

Delegated Report		Analysis sheet		Expiry Date:		i) 27/11/2024 ii) 05/11/2024	
(Refusal)		N/A / attached		Consultation Expiry Date:		i) 03/11/2024 ii) 03/11/2024	
Officer				Application Number(s)			
Sam FitzPatrick				i) 2024/3836/P ii) 2024/4296/L			
Application Address				Drawing Numbers			
12 & 13 ('The Lodge') Primrose Hill Studios Fitzroy Road London NW1 8TR				Please refer to decision notice.			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
<ul style="list-style-type: none"> i) Erection of single storey extension to courtyard, with doors to both existing studio building and Kingstown Street. Alterations to southern and eastern boundary walls including increase in height and replacement of garage entrances with steel doors. ii) Erection of single storey extension to courtyard, with doors to both existing studio building and Kingstown Street. Alterations to southern and eastern boundary walls including increase in height and replacement of garage entrances with steel doors. 							
Recommendation(s):		<ul style="list-style-type: none"> i) Refuse planning permission ii) Refuse listed building consent 					
Application Type:		<ul style="list-style-type: none"> i) Householder application ii) Listed building consent 					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	02	No. of objections	02
<p>Summary of consultation responses:</p>	<p>Site notices were displayed from 09/10/2024 to 02/11/2024 and a press notice was published on 10/10/2024 that expired on 03/11/2024.</p> <p>Two objections were received from neighbours, whose concerns can be summarised as follows:</p> <ul style="list-style-type: none"> • The proposal would effectively create one large estate, which would reduce available housing supply; • The proposal should not create an additional entrance from Kingstown Street as the properties belong to the Mews, and should maintain their entrances from this direction. Opening the studios to the rear street would undermine the historic character of the mews; • The garages were unlawfully removed and therefore the applicant has relinquished their right to a parking area on the property; • The proposed extension would be a significant change to the nature of the historic caretaker home (named 'The Lodge'), in particular the connection of the building to no.12 Primrose Hill Studios; • The proposal would increase traffic to Kingstown Street and would undermine the privacy of no.34 Kingstown Street due to the close proximity of the proposed entrance to the neighbouring garage. <p><u>Officer Response</u></p> <ol style="list-style-type: none"> 1. <i>It is noted that the amalgamation of two existing dwellings into one home is not resisted, provided there is not a net reduction in housing of more than one dwelling, as set out in Policy H3 of the Camden Local Plan. However, the joining of the two dwellings is resisted for heritage reasons, as set out in section 4 of this report.</i> 2. <i>For all concerns relating to design and heritage, please see section 4 of this report.</i> 3. <i>The garages were approved for removal/demolition under the previous permission granted in 2018 (ref.2018/0191/P), which is considered to have been lawfully implemented. This scheme did involve the retention of one parking space within the courtyard area, so the demolition of the garage structure does not necessarily mean that the applicant has waived their right to a parking space. This matter and other relevant transport concerns are covered in section 6 of this report.</i> 4. <i>For concerns relating to amenity, please see section 5 of this report.</i> 			
<p>Primrose Hill Conservation Area Advisory Committee</p>	<p>The Primrose Hill Conservation Area Advisory Committee (PHCAAC) responded to a request for consultation to confirm their objection to the proposal. Their response regarding conservation concerns can be summarised as follows:</p> <ul style="list-style-type: none"> • There is no objection to the principle of the single storey kitchen extension, and it is noted that this would be an alternative to the approved 2018 scheme. It is noted that this proposal would better preserve the special significance of the listed building compared to previous approvals that would insert a kitchen within the studio 			

room/painting room of no.12;

- The height of the proposed kitchen would be too high in the context of the small service yard and would be overly dominant, especially in terms of the scale relative to 'The Lodge';
- The kitchen would require a substantial increase in the height of the south boundary wall facing Kingstown Street, which conflicts with the domestic scale of the street. The absence of the current 'step-down' would remove the expression of scale;
- The materials of the proposed extension, the new doors to the south boundary wall and ground floor courtyard elevation of no.12, a landscaping scheme, and the repaving of the courtyard and proposed setts and jointing should all be secured by condition.

