

<b>Delegated Report (Members' Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>05/05/2010</b>
		N/A / attached		<b>Consultation Expiry Date:</b>	16/04/2010
<b>Officer</b>			<b>Application Number(s)</b>		
Jenny Fisher			1. 2010/0694/P 2. 2010/0703/L		
<b>Application Address</b>			<b>Drawing Numbers</b>		
33 Chalcot Square London NW1 8YA					
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
<ol style="list-style-type: none"> <li>1. Change of use of 4 residential flats (Class C3) to 2 x one bedroom flats at basement level and 1 x maisonette on upper floors with associated amendments to an existing rear extension and the erection of a new terrace at rear ground floor level, alterations to doors and windows and boundary treatment to the front and side.</li> <li>2. Works associated with a change of use of 4 residential flats (Class C3) to 2 x one bedroom flats at basement level, 1 x maisonette on upper floors including amendments to an existing rear extension and the erection of new terrace at rear ground floor level, alterations to doors and windows and boundary treatment to the front and side and internal works.</li> </ol>					
<b>Recommendation(s):</b>		<ol style="list-style-type: none"> <li>1. Grant planning permission with conditions</li> <li>2. Grant listed building consent with conditions</li> </ol>			
<b>Application Type:</b>		<b>Full Planning Permission</b> <b>Listed Building Consent</b>			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	13	No. of responses	02	No. of objections	01
			No. Electronic	00		
Summary of consultation responses:	<p>The owner of the adjoining basement flat (32a) has become increasingly concerned at the erosion of the community due to disappearance of smaller, affordable properties.</p> <p>Application appears to conflict with LBC's over-arching policy to retain a mix of residents as in the UDP.</p> <p>Councillor Naylor has written to echo comments expressed by objector (comments are summarised above).</p> <p>It is his understanding that the UDP and LDF both embody a commitment to retaining mix of property size and tenure, and an assumption against reconversion of flatted housing back into unitary properties.</p> <p>Argues strongly that this should apply fully in this case too. The centre of Primrose Hill has seen ongoing loss of flats in recent years, and it is essential to sustain a diverse community life in the area that we seek to retain flats and stand against their loss through re-conversion back into single occupancy buildings.</p> <p><u>Officer Comment</u></p> <p><i>Two small residential units would be included in the proposal. Councillor Naylor appears to be under the impression that conversion to a single family dwelling is proposed. In fact the property would comprise three flats, there are currently four. It should be noted that the listed building status of the property does constrain the degree of structural intervention required to subdivide a building into self-contained flats.</i></p>					
CAAC/Local groups* comments: *Please Specify	<p>The following objection has been submitted on behalf of the Primrose Hill CAAC1.</p> <p>We note the retention of the existing zinc-covered mansard, which while not ideal, is preferable to the masonry construction proposed in the application currently subject to appeal. We assume that this application is a device to allow the remainder of the proposals to proceed while the appeal is decided.</p> <p><i>Officer:: Appeal not yet decided, existing mansard to be retained</i></p> <p>2. We advised in October 2009, and repeat our advice here, that the new back additions proposed to the rear elevations – visible from the public street – would be more appropriately finished in stock brick, rather than stucco or paint, better to maintain the important distinction between the painted stucco main elevations, and these, rear elevations, with their subservient forms, details, and finishes.</p> <p><i>Officer: Very littler of the rendered rear extension would be visible from the public realm. Rear elevation to the original building to remain brick.</i></p> <p>3. While we note that parts of the current rear elevation are painted, or rendered and painted, It is characteristic of both these Listed Buildings and of the conservation area – and clearly visible on site – that rear elevations are normally finished in stock brick, neither rendered nor painted. The visibility of the rear elevation in this case does not render it a ‘front’ elevation, but interestingly exposes a form not always visible from the street.</p> <p>4. We objected, and still object, to the additions to rooms S10 (2nd floor) and T04 (3rd floor) which would significantly harm the plan form of the Listed Building. The uses required could, in our judgment, be achieved in less harmful ways.</p> <p><i>Officer: The 2nd floor wet room cubicle has been amended following the refused application to have glazed upper parts, so as to allow the room proportions and cornice to be visible. This and the third floor wet room are considered acceptable.</i></p>					

## Site Description

The building is an end-of-terrace property backing onto Berkley Road. It comprises basement, ground and 3 upper floors, currently in use as 4 self-contained flats. Dating from mid 19th century it forms one of six terrace houses on the north side of Chalcot Square. It is grade II listed and is situated within the Primrose Hill Conservation Area. The premises are subject to an article 4 direction to remove certain permitted development rights (Part 1 relating to works to dwelling houses and Part 2 relating to minor operations). The ash tree within the front garden is subject to a Tree Preservation Order.

