

Address: 15 Gloucester Crescent Camden Town London NW1 7DS		<div>7</div>
Application Number: 2006/4138/P	Officer: Grant Leggett	
Ward: Camden Town with Primrose Hill Date Received: 07/09/2006 Proposal: Retention of internal and external modifications to dwellinghouse (Class C3) including erection of a conservatory to the rear. Drawing Numbers: Site Location Plan 163A+B/P/00; Drawing No. 163C/10/A; 163C/01/-; 163C/02/-; 163C/03/-; 163C/04/-; 163C/05/-; 163C/06/-; 163C/07/-; 163C/11/-; 163C/12/-; 163C/13/-; 163C/14/-; 163C/15/-; 163C/16/-; 163C/17/-; Report In Respect To Use Of RSJ Over Ground Floor Lounge/Dining Areas at 15 Gloucester Crescent		
RECOMMENDATION SUMMARY: Grant Planning Permission subject to conditions		
Related Application Application Number: 2006/4141/L Date Received: 07/09/2006 Proposal: Retention of internal and external modifications to dwellinghouse (Class C3) including erection of a conservatory to the rear. Drawing Numbers: Site Location Plan 163A+B/P/00; Drawing No. 163C/10/A; 163C/01/-; 163C/02/-; 163C/03/-; 163C/04/-; 163C/05/-; 163C/06/-; 163C/07/-; 163C/11/-; 163C/12/-; 163C/13/-; 163C/14/-; 163C/15/-; 163C/16/-; 163C/17/-; Report In Respect To Use Of RSJ Over Ground Floor Lounge/Dining Areas at 15 Gloucester Crescent		
RECOMMENDATION SUMMARY: Grant Listed Building Consent subject to conditions.		
Applicant: Mrs M Wilson c/o 11.04 Architects		Agent: 11.04 Architects 5 Turville Street Shoreditch London E2 7HX

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	C3 Dwelling House		184m ²
Proposed	C3 Dwelling House		196m ²

OFFICERS' REPORT

Reason for Referral to Committee: The proposal is for retention of works previously the subject of an Enforcement Notice.

1. SITE

- 1.1. The application relates to a three-storey plus basement mid-terrace dwellinghouse (Class C3) situated on the east side of Gloucester Crescent.
- 1.2. The building is listed (Grade II) and is within the Primrose Hill Conservation Area.
- 1.3. The house forms part of a curved terrace of 20 Italianate style listed houses (c1840-45, by Henry Bassett). They are formed from yellow stock brick with stucco dressings and slated hipped roofs with enriched slab chimney-stacks and most with projecting eaves and shaped brackets.
- 1.4. The building was listed in March 1998.

2. THE PROPOSAL

- 2.1 Planning permission and listed building consent are sought for extensions and alterations to the dwelling. The application is made in part retrospectively for retention of internal and external alterations, including erection of a conservatory to the rear.

3. RELEVANT HISTORY

- 3.1 July 1998: Planning permission and listed building **granted** (ref: PE9700575 and LE9800363) for rebuilding of existing rear garden extension and addition of single storey ground floor extension with staircase access to rear garden, together with a new conservatory at rear garden level.
- 3.2 April 2000: Planning permission and listed building consent **refused** (refs: PE9900990 and LE9900991) for enlargement of the front forecourt and rebuilding of the stairs to match the neighbouring properties, and internal alterations.
- 3.3 September 2001: Planning permission and listed building consent **granted** (refs: PEX0100432 and LEX0200433) for change of use from 3 self-contained flats to a single-family dwelling and erection of a glazed conservatory at rear lower ground floor.

- 3.4 August 2004: Retrospective planning permission and listed building consent **refused** (refs: 2003/31714/P and 2003/3172/L) for alterations to front forecourt including the installation of vehicle gates and iron work to cill; removal of part of front boundary wall and the retention of a trellis, hard and soft landscaping and internal works at basement, ground and first floor levels.

Reasons for refusal:

The proposed front boundary gates by reason of their materials, non-solid nature and prominent location would introduce an incongruous feature, out of keeping with the appearance of the streetscene and the conservation area, and detract from the special architectural interest of the listed building. In this regard the proposal is contrary to Policies EN1 (General environmental protection and improvement), EN25 (Railings and garden walls), EN31 (Character and appearance of Conservation Areas) and EN38 (Preservation of Listed Buildings) of the London Borough of Camden Unitary Development Plan adopted 2000.

The proposed trellis on the front side boundary by reason of its prominent location, timber materials and temporary appearance would introduce an obtrusive and inconsistent element to the front of the property out of keeping with the character and appearance of the streetscene and the conservation area, and would detract from the special architectural interest of the listed building. In this regard the proposal is contrary to Policies EN1 (General environmental protection and improvement), EN25 (Railings and garden walls), EN31 (Character and appearance of Conservation Areas), and EN38 (Preservation of Listed Buildings) of the London Borough of Camden Unitary Development Plan adopted 2000.

These applications were made to regularise unauthorised works done at the property since the 2001 permission. Discussions between officer and the applicant followed which resulted in many of the unauthorised works for which planning permission and listed building consent were refused being remedied.

However several items of works were never remedied and remain on site as unauthorised works. Enforcement action was taken to remove these remaining unauthorised works.

- 3.5 March 2006: **Enforcement notice served** to secure the removal of unauthorised extensions and alterations to the interior and exterior of the building that remained outstanding. Appendix One includes the full list of breaches of planning and listed building control and items for which steps are to be taken.
- 3.6 The enforcement notice is currently under appeal.
- 3.7 Planning and listed building applications were received for the retention of both the internal and external works (refs: 2005/4811/P, 2005/4812/L, 2005/4813/P and 2005/4814/L), and the retention of the conservatory on 14th November 2005.

These applications were withdrawn on officer advice following lengthy negotiations with officers.

The current applications represent the outcomes of the negotiations and seek to “tidy up” the items of development for which steps are to be taken in enforcement terms and that remain unremedied. New works are also proposed.

For the purposes of clarity the outstanding matters are:

- The erection of a conservatory not in accordance with approved plans.
- The erection of trellis on the front steps of the dwelling.
- The erection of 3m high posts attached to the side boundary wall with no.14 Gloucester Crescent.
- The erection of brush boundary fence on the rear side boundary with no.14 Gloucester Crescent.
- The removal of an original timber beam at ground floor level and its replacement with an RSJ.
- The opening up of a single door from the ground floor hallway into the rear room to create a double doorway, and the closing up of a further door from the hallway to the ground floor room.
- The insertion of recessed wall lights on the stair string in the main staircase.

4. CONSULTATIONS

Statutory Consultees

4.1 None.

Primrose Hill Conservation Area Advisory Committee

4.2 No objection.

Local Groups

4.3 None.

Adjoining Occupiers

	Original
<i>Number of Letters Sent</i>	<i>02</i>
<i>Number of responses Received</i>	<i>02</i>
<i>Number in Support</i>	<i>01</i>
<i>Number of Objections</i>	<i>01</i>

4.6 Summary of issues:

Objection

- The additional height of fencing erected along the rear boundary between nos. 14 and 15 is unsightly. It is over 2m in most places. It is modern and messy and causes overshadowing and spoils the open nature of the rear garden. It worsens the setting of the gardens of the listed buildings. Its removal was requested by the previous enforcement notice.

Response: The proposed fencing is considered acceptable. It does not cause any significant adverse effect on the amenity of the neighbour. It does not

significantly affect the special character of the listed building or the character and appearance of the conservation area. Refusal of permission and consent for the additional fencing could not be successfully defended on appeal.

Support

- The conservatory (as existing) is an attractive well-built feature which respects the Grade II listing of the house.
- The projection of the extension and its consequent effect on no.14 is minor.

5. POLICIES

London Borough of Camden Replacement Unitary Development Plan 2006.

5.1

SD6	Amenity for occupiers and neighbours	Complies
B1	General design principles	Complies
B3	Alterations and extensions	Complies
B6	Listed buildings	Complies
B7	Conservation areas	Complies

Supplementary Planning Guidance

5.2 Supplementary Planning Guidance 2002

5.3 Camden Planning Guidance Consultation Draft 2006

Other Relevant Guidance

5.4 Primrose Hill CA Statement

5.5 PPG15 – Planning and the Historic Environment



6. ASSESSMENT

6.1 **Retrospective works:** The applications seek to regularise the outstanding items of development for which enforcement action was to be taken. Each of the outstanding matters is addressed individually:

Erection of a single-storey rear conservatory

6.2 The existing unauthorised conservatory is considered unacceptable in planning and listed building terms because it projects beyond the rear building line of the original closet wing of the house. This projection means the extension fails to respect the form and proportions of the listed building and thereby harms the special character of the listed building and the character and appearance of the conservation area.

- 6.3 The extension would be modified to make the rear elevation flush with the rear building line of the closet wing, as opposed to projecting forward of the rear building line as it does now. As revised the extension is thereby considered to respect the form and proportions of the original building and the historic pattern of development of the area. The special character of the listed building would therefore be preserved, as would the character and appearance of the conservation area.
- 6.4 The bulk, height and position of the extension and its relationship to neighbouring habitable room windows and existing boundary treatments is such that no harm would be caused to the residential amenity of any neighbour in terms of loss of daylight, sunlight or privacy or any enhanced sense of enclosure.

Erection of trellis on front steps and posts in front garden

- 6.5 The trellis and posts remain in the front garden but as they are no longer attached to the building they do not constitute development. The enforcement action sought, which was for the removal of the trellis and posts previously attached to the boundary wall has therefore been complied with.

Doors to ground floor reception rooms

- 6.6 The enforcement notice sought the reinstatement of the original layout of the ground floor reception rooms and doors which had been altered. The applicant has agreed to these works and the proposed drawings show the doors to be reinstated, in accordance with the enforcement notice.
- 6.7 Details of the joinery to be used on the reinstated doors must be submitted for approval and is required via condition.

Installation of recessed lights on main stair

- 6.8 The applicant has agreed to remove the recessed lights and reinstate the stairs which is acceptable and accords with the requirements of the enforcement notice. The lights are omitted from the proposed drawings considered here.

Installation of an RSJ between the main ground floor reception rooms

- 6.9 The original beam between the main ground floor reception rooms was removed and a Re-enforced Steel Joist (RSJ) was installed. This was originally objectionable on the basis that it constituted a loss of original fabric. However evidence has been presented from a structural engineer to demonstrate that the original beam was defective and the applicant had no choice other than to install the RSJ. The loss of the original fabric, while regrettable, is therefore considered acceptable.
- 6.10 The RSJ is considered to be of an appropriate design and provides an adequate downstand. Adequate nibs have also been reinstated to provide separation between the reception rooms.

Installation of brush fencing to rear

- 6.11 A length of brush fencing has been erected on top of the existing boundary wall between nos.14 and 15 Gloucester Crescent to increase the maximum height of the

original boundary to approximately 2.6m in some places. The enforcement notice sought that this be removed.

- 6.12 However the intervention is considered to be very minor in the context of the setting of the listed building and the conservation area and is only readily visible from no.14 Gloucester Crescent. The materials, while perhaps not to everyone's taste are natural materials that blend well with the existing vegetation of the garden. The special character of the listed building and the character and appearance of the conservation area would not be harmed.
- 6.13 Its height is not such that it would cause any harm to the residential amenity of the neighbour. It would not cause any significant enhanced sense of enclosure, or any loss of daylight or sunlight to any habitable room.

Erection of a bin store to front forecourt

- 6.14 A new brick-built bin store has been erected in the front forecourt of the dwelling. This extension is a minor intervention in the context of the dwelling and is not considered to harm the special character of the listed building or the character and appearance of the conservation area. No enforcement action was to be taken against this item in any case.
- 6.15 **New works:** Planning permission and listed building consent are also sought for new alterations and extensions not yet built on site.

Rear external staircase

- 6.16 A new spiral staircase is proposed to the rear of the house leading from the upper ground floor study to the garden. This alteration is considered acceptable. The staircase would replace a previous straight staircase that was approved but not implemented. It would not be visible in the public realm and would not cause any significant obscuration of the original features of the building. The special character of the listed building and the character and appearance of the conservation area would be preserved. However details of the design and materials of the staircase must be submitted for approval, as required via condition.
- 6.17 Given the height of existing boundary treatments the staircase would not be considered to cause any unreasonable overlooking to neighbouring properties. It must also be recognised that a straight external staircase was previously approved. The spiral staircase would present fewer opportunities for overlooking than did the straight staircase.

Rear roof terrace

- 6.18 An existing rear casement window at first floor level would be replaced with timber French windows and a terrace with railings created to the rear. There is an established pattern of terraces and balconies to the rear of listed buildings in the immediate context.
- 6.19 The alteration to the rear window is acceptable as it would preserve the special character of the listed building. The existing opening would be retained and the proposed window and introduce a window with thicker frames and improved glazing

bar pattern. The introduction of railings at this level to create the terrace is also considered acceptable.

- 6.20 The new terrace would not enable overlooking of any habitable room windows within 18m of the terrace, and therefore no harm to neighbours' privacy would be caused.

7. CONCLUSION

- 7.1 All the matters that remained outstanding on the property from the enforcement notice issued in March 2006 have now been resolved, either through their design being revised (e.g. the conservatory), the submission of further evidence (e.g. the RSJ) or their being deleted from the proposed drawings or shown as reinstated on the proposed drawings considered here (e.g. the ground floor reception room doors).
- 7.2 The developments as proposed as shown on the proposed drawings are all acceptable and therefore planning permission and listed building consent should be granted. Conditions should be imposed to ensure any unauthorised works that are shown on the drawings as being reinstated or otherwise modified are carried out within a reasonable compliance period (90 days) of the date of the notice. This compliance period also allows time for necessary details of some aspects of the development to be submitted and approved prior to their implementation.
- 7.3 As discussed above, the brush fencing is now considered acceptable. Therefore, for the reasons stated it is no longer considered to cause harm to either the special character of the listed building or the character and appearance of the conservation area and therefore complies with policies B6 and B7. Therefore Members are also asked to consider withdrawal of this part of the enforcement notice.

