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| Delegated Report | | | Analysis sheet | | | | |  | Expiry Date: | | | **07/05/2024** | |
| N/A / attached | | | | | | **Consultation Expiry Date:** | | | 26/04/2024 | |
| Officer | | | | | | | Application Number(s) | | | | | | |
| Catherine Bond | | | | | | | 2025/0975/L | | | | | | |
| Application Address | | | | | | | Drawing Numbers | | | | | | |
| 16 Cleveland Street  London  W1T 4HX | | | | | | | Site Location Plan; 548 1 0.001 rev B - Existing Lower Ground Floor Plan; 548 1 0.002 rev B - Existing Ground Floor Plan; 548 1 0.003 rev B - Existing First Floor Plan; 548 1 0.004 rev B - Existing Second Floor Plan; 548 1 0.005 rev B - Existing Third Floor Plan; 548 1 0.006 rev B - Existing Elevations; 548 1 0.007 rev B - Existing Section A-A; 24067-1001 rev P01 - Lower Ground Floor Plan As Built; 24067-1002 rev P01 - Ground Floor Plan As Built; 24067-1003 rev P01 - First Floor Plan As Built; 24067-1004 rev P01 - Second Floor Plan As Built; 24067-1005 rev P01 - Third Floor Plan As Built; 24067-1006 rev P01 - Proposed Lower Ground Floor Plan (Photos Key); 24067-1007 rev P01 - Proposed Ground Floor Plan (Photos Key); 24067-1008 rev P01 - Proposed First Floor Plan (Photos Key); 24067-1009 rev P01 - Proposed Second Floor Plan (Photos Key); 24067-1010 rev P01 - Proposed Third Floor Plan (Photos Key); 24067-2001 rev P01 – External Elevations As Built; 24067-3001 rev P01 – Section AA As Built; 24067-6003 rev P01 – Door Details As Built; Appendix A – Whitegoods Product Information; Appendix B – Crestron Excite Product Information; Appendix C – Smoke & Heat Alarms Product Information; Appendix D – Diffuser Product Information; Appendix E – Automist Product Information; Lower Ground Floor – As Built Photos; Ground Floor – As Built Photos; First Floor – As Built Photos; Second Floor – As Built Photos; Third Floor – As Built Photos; Front Elevation – As Built Photos; Cover Letter including Design and Access Statement; Heritage Impact Statement. | | | | | | |
| PO 3/4 | Area Team Signature | | | C&UD | | | Authorised Officer Signature | | | | | | |
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| Proposal(s) | | | | | | | | | | | | | |
| Alteration to the interior and exterior of property and regularisation of works undertaken outside of the scope of approvals relating to 2019/3687/P and 2019/4759/P granted on 14/10/2021, in particular door and wall positions, recessed spot lights, smoke alarms, flush mounted speakers, extract diffusers and ventilation louvres, and radiator casings (retrospective). | | | | | | | | | | | | | |
| Recommendation(s): | | Refuse listed building consent and warn of enforcement action to be taken;That the Head of Legal Services issues a Listed Building Enforcement Notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requiring the removal of unauthorised internal and external works and making good of affected fabric (as identified in this report), and officers be authorised in the event of non-compliance to prosecute under Section 172 or appropriate power and/or take direct action under Section 178 in order to secure cessation of the breach of planning control. | | | | | | | | | | | |
| **Application Type:** | | Listed Building Consent Application | | | | | | | | | | | |
| Conditions or Reasons for Refusal: | | Refer to Assessment section below | | | | | | | | | | | |
| Informatives: | |
| Consultations | | | | | | | | | | | | | |
| Adjoining Occupiers: | | No. notified | | | **14** | No. of responses  No. electronic | | | | **02**  **02** | No. of objections | | **02** |
| Summary of consultation responses: | | The applications were advertised through a site notice and a press notice.  No responses were received. | | | | | | | | | | | |
| CAAC/Local groups\* comments:\*Please Specify | | Charlotte Street Conservation Area Advisory Committee, Charlotte Street Association & Fitzrovia Neighbourhood Association were consulted.  No responses were received. | | | | | | | | | | | |

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| Site Description |
| The application site is located on the east side of Cleveland Street, within the Charlotte Street Conservation Area. The property is grade II listed and comprises a four-storey terraced townhouse raised on a basement, dating from the late-18th century. It is constructed from darkened stock brick topped by a parapet and is three bays wide. The upper ground floor contains a later timber shopfront with an enriched entablature and two entrance doors, positioned behind a front lightwell bounded by cast-iron railings. The property is in use as a single-family dwelling. |
| Relevant History |