## Relevant History

**13167 Planning** permission was granted on 01.06.72 for alteration and renovation of the existing top floor flat.

**8501800 & 8570327** Planning permission and listed building consent were granted on 11.12.85 for external alterations to the basement elevations and the construction of a new bin store and staircase to basement.

**8770220** Listed building consent was granted on 06.01.88 for external alterations including reinstatement of balcony balustrade window architraves and porch columns

**9470184** Listed building consent was granted on 22.07.94 for the installation of an internal staircase between the first and second floors and alterations to a rear window.

**9400873** Planning permission was granted on 29.07.94 for alterations to a first floor window.

**L9603317R2** Listed building consent was granted on 11.02.97 for internal works of alteration to ground floor flat, including re-instatement of original fireplace in the living room.

**LE9606113R1** Listed building consent was granted on 11.02.97 for internal alterations including the installation of an internal staircase between first and second floors.

**P9603316R2** Planning permission was granted on 11.02.97 for alterations to the rear windows at ground floor level.

**PE9700204 and LE9700205** Planning permission and listed building consent 13.05.97 for alteration of three window openings at first and second floor rear elevation.

### **2007/4140/P & 2007/4145/L**

Applications for planning permission and listed building consent were submitted for conversion of four flats into three self contained flats and associated internal and external alterations including the erection of new side/rear extensions at basement - third floor levels, following the demolition of existing two-storey side/rear extensions, replacement of roof extension and enlarged terrace area, erection of external staircase to garden and works to the boundary wall. The applications were withdrawn on 03/12/07 following advice from officers that the proposal was unacceptable in historic building and conservation area terms.

### **04/04/2008 (2008/0814/P 2008/0816/L) Refused 04/12/2008 Appeal withdrawn**

Applications for erection of rear extension at basement to third floor level (following demolition of existing two-storey rear extension), replacement of roof level extension including creation of enlarged roof terrace, replacement of front entrance door, alterations to basement vaults, new entrance door at rear basement level, alterations to windows at rear ground, first and second floor level, replacement of window with french doors at front first floor level and internal alterations in connection with the conversion of four self-contained flats into three self-contained flats.

Reasons:

The proposed roof extension, by reason of its height, bulk, mass and design would be detrimental to the appearance and special interest of this listed building, the setting of the listed terrace and the character and appearance of the Primrose Hill Conservation Area

The proposed internal works, by reason of the loss of plan form and historic fabric would be detrimental to the special interest of this listed building, the setting of the listed terrace.

### **28/08/2009 (1. 2009/1108/P 2. 2009/1112/L) Approved**

1. Conversion of property from four flats to maisonette on ground, first, second and third floors and two basement flats (three residential units in total), demolition of existing mansard roof extension and replacement with new mansard roof extension, demolition and rebuild of existing rear extension, alterations to windows and doors at lower ground, ground, first floor, second and third floor level, reinstatement of balcony at first floor

level, new dormer windows and roof light

2. Alterations and additions associated with the conversion of property from four flats to maisonette on ground, first, second and third floors and two basement flats (three residential units in total), demolition of existing mansard roof extension and replacement with new mansard roof extension, demolition and rebuild of existing rear extensions, alterations to windows and doors at lower ground, ground, first floor, second and third floor level, reinstatement of balcony at first floor level, new dormer windows and roof light.

#### **06/11/2009 2009/4161/P 2009/4162/L Refused**

1. Additions and alterations associated with the change of use from residential dwelling containing 4 flats to 2 x 1 bed flats at basement level and 1 x 3 bed maisonette on upper floors, including the demolition and rebuilding of central and western basement and ground floor extensions along with the demolition and rebuilding of the 3rd floor roof extension and changes to fenestration.

#### **Reason**

The proposed roof extension, solar panel and mansafe rail by reason of their location, scale, bulk and detailed design, would be detrimental to appearance of the building and the character and appearance of the Primrose Hill Conservation Area contrary to policies B1 (general design), B3 (alterations and extensions) and B7 (conservation areas) of the London Borough of Camden Replacement Unitary Development Plan 2006.

2. Works associated with the erection of rear partial width extension a first floor rear following demolition and rebuild of existing extension, erection of roof extension including creation of enlarged roof terrace, alterations to the fenestration in association with the change of use from 2 flats to a single family dwelling house (Class C3).