Officer response:

1. *For concerns relating to design and heritage, please see section 4 of this report.*

Site Description

The application site consists of two buildings; no.12 Primrose Hill Studios and what is referred to as no.13, though historically known as 'The Lodge', located within Primrose Hill Studios. Both are accessed primarily from Fitzroy Road and into the Primrose Hill Studios yard, though there is also an entrance into the Primrose Hill Studios yard through the rear from Kingstown Street; this rear entrance also allows access into The Lodge from the yard, but not into no.12.

Both properties are located at the southern corner of Primrose Hill Studios, a group of Grade II listed buildings constructed in the late 1800s as a speculative development for artists' studio houses.

No.12 would have been one of these studios, and 'The Lodge' would have been a dwellinghouse for a porter, so is the only of the group that was constructed with domestic use as its primary function. Its entrance is located from the smaller yard accessed from Kingstown Road, whilst all the studios are accessed from the larger yard accessed from Fitzroy Road.

Both buildings have two storeys and are constructed of yellow stock brick, and both have a half-hipped roof, and 'The Lodge' also has a flat-roof modern dormer. The two buildings are connected by a courtyard accessed from Primrose Hill Studios and Kingstown Street, including two single-storey flat roof garages. However, these have been partially demolished in line with previous consents at the site. The application site is located within Primrose Hill Conservation Area, which both buildings are considered to contribute positively to, due to their listed status.

Relevant History

Application site

2022/3694/P – Refurbishment of two existing buildings including: replacement of existing rooflights; installation of access hatch to flat roof; recladding of dormer and installation of metal-framed windows and doors to side elevation of no.13; and various external minor alterations including like-for-like replacement of windows. **Planning permission granted 20/08/2024.**

2022/4547/L – Refurbishment of two existing buildings including: general internal remodelling and alterations including relocation of staircase and reinstatement works; replacement of existing rooflights ; installation of access hatch to flat roof; recladding of dormer and installation of metal-framed windows and doors to side elevation of no.13; and various external minor alterations including like-for-like replacement of windows. **Listed building consent granted 20/08/2024.**

2019/5319/P – Variation of Condition 3 (approved plans) of planning permission dated 08/02/2019

ref. 2018/0191/P for First floor extension over existing double garage and single storey link to main dwelling at ground floor, namely to amend the layout of the courtyard and studio building, and re-site the roof lights. **Planning permission refused 11/08/2020.**

Reason for refusal:

- 1) The proposed enlargement of the ground floor extension would by reason of its footprint, scale and siting appear as a dominant addition that would diminish the size and quality of the courtyard space, harming the architectural and historic interest of this Grade II listed building and its setting, and would fail to preserve or enhance the character and appearance of the Primrose Hill Conservation Area.

2019/5354/L – Ground and first floor extension to existing double garage and single storey link to main dwelling at ground floor. **Listed building consent refused 11/08/2020.**

Reason for refusal:

- 1) The proposed enlargement of the ground floor extension would by reason of its footprint, scale and siting appear as a dominant addition that would diminish the size and quality of the courtyard space, harming the architectural and historic interest of this Grade II listed building and its setting.

2019/2137/P – Details of windows and facing materials (render/timber) as required by Conditions 5A & 5B of planning permission dated 2018/0191/P for First floor extension over existing double garage and single storey link to main dwelling at ground floor. **Approval of details granted 11/09/2019.**

2019/2138/L – Details of fixing new link structure to main dwelling as required by Condition 4 of listed building consent dated 08/02/2019 ref. 2018/1156/L for First floor extension over existing double garage and single storey link to main dwelling at ground floor. **Approval of details (listed building) granted 06/09/2019.**

2018/0191/P + 2018/1156/L – First floor extension over existing double garage and single storey link to main dwelling at ground floor. **Planning permission and listed building consent granted 08/02/2019.**

2017/0607/P + 2017/1062/L – Repairs to windows and rainwater pipes, re-roofing, and upgrade to electrical wiring. **Planning permission and listed building consent granted 25/04/2017.**

2010/2162/L – Replacement of roof lantern light to residential flat (Class C3). **Listed building consent granted 07/07/2010.**

Relevant policies

National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

- A1 Managing the impact of development
- D1 Design
- D2 Heritage
- T2 Parking and car-free development