| 2013/7846/P & 2013/7983/L – planning permission and listed building consent granted on 28/07/2014 for works associated with change of use from community use D1 to C3 residential use (1x4 bed maisonette and 1x2 bed flat).  2014/4508/P – planning permission granted on 03/09/2015 for change of use from community use D1 to C3 residential use (1x4 bed maisonette and 1x2 bed flat) and excavation of vaults at lower ground floor level.  2014/4687/L – listed building consent granted on 22/03/2016 for excavation of vaults at lower ground floor level to provide dressing room and storage and minor internal alterations to the building.  2014/6532/L – listed building consent granted on 17/10/2014 for demolition of two-storey rear outbuilding.  2016/6639/P – planning permission granted on 09/10/2019 for variation to condition 3 (approved drawings) of planning permission 2013/7846/P) dated 28/07/2014, namely for alterations to install two new kitchen vents on the ground and first floor south east side elevation of the rear lightwell.  2016/6899/L – listed building consent granted on 12/11/2019 for external and internal alterations including installation of two new kitchen vents on the ground and first floor south east side facade, alterations to drainage in the rear lightwell, installation of replacement cast iron down pipes, alterations to top floor WC and cupboard and removal of two doors between the lower ground floor front vaults.  2019/3867/P – planning permission granted on 06/05/2021 for conversion of 2 flats into a single family dwelling house (Class C3) and associated external alterations.  2019/4544/P – planning permission granted on 21/07/2020 for installation of an air conditioning unit with associated enclosure in the front lightwell at basement level and the rear lightwell at ground floor level to the existing residential dwelling.  2019/4759/L – listed building consent granted on 14/10/2021 for external and internal works, including replacement of existing basement door on the rear elevation with a new door, installation of external lighting on ground floor front elevation, removal and replacement of entry phone system on the ground floor front elevation and removal and replacement of security alarm to first floor level on the front elevation, installation of secondary glazing, new built-in joinery, new door opening in hallway, new doors, new hearth and surround at second floor level and reinstatement of the original wall of the utility room at third floor level, all in association with the conversion of 2 flats into a dwelling house.  Installation of an air conditioning unit with associated enclosure in the front lightwell at basement level and the rear lightwell at ground floor level and installation of internal floor mounted and ceiling mounted air conditioning units to the existing residential dwelling.  2019/5008/L – listed building consent granted on 22/07/2020 for installation of an air conditioning unit with associated enclosure in the front lightwell at basement level and the rear lightwell at ground floor level and installation of internal floor mounted and ceiling mounted air conditioning units to the existing residential dwelling.  EN19/0628 – enforcement case opened 26/06/2019 and closed 21/09/2020 with no enforcement action for works taking place to a grade II listed building without permission.  EN23/0820 – enforcement case opened 11/10/2023 for construction of wall of utility room at third-floor level over staircase, a departure from the approved location of the wall granted through listed building consent, stipulated to be carried out within 9 months of the decision. |
| Relevant policies |
| **National Planning Policy Framework (2024)**  16. Conserving and enhancing the historic environment  **The London Plan (2021)**  7. Heritage and culture  **Camden Local Plan (2017)**  D1 (Design)  D2 (Heritage)  **Camden Planning Guidance CPG1 Design (2021)**  3. Heritage  **Charlotte Street Conservation Area Appraisal and Management Strategy (2008).** |
| Assessment |
| **Introduction:**  Listed building consent is sought retrospectively for various internal and external alterations to the application property. Whilst there is an extensive planning history since 2013, commencing with the grant of a change of use from community to residential, the current application proposals constitute departures from listed building consent ref 2019/4759/L, granted on 14/10/2021 for various internal and external works. Prior to the submission of this application, a listed building enforcement case ref EN23/0820 was opened on 11/10/2023.  **Legislative and policy background:**  Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”) require that local authorities shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area when considering applications relating to land or buildings within that area.  Local Plan Policies D1 (Design) and D2 (Heritage) aim to achieve 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.  **Assessment:**  Whilst the application property was variously altered during the 20th century, principally to provide a community facility and ancillary offices for the NHS, it is of significance as a late 18th century Georgian townhouse with a well-preserved frontage incorporating an historic shopfront at upper ground-floor level. Not only does the property as a grade II listed building have important group value, as part of an historic terrace of five similar houses with shopfronts on the east side of Cleveland Street, but it closely follows the architectural hierarchy and layout of a traditional London terraced house of its period. It is raised on a basement with a front lightwell screened by railings, with principal *piano nobile* accommodation in the middle floors, and secondary accommodation contained in the upper and lower floors. Recent authorised works subject of listed building