#### **Reason**

The proposed roof extension, solar panel and mansafe rail, by reason of their location, scale, bulk and detailed design would be detrimental to the special historic interest of the building and the terrace of which it forms part, contrary to policy B6 (listed buildings) of the London Borough of Camden Replacement Unitary Development Plan 2006.

An appeal was lodged following the 06/11/2009 decision. Written representations have been submitted to the Planning Inspectorate. No decision to date.

### **Relevant policies**

**Unitary Development Plan (2006)** SD1(quality of life); SD6 (amenity for occupiers and neighbours); H3(protecting existing housing);H7(lifetime homes and wheelchair housing);H8(Mix of units); B1(general design principles);B3(alterations and extensions); B6(listed building); B7(conservation areas); N8 (ancient woodland and trees); T3 (pedestrians and cycling); T9 (impact of parking).

### **LDF Core Strategy and Development Policies**

*As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.*

*DP 29 (improving g access; CS5 (managing development); DP26 (impact of development);CS6 (providing quality homes); DP6 (lifetime homes and wheelchair homes);DP5 (housing size mix); CS13 (higher env. Standards); DP22 (sustainable design); DP24 (high quality design); CS14 (conserving heritage); DP25 (conserving Camden's heritage); CS15 9encourage bio diversity); CS11(promote sustainable travel); DP17 (walking, cycling); DP19 (managing impact of parking)*

### **Camden Planning Guidance 2006**

Conservation areas; daylight; design; extensions; lifetime homes; listed buildings; overlooking; residential development standards; roofs

### **Primrose Hill Conservation Area Statement**

## Assessment

Planning permission and listed building consent are sought to carry out the following works in connection with the conversion of the building from four self-contained flats to three self contained flats - 2 x 1-bedroom at basement level and 1 x 3-bedroom maisonette over the upper floors.

- Demolition of existing rear basement/ ground extension;
- Replacement rear extension at basement and ground floor level;
- A terrace at ground floor level on the roof of the replacement rear extension over basement level only, remainder of the rear extension to be replaced would comprise basement and ground floors as existing;
- Installation of two roof lights on the upper slope of the mansard roof, flush with the roof slope;
- Reinstate and re-use basement vaults;
- Replacement entrance door at front ground floor level and new entrance door at rear basement level;
- A new balcony to match balcony adjacent to front of building at first floor level;
- Alterations to windows and the opening up of blocked up window openings;
- External works to include lowering of garden wall and extend railing plinths and cast iron railings to match (south front); paint stucco surfaces (colour to be approved); rainwater pipes to match render colour or black against brickwork;
- Internal alterations at basement, ground, first, second, and third floor level.

**Main issues for consideration are land use, design, amenity, standard of accommodation, transport and trees.**

### Land Use

The building is currently in use as 4 self-contained flats with one flat accessed at lower ground level via the front lightwell. There are two entrance doors at ground level; one door provides access to the ground floor flat and the other to the two flats on upper floors. The proposal would result in the lower ground floor flat being divided into two (Flats A and B), both accessed from the front, with a door to the rear providing access to the garden for flat A. The maisonette would be accessed via the new front door at ground floor level.

The proposal would result in the net loss of only one residential unit and therefore complies with Policy H3 of the Unitary Development Plan (2006) which seeks to protect existing residential accommodation. The proposal will also ensure that a family-sized residential unit would be retained which is welcomed by policy H8.

### Design

The current application is the most recent in a series since 2007. Internal alterations proposed broadly match works approved 28/08/2009 (1. 2009/1108/P 2. 2009/1112/L). The existing mansard would be retained and repainted. A replacement roof extension was approved in August 2009 (2009/1108/P 2. 2009/1112/L).

The building's footprint is unique to the square because it is end-of-terrace with a double front and grand end bay. It is three-sided and occupies an important position on a prominent corner site and within the local context. It relates equally to neighbouring properties to the front and rear in terms of rhythm of development, scale, decorative order and materials. In addition long views of the property are afforded on all sides because of the local street pattern. Following the submission of revisions and additional information and clarification required, the current scheme is considered acceptable. It would provide many beneficial alterations to the house such as the reinstatement of the main entrance door and internal stair on the ground floor to its original location, all in a style appropriate to the original building. It will also allow for the removal of later alterations such as a modern secondary stair from first to second floor and inappropriate shelving units and partitions.