Camden Planning Guidance

- CPG Amenity (Jan 2021)
- CPG Design (Jan 2021)
- CPG Home Improvements (Jan 2021)
- CPG Transport (Jan 2021)

Primrose Hill Conservation Area Appraisal and Management Strategy 2001

Draft Camden Local Plan

The Council has published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1. Proposal

1.1. The application seeks to erect a new single-storey extension to no.12, one of the artist studios within Primrose Hill Studios. This would be accessed through a new opening to the south wall of the building and would accommodate a kitchen. The extension would open into the small courtyard of 'The Lodge' through glazed doors. It is also proposed to make alterations to the boundary wall of this courtyard, including replacing existing doors, creating a new door into the proposed extension (where there is currently a garage door), and raising the height of the courtyard wall to the south and east, which faces onto Kingstown Street.

2. Background

2.1. In response to officer comments, further clarity regarding the on-site parking situation has been provided. This was to demonstrate that there would be no net increase in parking and no conflict between the proposed parking space access and the existing neighbouring garage at no.34 Kingstown Street. These documents and concerns are reviewed in section 6 of this report.

2.2. It is also important to note that there is permission previously granted at the site that has been implemented. This is detailed in this report's 'relevant history' section and involves erecting a first-floor extension over one of the existing garages and a single-storey link to The Lodge at ground level. This permission relates to The Lodge only, as set out by the red line boundary, the approved drawings, and the decision notice. The approved extension at ground level would provide a route into The Lodge and the shared central yard only, and there is no link to the studio building at no.12. For clarity, the approved ground floor plan is provided below in Figure 1.

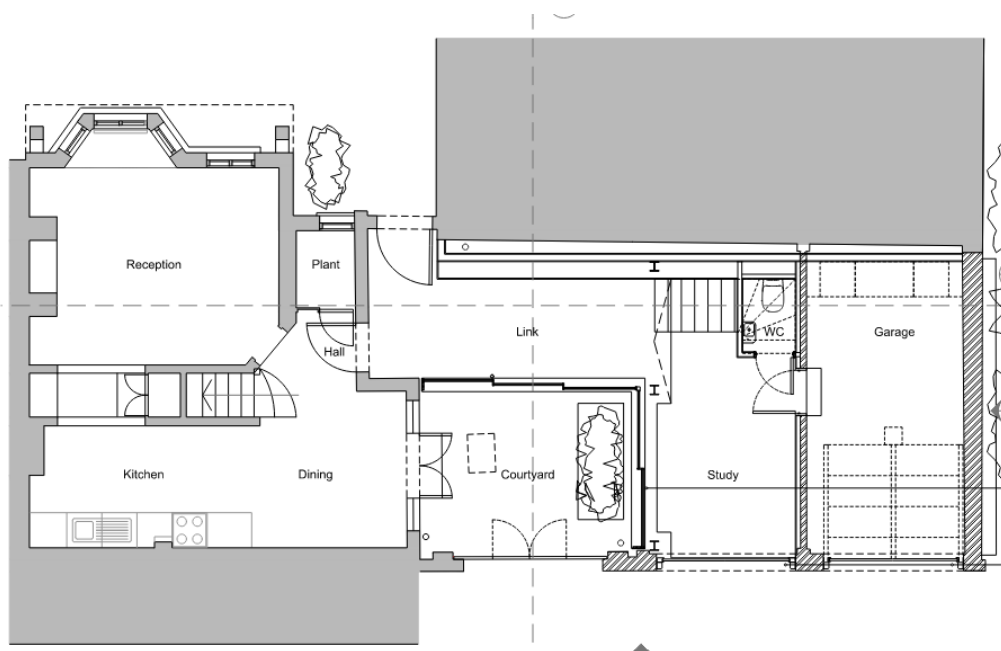


Figure 1: Proposed ground floor plan as approved under application ref. 2018/0191/P

3. Assessment

- 3.1. The principal considerations material to the determination of this application are as follows:
- Design and heritage
 - Amenity
 - Transport

4. Design and heritage

4.1. Local Plan Policy D1 (Design) states that the Council will aim to achieve the highest standard of design in all developments and requires development to be of the highest architectural and urban design quality, which improves the function, appearance, and character of the area. Local Plan Policy D2 (Heritage) states that the Council will seek to preserve and, where possible, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and the setting of its listed buildings. In order to comply with this policy, the Council will require that development involving a listed building will be resisted where the significance or special architectural and historic interest of the building would be harmed.