consent ref 2019/4759/L have helped to reinforce the significance of the historic floor plans and layouts, key elements contributing to the building’s special interest which include the original front and rear room arrangement divided by a central spinal wall and with a dog-leg staircase rising up the rear of the building. Typical of Georgian interiors, the rooms are of a cellular nature with a plain treatment. As such, the special interest of the interior derives from the layouts and 3D spatial character of each floor level as key components of the architectural hierarchy of the listed building, rather than from elaborate internal decorative features. The inherent spatial qualities are immediately apparent internally, as well as legible externally due to the property’s close relationship with the street.  The as-built scheme goes beyond the consented works subject of listed building consent ref 2019/4759/L, by installing various out-of-keeping and non-essential fittings, devices and appliances to the building interior, many of which cause harm by detracting visually and in some instances with negative impacts on historic fabric. No proper justification has been given for the works, in connection with the preservation of the listed building or in terms of any resultant public benefit. Where applicable, there is no evidence alternative options have been explored As set out in the List of Breaches of Listed Building Consent section below, the harmful works include the installation of large numbers of ceiling downlighter spotlights, home music system ceiling sound speakers, rectangular ceiling air conditioning grilles, air conditioning air handling units and housings, and an inner jib door to a glazed external door.  The as-built scheme also includes insensitive changes to the building exterior, which are beyond the scope of the approved works and, as such, have not been justified in the context of the harm they cause both to the listed building and to the surrounding conservation area. They include the installation of a burglar alarm box on the timber fascia of the historic shopfront rather than on brickwork above (as approved) and the installation of grey projecting downlighters on the front entrance door pilasters rather than black (as approved).  On visiting the property, officers have also found additional unauthorised works not subject of this listed building consent application, which are departures from the approved scheme. Some of these works are considered to cause harm to the special interest of the listed building, including the infilling of two chimney breast alcoves and the installation of a fire mister system in the upper ground-floor dining room, the installation of high-illumination wired-in lightfittings to an authorised first-floor shelving unit, the abrasive cleaning of brickwork in the front lightwell, and the installation of an additional entryphone panel to an upper ground-floor entrance door.  **List of Breaches of Listed Building Consent:**  The application documents highlight items which have been implemented as departures from the above-mentioned listed building consent ref 2019/4759/L, which are set out below. However, the submitted drawings do not indicate all unauthorised works. On inspecting the building, officers have identified a number of additional items, which are marked below.    Lower Ground Floor:   1. Flush downlighters installed in ceilings of front and rear bedrooms, hall and WC. 2. Flush mount sound speakers installed in ceilings of front and rear bedrooms. 3. Heat/smoke alarms surface-mounted to ceiling of hall corridor. 4. Extractor diffuser surface-mounted to rear bedroom ceiling. 5. Rectangular air conditioning grilles fitted flush in ceilings of front and rear bedrooms.      1. Built-in floor-to-ceiling height wardrobes with integral power socket housings & built-in light -fittings wired to main power circuit installed in alcoves either side of bed location in front bedroom. 2. Built-in floor-to-ceiling height timber-effect dressing room storage units with integral light-fittings attached to north, east and west walls in rear bedroom with integral light fittings wired to main power circuit. 3. Partition, door leaf and door surround constructed in hall corridor in location departing from approved scheme ref 2019/4759/L. 4. Internal secondary jib door installed in existing opening to front lightwell, behind external glazed door and creating double-door arrangement within internal front lobby.     Upper Ground Floor:   1. Flush downlighters installed in ceilings of dining room, kitchen, entrance hall, inner hall & staircase. 2. Flush mount sound speakers installed in ceilings of dining room and kitchen. 3. Heat/smoke alarms surface-mounted to ceiling of kitchen and hall. 4. Alcoves either side of chimney breast infilled with plasterboard and timber skirting boards to create entirely flush north wall within dining room (not subject of this application). 5. Automist T-nozzle fire mister plate, equipment and associated services including hose, pipework, tank and pump, installed in and behind unauthorised false plasterboard wall to right of fireplace to north wall of dining room. 6. Single six-panelled timber FD30 door installed in opening between dining room and entrance hall accessing upper floors, departing from double doors design approved scheme ref 2019/4759/L.     