#### Rear Extension:

Demolition of the existing rear extensions is considered acceptable. The current proposal is an amendment to the footprint and height of the previously approved extension (/1108/P and /1112/L), with greater vertical difference between the three sections, and less variation in the depth from the main building. On balance it is considered that this would improve the relationship with the main building. The development would break up the bulk of the buildings visible, remove clutter from the roof and tidy upper parts. This would result in very little of the southern most section being visible from the public realm. All of which is considered an improvement in comparison with the previously approved scheme. The rear extension would remain subordinate to the original building, and the proportion, form and scale proposed, would respect the design, proportions, period and style of the building's original design in line with Camden Planning Guidance and policies B1 and B3. Since the rear of the building is clearly visible from Berkley Road, improvements, including the replacement extension and removal of an unsightly water tank are welcome.

#### **Plan Form:**

Internally the building has been divided into several flats but is in reasonably good decorative order and a plan form that can be understood on all floors has been retained. The third floor roof extension, of no particular interest, was carried out during the late 1930's. Therefore, although the replacement of fabric and plan form raise no concern, it is nevertheless important to judge the merits of the design and materials proposed for compatibility with the house and its local context. It is considered that positive and sensitive results have been achieved through detailed historic research and several pre-application meetings to discuss the least harmful approach for alterations to the building whilst allowing for a modern family home. It is considered that alterations proposed would not have a detrimental impact on the special architectural and historic interest of this listed building and that proposed development complies with UDP policies B1, B3, B6 and B7 and national guidance enshrined in PPS5.

The replacement of the non-original boundary wall with railings to match those to the front of the building is considered acceptable. Historic evidence exists that railings existed here previously.

Two roof lights are being proposed on the upper slope of the mansard roof on its rear slope. These will be minimally visible and are appropriate, but we need confirmation that these will be flush with the roof slope.

Listed building consent is recommended with conditions considered necessary to ensure that finishes and details are appropriate and consistent with the period of the building.

#### **Amenity**

The rear extension is set behind the flank wall with No. 32 and replaces an existing extension, there would be no impact on light and outlook to this property.

The terrace on the main roof proposed and approved August 2009 has been removed from the current submission. A terrace would be created on the roof of the basement extension. It would not provide opportunities to look into neighbouring properties. A projecting wing to the rear of the building would prevent views towards No. 32. It would be below the height of the retaining wall along the rear boundary. There would be no adverse impact by reason of overlooking neighbouring properties.

#### **Standard of accommodation**

The proposal includes the provision of two residential units within the lower ground floor of the property, they have window openings to the front and rear, but light to these openings is constrained by the lightwells and also the slope of the land. Given that the basement is currently in residential use which is confined to this level and does not have the benefit of higher levels of light above, it would be difficult to argue that the proposed standard of accommodation is any worse than the existing. Each of the residential units proposed is an appropriate size and exceeds the recommended floor space standards outlined in the Camden Planning Guidance. The property would comprise one less residential unit. Therefore it is likely that there would be a reduction in demand for refuse and recycling storage space. Bin stores would be installed in cellars for basement flats and within the front area at ground floor level for the maisonette.

Had the building not been listed, in most cases lifetime homes standards would still not be feasible because approaches, stairs, doorways etc. are existing. However this is a listed building and many of the alterations required in order to achieve lifetime homes standards would conflict with the listed building status of the building. Nevertheless an informative is recommended reminding the applicant that the Council encourages the inclusion of as many lifetime homes standards as possible.

#### **Transport**

The proposal will result in a reduction in pressure for on-street car parking spaces (policy T9). Bicycle storage will be in cellars 2,3,4, 6 and 7 (policy T3).

#### **Trees**

A previous application included a new staircase that would have damaged an ash tree, subject to a TPO, in the front garden. However it was decided that the tree is in poor condition and in decline, and as a consequence there was no objection to its removal and replacement. In this case works proposed should not have an impact on the ash, however it is recommended that a condition attached to planning approval requires the replacement of the ash should it be removed. On the Berkley Road frontage of the site there is a medium sized plane tree. Most of the roots of this tree will be contained within the pavement. It is considered that works proposed would not be detrimental to the health and stability of this tree. A fig tree in the rear garden has multi stems frequently cut down. This tree was last pruned by consent (P9603316) 08/12/2007 when it was reduced by 15%. These trees will not be affected by proposed alterations to the building outside the RPA of all of them. This was agreed when the previous application was submitted and approved 28/08/2009 (1.2009/1108/P 2. 2009/1112/L)

If planning permission were to be granted it should be subject to conditions to secure details of hard and soft

landscaping including the replacement planting for the Ash tree.

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

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