4.2. The application site is located within the Primrose Hill Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of that area. The property is recognised as a positive contributor by the Primrose Hill Conservation Area Appraisal and Management Strategy. This statement dates from prior to the listing of Primrose Hill Studios, though does refer to the buildings as positive contributors, noting that they are "*constructed in the Arts and Crafts style with hipped roofs and modest scale*".

4.3. The duties imposed by the Listed Buildings Act are in addition to the duty imposed by Section 38(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.

4.4. The relevant parts of the listing description which relate specifically to the subject of this application reads as follows:

"Artists' studio houses. 1877-82. Alfred Healy, builder. Stock brick with red-brick trim. Prominent slate roofs with half and whole hips. Four house types arrayed around a rectangular courtyard... Later east build by two more types (Nos 7 and 8 and Nos 9-12). Further variation in The Lodge, said to have been built as servants' quarters. Varied and picturesque cottage version of Queen Anne idiom, reflecting grander artist's studio houses... Nos 7-12 have smaller footprints and no gardens. Single-storey top-lit studios, variegated rooflines with oversailing eaves... Nos 9-12 could not be lit from the rear and so are differently disposed and smaller; basements not evident. Single-bay studios have large windows... Half hips to each roof, large rooflights in north slopes. Linking low flat-roofed entrance bays, double part-glazed doors, small windows, dentil courses. To rear blind stock-brick gabled walls."

4.5. The proposal involves the erection of a single storey extension to no.12, which is one of the artist's studios. However, the extension would be built within the courtyard of The Lodge, where garages previously existed but have since been demolished, due to the implementation of the previous permission as set out in the 'relevant history' and 'background' sections of this report. The extension would be accessed from the existing studio/painting room of no.12 through a new opening to the southern elevation, and would host a kitchen with glazed doors that open west into the courtyard. This layout is shown in figure 2, which provides the proposed ground floor layout of the application.

4.6. As noted in the listing description, none of the artist studios of nos. 7-12 have

gardens, in part due to their smaller footprints. The yard within which the proposed extension would be located historically appears to have belonged to The Lodge. However, regardless of ownership, the positioning of the new extension and its access into the courtyard would fundamentally alter the relationship between the two properties; by erecting an extension to no.12 that opens onto The Lodge, the existing layout of two separate and unrelated dwellings would be replaced with an intimate face-to-face layout, which would change the houses' relationship to each other.