First Floor:     1. Flush downlighters installed in ceilings of kitchen and staircase. 2. Flush mount sound speakers installed in ceilings of living room and kitchen. 3. Heat/smoke alarms surface-mounted to ceilings of kitchen and staircase. 4. Air handling units for connection to consented air conditioning condenser unit and associated pipework, fixtures and fittings including radiator-style housings and associated joinery, installed below three windows in living room. 5. Fireplace hearth & surround installed on north wall of living room with specification matching approved second-floor fireplace (not subject of this application).      1. Built-in high illumination light fittings wired to main electrical circuit, within approved fitted shelving unit on south wall of living room (not subject of this application).   Second Floor:   1. Flush downlighters installed in ceilings of front and rear bedrooms, bathroom, landing and staircase. 2. Flush mount sound speakers installed in ceilings of front and rear bedrooms, and bathroom. 3. Heat/smoke alarm surface-mounted to ceiling of staircase. 4. Extractor diffuser surface-mounted to bathroom ceiling. 5. Air handling units for connection to consented air conditioning condenser unit and associated pipework, fixtures and fittings including radiator-style housings and associated joinery, installed below one window in front bedroom and one window in rear bedroom. 6. Built-in timber-effect bedroom shelving storage unit attached to east wall in rear bedroom.     Third Floor:   1. Flush downlighters installed in ceilings of front and rear bedrooms, bathroom, landing and staircase. 2. Flush mount sound speakers installed in ceilings of front and rear bedrooms, and bathroom. 3. Heat/smoke alarm surface-mounted to ceiling of landing. 4. Extractor diffuser surface-mounted to bathroom ceiling. 5. Air handling units for connection to consented air conditioning condenser unit and associated pipework, fixtures and fittings including radiator-style housings and associated joinery, installed below one window in front bedroom and one window in rear bedroom. 6. Landing utility cupboard flank wall re-located to previous position adjacent to stairwell, removing cantilever over stairwell contrary to approved scheme ref 2019/4759/L. 7. Wall-hung twin-flue combination boiler, hot water tank and associated pipework installed in landing utility cupboard (not subject of this application).     Front Elevation:     1. Burglar alarm box with black finish installed on southern end of shopfront fascia above upper-floors entrance door, contrary to approved scheme ref 2019/4759/L.      1. Two black and stainless steel finish entry phone panels surface-mounted on upper ground-floor pilasters adjacent to two upper ground-floor entrance doors, instead of one completely black finish panel to southern entrance door as per approved scheme ref 2019/4759/L (not subject of this application). 2. Grey projecting downlighters installed on entrance door pilasters instead of black downlighters as per approved scheme ref 2019/4759/L. 3. Abrasive cleaning of brickwork on front elevation within lower ground-floor front lightwell (not subject of this application).   Rear Lightwell:     1. Grey projecting downlighters surface-mounted on rear lightwell external walls (not subject of this application). 2. Decorative mirror panels attached to rear lightwell external walls (not subject of this application).   **Heritage Impacts:**  An assessment and evaluation of the unauthorised works are necessary in accordance with chapter 16 of the NPPF 2024 to assess the level of harm caused to the significance of the affected designated heritage assets.  NPPF para 203 requires that those assessing applications take account of ‘the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.’ Para 212 states 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’, and para 213 states that ‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification’. Substantial harm to a listed building of any grade should be exceptional. Where the harm to a designated heritage asset is less than substantial, para 215 advises that ‘this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.’  The application property is of historic and architectural significance as a grade II listed late 18th century Georgian townhouse with a well-preserved external envelope, which makes an important contribution to group value and the surrounding conservation area. Internally, the house retains the architectural hierarchy and layout of a London terraced house of its period, incorporating at all levels the traditional front and rear room arrangement. Typical of Georgian interiors, the rooms are of a cellular nature with a plain treatment. This simple character has therefore been damaged and compromised by the installation throughout of non-essential modern fittings and gadgets, which have a cluttering effect both as seen internally and externally, and which are not necessary for its conservation or its sustainability.  