

Application ref: 2024/5217/L
Contact: Adam Greenhalgh
Tel: 020 7974 6341
Email: Adam.Greenhalgh@camden.gov.uk
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Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Studio 309 Ltd.
75 Whitworth Road
London
London
SE18 3QG
United Kingdom

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted and Warning of Enforcement Action

Address:
161 Arlington Road
London
NW1 7ET

Proposal:

Removal of existing conservatory and erection of a single-storey ground floor rear extension with a basement extension below, part-infill of existing lightwell to the front, and repainting of former shopfront to the ground floor facade.

Drawing Nos:

Location Plan, 001C:-001, 002, 010 A, 011, 015, 016 B, 017 B, 020 C, 021 A, 025 C, 026 D, 027 D, 037 B, 050 A, 051 A

Planning Statements (Studio 319)

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

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved document and drawings:

Location Plan, 001C:-001, 002, 010 A, 011, 015, 016 B, 017 B, 020 C, 021 A, 025 C, 026 D, 027 D, 037 B, 050 A, 051 A

Planning Statements (Studio 319)

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting Listed Building Consent:

The previous Listed Building Consent application ref. 2024/1821/L dated 16/8/24, was refused. It was for:

'Removal of existing rear conservatory and erection of a two storey, ground and first floor rear extension with a rear basement extension (with a rear lightwell) below. Internal alterations including removal of internal walls and installation of partitions on ground floor. Replacement of all windows with double glazed hardwood sash windows and UPVC double glazed windows (rear)'.

The reason for refusal was 'The proposed two storey rear extension, rear basement extension, rear lightwell, and replacement windows, by reason of their design, bulk, scale, siting, and materiality would result in harm to the special interest and significance of the Grade II listed building, contrary to policy D2 (Heritage) of the Camden Local Plan (2017)'.

The current application has addressed the above reason for refusal.

The proposed external works include the demolition of the existing rear conservatory and construction of a ground floor and basement rear extension. The proposed 3.5m deep, 3.8m wide lower ground and ground floor rear extension (single storey above ground level) would be of a modest and subservient design, siting and appearance on the building. There is no objection to the loss of the existing extension and the principle of replacing it

with another single storey (above grade) extension is acceptable. The works also include excavation to create a lightwell, which is acceptable given the limited nature of the area to be excavated and it is within the same footprint as the ground floor.

The formation of a small utility area within a part of the front lightwell (below the ground floor bin store) would not affect the heritage significance of the Listed building.

The proposed access and junctions between the proposed new works and the existing parts of the planform are acceptable as they preserve the historic openings and circulation.

- 2 Section 16(2) of the Listed Buildings Act 1990 (Planning (Listed Buildings and Conservation Areas) Act 1990) directs that "In considering whether to grant listed building consent for any works, the Council is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest, which it possesses."

Conclusion on effects on architectural and historic merits of Listed building:

The proposed ground and basement rear extension (and lightwell), alterations to the front lightwell and internal alterations would not harm the architectural and historic merits of Listed building.

While the proposals are acceptable in terms of the effects on the architectural and historic character of the Listed Building it has been noted that certain unauthorised works have been undertaken without Listed Building Consent. It is therefore recommended that Listed Building Consent for the proposals is granted with a warning of enforcement action as follows:

'The following unauthorised works are considered to be harmful to the special architectural and historic interest of the listed building: the door to the rear terrace at first floor level, the existing first floor spine wall openings at ground and first floor, the removal of the doorway from the landing to the front first floor room. As such, enforcement action may be taken to address this matter if the existing unauthorised works are not removed and replaced in accordance with the details and materials shown in the relevant drawings under this Listed Building Consent, within 3 months of the date of the decision'

No letters of objection have been received as a result of statutory consultation on the application.

The planning history of the site and the neighbouring sites have been taken into account in the assessment of the application.

As such, the proposed development is in general accordance with policy D2 of the Camden Local Plan 2017. It also accords with the London Plan 2021 and the National Planning Policy Framework 2024.

- 3 You are advised that any works of alterations or upgrading not included on the

approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.

- 4 The door to the rear terrace at first floor level, the existing first floor spine wall openings at ground and first floor levels, and the removal of the doorway from the landing to the front first floor room are unauthorised works. In the event that these unauthorised works are not removed and the works as shown in the approved drawings are not implemented within 3 months from the date of this listed building consent being granted then the Borough Solicitor will be instructed to instigate formal enforcement action to resolve this breach of planning control.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer