence of the existing rear extension, any additional shadowing would likely have minimal amenity effects compared to the existing situation.
- 6.3. The infill extension would not allow increased overlooking of adjacent properties.
- 6.4. While the infill extension would remove the existing amenity space at the rear of the property, the existing space has limited useful benefit to the occupants in terms of an outdoor living space, given the constrained dimensions and area of the space. It is also understood residents of this group of terraces have access to a communal garden space to the rear of the application site. The applicant would provide their waste/recycling facilities within the dwelling.
- 6.5. The proposal is not considered to give rise to any adverse impacts on residential amenity of any other residential property in the vicinity. In addition, appropriate onsite amenity would be provided.

## **7. Planning Balance and Conclusion**

- 7.1. Overall, the proposed infill extension is considered to represent unsympathetic development that would cause unacceptable harm to the character and setting of the grade II listed building and the appearance of the wider conservation area.

7.2. Considerable importance and weight has been attached to the desirability of preserving or enhancing the character or appearance of the Mansfield Conservation Area, and the settings of any listed buildings, under s.72 of the Planning (Listed Buildings and Conservation Areas Act 1990) as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

7.3. Local Plan Policies D1 and D2, and Chapter 16 (Conserving and enhancing the historic environment) of the NPPF, seeks to preserve and enhance designated heritage assets. The NPPF states in Paragraphs 208 that “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”.

7.4. As discussed above, there are no public benefits to outweigh the harm caused by the proposed works.

7.5. Overall, therefore, on balance, the proposed development does not accord with Chapter 16 of the NPPF which seeks to preserve and enhance heritage assets. The proposal is also contrary to Policies D1 and D2 of the Local Plan. As such, the proposed extension is considered to be unacceptable in terms of size, form and location.

7.6. The proposal would therefore fail to accord with Policies D1 and D2 of the Camden Local Plan 2017. The development would result in unacceptable harm to the host building and adjacent listed buildings at 26-29 Medburn Street, and the setting and character of the Conservation Area.

### **3. Recommendations**

- **Refuse Planning Permission**
- **Refuse Listed Building Consent**