On this basis, officers consider a sizeable proportion of the unauthorised internal and external works, as identified in this report, to have caused less than substantial harm to the affected heritage assets. Para 215 of the NPPF is therefore applicable. However, officers have identified no public benefits arising from the implementation of the application works, which are solely for the use of the occupants of the property as a privately-owned single-family dwelling.  For the ‘optimum viable use’ component of para 215 to succeed, it would have to be shown that the application property could not be used without the alterations and additions subject of this application. However, this is not the case because, as a typical example of a Georgian townhouse, the property’s traditional plan form and layout is capable of adaption to 21st century residential use without the addition of non-essential modern fittings and appliances such as air conditioning, ceiling downlighters and speakers. Likewise, the exterior of the house is fit-for-purpose without the installation of non-essential devices going beyond the scope of the approved scheme. It is also possible for the property to comply with current building regulations through the employment of less intrusive fire safety measures than those installed in the absence of listed building consent.  It therefore follows that there are no significant benefits to outweigh the less than substantial harm caused by the identified unauthorised works, in accordance with the balancing exercise set out in the NPPF. Subsequently, without justification the scheme as a whole results in harm to the special interest of the listed building and to the character and appearance of the conservation area.  **Recommendations for Listed Building Enforcement Action:**  Due to the large number of listed building breaches present which are seen to cause harm to the special interest of the listed building and in some instances to the character and appearance of the conservation area, officers consider it expedient to recommend listed building enforcement action for the items below marked ‘Action’.  Where items below are marked ‘No action’, the works will require regularisation through the submission to the Council of a further retrospective listed building consent application.  Listed building breaches subject of this application:     1. Flush downlighters installed in ceilings of front and rear bedrooms, hall and WC at lower ground-floor level, dining room, kitchen, entrance hall, inner hall & staircase at ground-floor level, kitchen and staircase at first-floor level, front and rear bedrooms, bathroom, landing and staircase at second-floor level, front and rear bedrooms, bathroom, landing and staircase at third-floor level.   *Action: all downlighters and associated services to be removed and affected fabric made good to match adjacent work, from lower-ground floor front and rear bedrooms, upper ground-floor dining room, kitchen and entrance hall, first-floor kitchen, second-floor front and rear bedrooms and bathroom, third-floor front and rear bedrooms and bathroom.*  *No action: downlighters in lower ground-floor hall and WC, upper ground-floor staircase and inner hall, first-floor staircase, second-floor landing and staircase, third-floor landing and staircase.*   1. Flush mount sound speakers installed in ceilings of lower ground-floor front and rear bedrooms, upper ground-floor dining room and kitchen, first-floor living room and kitchen, second-floor front and rear bedrooms and bathroom, third-floor front and rear bedrooms and bathroom.   *Action: all flush mount sound speakers and associated fittings, fixtures and services to be removed and affected fabric made good to match adjacent work, from lower ground-floor front and rear bedrooms, upper ground-floor dining room and kitchen, first-floor living room and kitchen, second-floor front and rear bedrooms and bathroom, third-floor front and rear bedrooms and bathroom.*   1. Heat/smoke alarms surface-mounted to ceiling of lower ground-floor hall corridor, upper ground-floor kitchen and hall, first-floor kitchen and staircase, second-floor staircase, third-floor landing.   *No action: lower ground-floor hall corridor, upper ground-floor kitchen and hall, first-floor kitchen and staircase, second-floor staircase, third-floor landing.*   1. Extractor diffuser surface-mounted to ceiling in lower ground-floor rear bedroom, second-floor bathroom, third-floor bathroom.   *No action: lower ground-floor rear bedroom, second-floor bathroom, third-floor bathroom.*   1. Rectangular air conditioning grilles fitted flush in ceilings of lower ground-floor front and rear bedrooms.   *Action: rectangular air conditioning grilles and associated services to be removed and affected fabric made good to match adjacent work, from lower ground-floor front and rear bedrooms.*   1. Air handling units and associated pipework, fixtures and fittings including radiator-style housings and associated joinery installed below three windows in first-floor living room, one window in second-floor front bedroom and one window in second-floor rear bedroom, and one window in third-floor front bedroom and one window in third-floor rear bedroom.   *Action: all air handling units to be removed from first-floor living room, second-floor front and rear bedrooms and third-floor front and rear bedrooms, including all associated pipework, fixtures, and fittings, radiator-style housings and associated joinery, and made good of affected fabric to match adjacent work.