

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		05/03/2013	
		N/A / attached		<b>Consultation Expiry Date:</b>		21/02/2013	
<b>Officer</b>				<b>Application Number(s)</b>			
Christopher Heather				2013/0067/P 2013/0086/L			
<b>Application Address</b>				<b>Drawing Numbers</b>			
36 Park Village East London NW1 7PZ				Refer to Draft 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>							
Amendments to planning permission granted 18/07/11 (ref: 2011/1434/P) for erection of side extension at basement, ground and first floor level, glazed conservatory infill at rear garden level, erection of a porch on North elevation and canopy with balcony at first floor level on rear elevation, alterations to fenestration and front boundary treatment including the creation of crossover to dwelling house (Class C3), namely to replace existing timber framed windows with new timber framed single glazed windows on front elevation and timber framed double glazed windows on side and rear elevations and alterations to design of some previously approved windows all in connection with existing dwelling (Class C3).							
<b>Recommendation(s):</b>		Grant conditional planning permission and listed building consent					
<b>Application Type:</b>		Householder Application					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>	No. notified	03	No. of responses	00	No. of objections	00	
			No. electronic	00			
<b>Summary of consultation responses:</b>		N/A					
<b>CAAC</b>		No comments have been received from the Regents Canal CAAC.					

## Site Description

The application site is a single dwelling house located on the west side of Park Village East. It is a detached stucco villa with slate pitched roof and gables over 1<sup>st</sup> floor windows, and has an octagonal 3-storey wing over looking the rear garden. The house was laid out by John Nash and his assistants between 1825 and 1836 and is grade II\* listed. Both East and West villages originally backed on to the Cumberland Basin arm of the Regents Canal, which was filled in in 1942. The building is considered to make a positive contribution to the Regent's Park Conservation Area of which it forms a part.

## Relevant History

**November 2003:** Listed building consent (Ref: 2003/1931/L) granted for "General refurbishment works including alterations to door and sidelight opening at basement level on garden (west) elevation; demolition of free standing garage".

**January 2005:** Planning permission (Ref: 2004/5064/P) and listed building consent (Ref: 2004/5064/P) granted for "replacement of front boundary wall and iron gates south of the house with new dwarf wall with railings and timber gates, and replacement of timber fence on dwarf wall to the north of the house with dwarf wall with railings and timber gate, and formation of new access to the highway with crossover.

**July 2007:** Planning permission (Ref: 2007/0084/P) and listed building consent (Ref: 2007/0085/L) refused and a subsequent appeal dismissed in August 2008 for "excavation to provide two store rooms at sub-basement level and additional living additional accommodation at proposed lower ground floor both to the north and south areas of the main dwellinghouse, with stone paving, green roof and rooflights above. Erection of freestanding pavilion at ground floor level with car parking. New entrance staircases at the rear". The reason for refusal was:

*Reasons for refusal: 'The proposed basement extensions and ground floor pavilion by reason of their size, design and appearance would cause harm to the appearance of this listed building and would fail to preserve and enhance the character of the Regent's Canal Conservation Area contrary to policies B1, B3, B6 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006, information contained within Camden Planning Guidance 2006 and the Regent's Park Draft Conservation Area Statement 2000.'*

**August 2010:** Planning permission (Ref: 2010/4535/NEW) submitted for "Extension and refurbishment of dwelling house". No decision was reached on this application.

**May 2011** Planning permission (Ref: 2011/1198/P) and listed building consent (Ref: 2011/1202/L) granted for "Erection of side extension at basement, ground and first floor level, glazed conservatory infill at rear garden level, erection of a porch on North elevation and canopy with balcony at first floor level on rear elevation, alterations to fenestration and front boundary treatment including the creation of crossover to dwelling house (Class C3)".

**July 2011:** Planning permission (Ref: 2011/1434/P) and listed building consent (Ref: 2012/1435/L) granted for "Erection of side extension at basement, ground and first floor level, glazed conservatory infill at rear garden level, erection of a porch on North elevation and canopy with balcony at first floor level on rear elevation, alterations to fenestration and front boundary treatment including the creation of crossover to dwelling house (Class C3)".