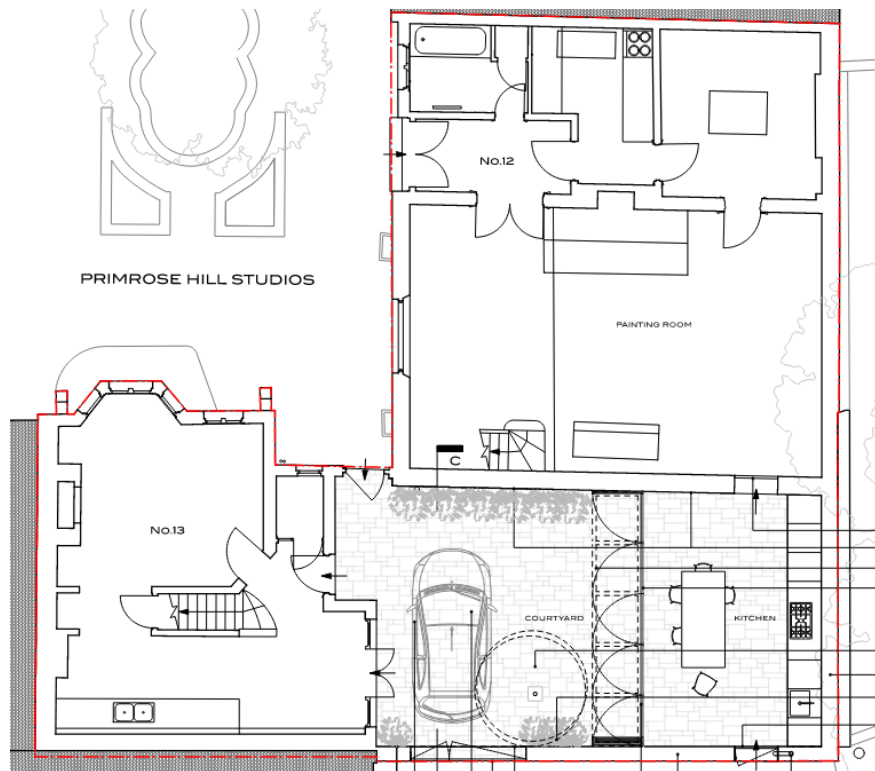


Figure 2: Proposed ground floor as applied for under this application (ref. 2024/3836/P).

- 4.7. It is noted that the applicant currently owns both properties that are the subject of this application. However, the two units are separate in planning terms, and part of their significance is their historic uses and relationship. Although the Council does not resist the amalgamation of two units provided that the net loss of units is no more than one, the conjoining of the two properties would be resisted in heritage terms.
- 4.8. The proposed extension to no.12 and its large, glazed doors opening onto the yard of The Lodge would fundamentally blur the distinction between the two properties, altering the historic relationship. Previous schemes, whilst differing in size and layout, did not provide access from the artist studio into the yard, but kept the two dwellings distinct and separate. This proposal fails to achieve the same result.
- 4.9. In addition to the harmful impact on the historic relationship between the two properties, the addition of the rear extension to the artist's studio interferes with what should be a simple and large internal volume, whilst damaging and removing historic fabric through the creation of an opening. As such, the route through from the large open space that constitutes much of the internal area of no.12 into the new kitchen room would be harmful to plan form.
- 4.10. Although the proposed extension is unacceptable due to its harmful impacts on the plan form, historic fabric, and historic relationship of the listed buildings, the works to the front boundary are mostly considered to be acceptable. The replacement of the existing garage doors with steel doors would be acceptable and would be considered not to harm the setting of the listed building. An opening in this position leading from Kingstown Street into the yard is not considered harmful, however the link between Kingstown Street and the interior of no.12 through the proposed kitchen would again be harmful to the planform of the artist's studio, undermining the significance of the property as detailed in the listing;

this studio is smaller in footprint and accessed through the main shared courtyard, not through ancillary entrances into streets to the rear.

4.11. Special attention has been paid to the desirability of preserving the listed building, its setting, and its features of special architectural or historic interest, and to preserving or enhancing the character and appearance of the conservation area, under s.16, s.66, and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.

4.12. The National Planning Policy Framework provides guidance on the weight that should be accorded to harm to a heritage asset and in what circumstances such harm might be justified. Paragraph 208 states 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*”. Local Plan Policy D2 states that the Council will not permit development that results in harm that is ‘less than substantial’ to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh the harm.

4.13. Given the reasons that have been outlined in the paragraphs above, the proposal would fail to preserve or enhance the heritage asset and would cause harm to its special architectural and historic interest. As a result of this, the proposal would constitute less-than-substantial harm to the designated heritage asset. There are no demonstrable public benefits to the proposal that would be considered to outweigh the harm to the significance of the listed building.

4.14. The proposed extension at ground level would, by reason of its scale, position, and siting, undermine the historic relationship between the two listed buildings, disrupt the planform of the host property, and result in the loss of historic fabric, resulting in harm to the special interest of the host buildings themselves and the character and appearance of the Primrose Hill Conservation Area. Therefore, the proposal fails to comply with Policies D1 and D2 of the London Borough of Camden Local Plan, which constitutes a reason for refusal.

5. Amenity

5.1. Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden’s residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, light availability, and noise. The Council’s guidance contained within ‘CPG Amenity’ provides specific guidance with regards to these aspects.

5.2. Due to the nature of the proposed works and the modest scale and positioning of the proposed extension, it is not considered that there would be any resulting unacceptable impact with regards to light availability.

5.3. The rear extension does include large, glazed doors that open west into the courtyard of The Lodge. These would directly face the east elevation of The Lodge, with a distance of approximately 5.5m from the doors to the nearest part of the neighbouring building.