*   1. Built-in floor-to-ceiling height wardrobes with integral power socket housings & built-in light-fittings wired to main power circuit installed in alcoves either side of bed location in lower ground-floor front bedroom.   *No action: lower ground-floor rear bedroom.*   1. Built-in floor-to-ceiling timber-effect dressing room storage units with integral light-fittings attached to wall in lower ground-floor rear bedroom.   *No action: lower ground-floor rear bedroom.*     1. Partition, door leaf and door surround constructed in lower ground-floor hall corridor in position departing from approved scheme ref 2019/4759/L.   *No action: lower ground-floor hall corridor.*   1. Internal secondary jib door installed in existing opening to front lightwell, behind external glazed door and creating double-door arrangement within lower ground-floor front lobby.   *Action: jib door and associated joinery and ironmongery to be removed and affected area made good to match adjacent work, from lower ground-floor front lightwell.*   1. Automist T-nozzle fire mister plate, equipment and associated services including hose, pipework, tank and pump, installed in and behind unauthorised false plasterboard wall to right of fireplace to north wall of upper ground-floor dining room.   *Action: removal of Automist T-nozzle plate, equipment and associated services including hose, pipework, tank and pump, in association with removal of false plasterboard wall and joinery work to north wall of upper ground-floor dining room, and affected area made good to match adjacent work.*     1. Single six-panelled timber FD30 door installed in opening between upper ground-floor dining room and entrance hall accessing upper floors, departing from approved double doors design.   *No action: upper ground-floor dining room and entrance hall.*     1. Built-in timber-effect bedroom shelving storage unit attached to east wall in second-floor rear bedroom.   *No action: second-floor rear bedroom.*     1. Landing utility cupboard flank wall re-located to previous position adjacent to stairwell at third-floor level, removing cantilever over stairwell contrary to approved scheme ref 2019/4759/L.   *No action: third-floor landing.*   1. Burglar alarm box with black finish installed on front elevation on southern end of upper ground-floor shopfront fascia above upper-floors entrance door, contrary to approved scheme ref 2019/4759/L.   *Action: alarm box and associated services to be removed from upper ground-floor shopfront fascia, and if required relocated to approved location on brickwork at first-floor level adjacent to window cill of southernmost sash window.*     1. Grey projecting downlighters installed on entrance door pilasters instead of black downlighters as per approved scheme ref 2019/4759/L.   *Action: downlighter cases to be painted black to match the colour of the adjacent shopfront joinery.*  Listed building breaches not subject of this application:  The following works, not subject of this listed building consent application, have also been identified by officers as unauthorised:-   1. Alcoves either side of chimney breast in upper ground-floor dining room infilled with plasterboard false partitions and timber skirting boards to create entirely flush north wall in upper ground-floor dining room.   *Action: removal of plasterboard false partitions and skirting boards, and affected area made good to match adjacent work, in upper ground-floor dining room*.   1. Fireplace hearth & surround installed on north wall of first-floor living room, with specification matching approved second-floor fireplace.   *No action: first-floor living room.*   1. Underfloor heating installed to first, second and third floors, together with associated services comprising pipework and related fittings.   *No action: first, second and third floors*.   1. Built-in high illumination light fittings wired to main electrical circuit, within approved fitted shelving unit on south wall of first-floor living room.   *Action: removal of all built-in light fittings and associated services from shelving unit on south wall of first-floor living room, and affected fabric made good to match adjacent work.*   1. Wall-hung twin-flue combination boiler, hot water tank and associated pipework installed in third-floor landing utility cupboard.   *No action: third floor.*   1. Two black and stainless steel finish entry phone panels surface-mounted on upper ground-floor pilasters adjacent to upper ground-floor entrance door and upper-floors entrance door to front elevation, contrary to approved scheme ref 2019/4759/L.   *Action: entry phone panel and associated services to be removed from upper ground floor pilaster adjacent to upper ground-floor entrance door on northern end of front elevation.*  *No action: entry phone panel to pilaster adjacent to upper-floors entrance door on southern end of front elevation.*   1. Abrasive cleaning of brickwork on front elevation within lower ground-floor front lightwell.   *Action: affected brickwork and pointing to be repaired and made good to match pre-existing condition.