## Relevant policies

### LDF Core Strategy and Development Policies

CS1 (Distribution of growth)

CS4 (Areas of more limited change)

CS5 (Managing the impact of growth and development)

CS13 (Tackling climate change through promoting higher environmental standards)

CS14 (Promoting high quality places and conserving our heritage)

CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards and limiting the availability of car parking)

DP19 (Managing the impact of parking)

DP21 (Development connecting to the highway network)

DP22 (Promoting sustainable design and construction)

DP23 (Water)

DP24 (Securing high quality design)  
DP25 (Conserving Camden's heritage)  
DP26 (Managing the impact of development on occupiers and neighbours)  
DP27 (Basements and lightwells)

### **Camden Planning Guidance**

CPG 1 Design  
CPG 3 Sustainability  
CPG 6 Amenity

### **NPPF**

## **Assessment**

### **Proposal and background**

The proposal follows on from the granting of planning permission (Ref: 2011/1434/P) and listed building consent (Ref: 2012/1435/L) in July 2011. Permission is now sought for some alterations to the windows. Some of these windows are existing, whilst others would be in the extended parts of the property which is currently under construction. Therefore, the planning permission is for the whole development again, and the conditions reflect this.

The scheme is now progressing on site. It is worth noting that there were two conditions on 2011/1434/P which were worded in the format of a Grampian condition, and these do not appear to have been discharged. This theoretically means that the planning permission has not been lawfully implemented, and the strength of the fallback position could be questioned. However, there are not considered to have been any changes to circumstances (either in planning policy terms or the physical characteristics of the site and surrounding area) which would suggest a different conclusion to that reached in July 2011, and so subject to these outstanding conditions being discharged, and it is considered that there is nothing to prevent this, those elements of the scheme considered acceptable in 2011 remain acceptable now.

As such the following remain acceptable and are reflected in the conditions: the internal changes approved to the building, the principle of the extensions and basement, the alterations to the front boundary and the relationship with the public highway, the neighbouring amenity issues relating to these aspects, and tree and landscaping issues.

### **Listed building, conservation and design**

The relevant policies are CS14, DP24 and DP24, which are supported by CPG1. The property forms part of a street of 12 semi-detached and 4 detached villas built between 1825 and 1836. The group is related in style but individually vary greatly in appearance and size. No. 36 is one of an original pair of semi detached houses, the left hand element of which was demolished circa 1900 when east side of street demolished when the railway cutting was widened. The original plot has since been truncated and redeveloped to provide housing in the mid 20<sup>th</sup> century. The property was extended in 1850 to the north along the street front and in 1864 there followed an addition to the west side 3 storey plus basement octagonal extension was erected at the rear of the property. The property was converted in two flats (ground and first floors) in 1937 and reversed again in 1979 resulting in significant internal and external alterations including changes to the fenestration and entrances. The works to convert the building and the subsequent reversal of these works, as well as subsequent alterations has resulted in the interior of the property losing much of its internal character and fabric and its significance is limited. This has been accepted by the Council when granting Planning permission (Ref: 2011/1198/P) and listed building consent (Ref: 2011/1202/L) in May 2011.

There were some initial concerns about the proposed windows but following amendments and further detail the proposal is now considered acceptable. Those windows in the existing part of the house are in a poor state of repair, with a number being non-original, and there is no objection to the principle of their replacement. The proposal would be to replace these windows with single glazed windows, and this would result in the loss of a small amount of historic fabric only, which is acceptable. The windows in the later octagonal extension would be replaced with slim-lite double glazed windows, and the same windows inserted into the new window openings in this part of the property, as well as in the extended parts of the property. This is logical and although double glazed units would not usually be supported within a listed building there is considered to be a case for an exception in this instance. This is because the affected windows would only be in the non-original parts of the house, and would be distinct from the original house. Therefore, the proposal is considered to be in accordance with those policies referred to above.

**Neighbouring amenity**

No new window openings are proposed, and the broad size of the windows would be maintained, so the impact of these changes on neighbouring amenity remains unchanged and there is no conflict with policies CS5 and DP26.

**Other matters**

Although some single glazed windows are proposed, when double glazed would usually better accord with energy efficiency principles, this is considered acceptable as the appearance of double glazed windows would conflict with the building's designation as a listed building in this instance. Therefore, although not fully in accordance with CS13 there are material considerations to justify a departure.

**Conclusion**

Most of the development has been previously considered acceptable, and there has been no change in circumstances which would warrant a different decision now. Following amendments the proposed windows are considered acceptable, and would enhance the character and appearance of the listed building. There would be no change to the impact on neighbours, and no other reason why planning permission and listed building consent should not be granted.

**Recommendation:** Grant conditional planning permission and listed building consent

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