5.4. As previously noted, although it is understood that the two properties are currently under the ownership of the applicant, matters of ownership are not a material planning consideration, and the two properties must therefore be assessed as separate planning units. As a result of this, the proposed extension would result in clear views into the neighbouring property that would be harmful to the amenity of future occupiers in terms of overlooking and privacy. CPG ‘Amenity’ states that new extensions “*should be carefully designed to avoid overlooking*”, and recommends a separation distance of 18m to ensure

privacy between existing properties facing proposed development. Although there is some flexibility with regards to separation distance, the extremely short distance and extent of glazing to the proposed extension would result in direct overlooking between the two properties. Irrespective of the current ownership of the properties, this would result in a harmful impact to the amenity of future occupiers of the two units, and so would fail to comply with the Council's policies and guidance on amenity impact.

- 5.5. Although the proposal would not be considered to result in harmful impacts to amenity in terms of light availability, outlook, or noise, the impact on privacy and overlooking would be considered to be unacceptable and contrary to the Council's policies and guidance. As such, the development would fail to safeguard the amenities of residential occupiers, contrary to Policy A1 of the London Borough of Camden Local Plan, which constitutes a reason for refusal.

6. Transport

- 6.1. Policy T2 (Parking and car-free development) sets out that new residential development should be secured as car-free and that the Council will resist the development of boundary treatments and gardens to provide vehicle crossovers and on-site parking. The CPG 'Transport' also makes clear that any car parking spaces located on-site must be designed in such a way that vehicles are not prioritised over pedestrian users and the new means of access do not cause harm to the safety of other users of the development and the highway.

- 6.2. It was previously suggested to the applicant that the proposal would result in an increase of on-site parking as the existing plans show there to be no car parking space within the courtyard, whilst the proposed plans show a new parking space immediately adjacent to The Lodge. Additionally, the proposed location of the parking space was noted to result in conflict between this and the existing garage of no.34 Kingstown Street, as well as potentially causing road safety concerns due to the restricted nature of the parking space and the likely manoeuvring issues that may arise. In response to this and to provide further clarity, the applicant submitted a car parking statement and swept path diagram.

- 6.3. The additional documents provided by the applicant demonstrate that there would be no net increase in on-site parking. The site currently benefits from off-street parking spaces, though the previously approved 2018 scheme would reduce this to one on-site space. The current proposal would relocate the existing parking space to a position where it is closer to The Lodge, allowing for the erection of the proposed extension in the position of the consented parking space. As such, it would effectively be retaining and relocating a car parking space within the courtyard, rather than providing a net increase in car parking.

- 6.4. The swept path drawing does also clearly show that a vehicle would be able to reverse into the courtyard without conflict with the garage and step of no.34 Kingstown Street. It would also appear that this property has converted their garage into habitable space, so there would be no conflict between the use of the garage and the proposed parking space. Vehicles using the proposed parking space would be able to exit onto Kingstown Street in forward gear, so there would be no highway safety concerns.

- 6.5. Therefore, the proposal would not involve a net increase in car parking and would be considered not to present a road safety concern. As such, the proposal would be acceptable in transport terms and would comply with Policy T2 of the London Borough of Camden Local Plan.

7. Recommendation

- 7.1. Refuse planning permission for the following reasons:

- 1) The proposed extension, by reason of its scale, position, and siting, would undermine the historic relationship between the two listed buildings, disrupt the

planform of the host property, and result in the unacceptable loss of historic fabric, resulting in harm to the character and appearance of the conservation area and the special interest of the listed buildings, contrary to Policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

- 2) The proposed extension, by reason of its location and position, would result in direct overlooking to the windows and amenity space of the neighbouring property, resulting in harm to the amenity of neighbouring properties, contrary to Policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

7.2. Refuse listed building consent for the following reasons:

- 1) The proposed extension, by reason of its scale, position, and siting, would undermine the historic relationship between the two listed buildings, disrupt the planform of the host property, and result in the unacceptable loss of historic fabric, resulting in harm to the character and appearance of the conservation area and the special interest of the listed buildings, contrary to Policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.