*   1. Installation of door in pavement vaults wall to front lightwell below north entrance bridge.   *No action: front lightwell.*     1. Grey projecting downlighters surface-mounted on rear lightwell external walls.   *No action: rear lightwell.*   1. Decorative mirror panels attached to rear lightwell external walls.   *No action: rear lightwell.*  **Conclusion:**  Approval is sought retrospectively for a considerable number of unauthorised works departing from listed building consent ref 2019/4759/L, which officers have identified as breaches of listed building control under the Planning (Listed Buildings and Conservation Areas) Act 1990. Officers have found a sizeable proportion of these works to be unacceptable on the basis that they cause less than substantial harm to the special interest of the grade II listed building, and in some instances fail to preserve or enhance the character and appearance of the Charlotte Street Conservation Area. Officers therefore recommend the refusal of this listed building consent application with a warning of listed building enforcement action on breaches identified in this report as requiring action.  In arriving at this decision, special attention has been paid to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, of preserving the setting of adjacent listed buildings, and of preserving or enhancing the character or appearance of the Charlotte Street Conservation Area under sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.  As such, the application scheme as a whole is contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017, the London Plan 2021, and the National Planning Policy Framework 2024.  **Report Recommendations:**  **Recommendation 1:** Refuse listed building consent and warn of listed building enforcement action to be taken.  **Recommendation 2:** That the Head of Legal Services be instructed to issue a Listed Building Enforcement Notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, and, in the event of non-compliance with the Notice, the Head of Legal Services be authorised to pursue any legal action necessary to prosecute the owner under Section 43 of the Act and or other appropriate power and/or the Director of the Culture and Environment Department be authorised to take direct action under Section 42 of the Act to secure compliance with the Notice.  The notice shall allege the following breaches of listed building control.  That without listed building consent, the following works were carried out:   1. Flush downlighters installed in ceilings of front and rear bedrooms, hall and WC at lower ground-floor level, dining room, kitchen, entrance hall, inner hall & staircase at ground-floor level, kitchen and staircase at first-floor level, front and rear bedrooms, bathroom, landing and staircase at second-floor level, front and rear bedrooms, bathroom, landing and staircase at third-floor level. 2. Flush mount sound speakers installed in ceilings of lower ground-floor front and rear bedrooms, upper ground-floor dining room and kitchen, first-floor living room and kitchen, second-floor front and rear bedrooms and bathroom, third-floor front and rear bedrooms and bathroom. 3. Heat/smoke alarms surface-mounted to ceiling of lower ground-floor hall corridor, upper ground-floor kitchen and hall, first-floor kitchen and staircase, second-floor staircase, third-floor landing. 4. Extractor diffuser surface-mounted to ceiling in lower ground-floor rear bedroom, second-floor bathroom, third-floor bathroom. 5. Rectangular air conditioning grilles fitted flush in ceilings of lower ground-floor front and rear bedrooms. 6. Air handling units and associated pipework, fixtures and fittings including radiator-style housings and associated joinery installed below three windows in first-floor living room, one window in second-floor front bedroom and one window in second-floor rear bedroom, and one window in third-floor front bedroom and one window in third-floor rear bedroom. 7. Built-in floor-to-ceiling height wardrobes with integral power socket housings & built-in light-fittings wired to main power circuit installed in alcoves either side of bed location in lower ground-floor front bedroom. 8. Built-in floor-to-ceiling timber-effect dressing room storage units with integral light-fittings attached to wall in lower ground-floor rear bedroom. 9. Partition, door leaf and door surround constructed in lower ground-floor hall corridor in position departing from approved scheme ref 2019/4759/L. 10. Internal secondary jib door installed in existing opening to front lightwell, behind external glazed door and creating double-door arrangement within lower ground-floor front lobby. 11. Automist T-nozzle fire mister plate, equipment and associated services including hose, pipework, tank and pump, installed in and behind unauthorised false plasterboard wall to right of fireplace to north wall of upper ground-floor dining room. 12. Single six-panelled timber FD30 door installed in opening between upper ground-floor dining room and entrance hall accessing upper floors, departing from approved double doors design.      1. Built-in timber-effect bedroom shelving storage unit attached to east wall in second-floor rear bedroom.      1. Landing utility cupboard flank wall re-located to previous position adjacent to stairwell at third-floor level, removing cantilever over stairwell contrary to approved scheme ref 2019/4759/L. 2. Burglar alarm box with black finish installed on front elevation on southern end of upper ground-floor shopfront fascia above upper-floors entrance door, contrary to approved scheme ref 2019/4759/L.      1. Grey projecting downlighters installed on entrance door pilasters instead of black downlighters as per approved scheme ref 2019/4759/L. 2. Alcoves either side of chimney breast in upper ground-floor dining room infilled with plasterboard false partitions and timber skirting boards to create entirely flush north wall in upper ground-floor dining room. 3. Fireplace hearth & surround installed on north wall of first-floor living room, with specification matching approved second-floor fireplace. 4. Underfloor heating installed to first, second and third floors, together with associated services comprising pipework and related fittings. 5. Built-in high illumination light fittings wired to main electrical circuit, within approved fitted shelving unit on south wall of first-floor living room. 6. Wall-hung twin-flue combination boiler, hot water tank and associated pipework installed in third-floor landing utility cupboard. 7. Two black and stainless steel finish entry phone panels surface-mounted on upper ground-floor pilasters adjacent to upper ground-floor entrance door and upper-floors entrance door to front elevation, contrary to approved scheme ref 2019/4759/L. 8. Abrasive cleaning of brickwork on front elevation within lower ground-floor front lightwell. 9. Installation of door in pavement vaults wall to front lightwell below north entrance bridge. 10. Grey projecting downlighters surface-mounted on rear lightwell external walls. 11. Decorative mirror panels attached to rear lightwell external walls. |
| The Notice shall require the following actions, within a period of three months of the Notice taking effect:   1. Remove all downlighters and associated services from lower ground-floor front and rear bedrooms, upper ground-floor dining room, kitchen and entrance hall, first-floor kitchen, second-floor front and rear bedrooms and bathroom, third-floor front and rear bedrooms and bathroom, and make good affected fabric to match adjacent work. 2. Remove all flush mount sound speakers and associated fittings, fixtures and services from lower ground-floor front and rear bedrooms, upper ground-floor dining room and kitchen, first-floor living room and kitchen, second-floor front and rear bedrooms and bathroom, and third-floor front and rear bedrooms and bathroom, and make good affected fabric to match adjacent work. 3. Remove rectangular air conditioning grilles and associated services from lower ground-floor bedrooms, and make good affected fabric to match adjacent work. 4. Remove jib door and associated joinery and ironmongery from lower ground-floor front lobby, and make good affected area to match adjacent work. 5. Remove all air handling units from first-floor living room, second-floor front and rear bedrooms and third-floor front and rear bedrooms, including all associated pipework, fixtures and fittings, radiator-style housings and associated joinery, and make good affected fabric to match adjacent work. 6. Remove plasterboard false partitions and timber skirting boards in upper ground floor dining room, and make good affected fabric to match adjacent work. 7. Remove Automist T-nozzle plate, equipment and associated services including hose, pipework. tank and pump, in association with removal of false plasterboard wall and joinery work to north wall of upper ground-floor dining room, and make good affected fabric to match adjacent work. 8. Remove all built-in light fittings and associated services from shelving unit on south wall of first-floor living room, and make good affected fabric to match adjacent work. 9. Remove burglar alarm box and associated services from shopfront fascia on front elevation, and make good affected fabric to match adjacent work. Relocate alarm box as required to location on brickwork of first-floor southernmost sash window cill as per approved scheme ref 2019/4759/L. 10. Remove entry phone panel and associated services from upper ground-floor entrance door pilaster on northern end of front elevation, and make good affected fabric to match adjacent work, 11. Paint grey projecting downlighter cases black on two sets of upper ground-floor entrance door pilasters to front elevation, to match the colour of the adjacent shopfront and doorcase joinery work and in accordance with approved scheme ref 2019/4759/L. 12. Repair and make good brickwork and pointing to front elevation within lower ground-floor front lightwell to match their pre-existing condition prior to abrasive cleaning.   PERIOD OF COMPLIANCE:  Three months  REASONS WHY THE COUNCIL CONSIDERS IT EXPEDIENT TO ISSUE THE NOTICE:  The impacts of the unauthorised works identified by officers as negatively impacting on the internal and external character of the listed building, cause harm to its special historic and architectural interest, contrary to policies D1 and D2 of the London Borough of Camden Local Plan 2017, the London Plan 2021, and the National Planning Policy Framework 2024. |