8. LEGAL COMMENTS

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

- 9. RECOMMENDATION 1: Grant planning permission and listed building subject to conditions.**
- 10. RECOMMENDATION 2: The enforcement notice issued on 03 March 2006 be amended so that step 7 of the notice reference to the removal of the brush fencing at the rear of the property on the side boundary fence with no.14 Gloucester Crescent should be removed from the notice.**

Appendix One: Breaches of Planning and Listed Building Control and Steps to be Taken

BREACHES OF PLANNING CONTROL

- 1.)The erection of an unauthorised conservatory at rear lower ground floor level; - (action to be taken)
- 2.)Unauthorised alterations to the front garden including the laying of new paving stones; - (no action to be taken)
- 3.)The erection of a new brick built bin store; - (no action to be taken)
- 4.)The erection of trellis on the steps leading up to the neighbouring front door; - (action to be taken)
- 5.)The erection of 3m high posts attached to the side boundary wall with No. 14; - (action to be taken)
- 6.)The removal of a window and replacement with a door at lower ground floor level on the rear elevation of the closet wing extension; - (no action to be taken)
- 7.)The unauthorised erection of a brush boundary fence over 2 metres in height in the rear garden on the boundary with No.14. – (action to be taken)

STEPS TO BE TAKEN

Step 1: The unauthorised conservatory shall be either completely removed from the rear of the property and the resultant damage and openings made good, or, the conservatory approved in September 2001 (Ref: PEX0100432/R1 & LEX0100433/R1) shall be implemented in accordance with the approved drawings.

Step 2: The trellis attached to the front steps of No. 14 shall be removed completely, and the three 2 metre high posts erected to support the newly planted hedge shall be completely removed from the side front boundary wall with No. 14.

Step 3: Remove the unauthorised brush fence on the rear side boundary wall with No. 14.

PERIOD OF COMPLIANCE

Six months from the date of this Notice.

BREACHES OF LISTED BUILDING CONTROL

- 1.) The erection of an unauthorised conservatory at rear lower ground floor level; - (action to be taken)
- 2.) The unauthorised removal of the timber staircase from upper ground floor level on the rear elevation that led to the garden at lower ground floor level; - (no action to be taken)
- 3.) The removal of an original timber beam between front and rear rooms at ground floor level and its replacement with a re-enforced steel joist; - (action to be taken)
- 4.) The opening up of a single door from the ground floor hallway into the rear ground floor room to form a double doorway, and the closing up of a further single doorway from the ground floor hall into the front ground floor room; - (action to be taken)

- 5.) The removal of a window and replacement with a door at lower ground floor level on the rear elevation of the closet wing extension; - (no action to be taken)
- 6.) The insertion of recessed wall lights into the stair string on the main staircase of the house; - (action to be taken)
- 7.) The unauthorised alteration to the hall and room layout at first floor level and; - (no action to be taken)
- 8.) The unauthorised erection of a brush boundary fence over 2 metres in height in the rear garden on the boundary with No.14. – (action to be taken)

STEPS TO BE TAKEN

Step 1: The unauthorised conservatory shall be either completely removed from the rear of the property and the resultant damage and openings made good, or, the conservatory approved in September 2001 (Ref: PEX0100432/R1 & LEX0100433/R1) shall be implemented in accordance with the approved drawings.

Step 2: The trellis attached to the front steps of No. 14 shall be removed completely, and the three 2 metre high posts erected to support the newly planted hedge shall be completely removed from the side front boundary wall with No. 14.

Step 3: The double door leading from the ground floor hallway into the rear ground floor room shall be reduced in width to a single doorway, and the blocked up doorway from the ground floor hallway that led into the front ground floor room, shall be opened up. One of the two four panelled doors shall be used, and the architrave reused, to frame the reduced opening, and all resultant damage made good in materials which match those removed, and the other four panelled door from the double width shall be used in the reopened door way with architraves fitted to match the existing door way into the rear room. The location of the two single doorways shall be built in accordance with the ground floor plan (Ref: 391/P/02/B) approved 11th September 2001 (Ref: PEX0100432/R1 & LEX0100433/R1) shall be used as a template for the location of the two single doorways.

Step 4: The recessed lights shall be completely removed from the stair string between ground and first floor levels, and any resultant damage made good in materials that match the existing.

Step 5: Replace removed nib between ground floor rooms, on party wall, to match the other nib in the room, and make good all resultant damage.

Step 6: The replacement steel beam between the front and rear room at ground floor level, shall be removed, and replaced with either a timber beam, or a replacement flitch beam agreed by the Council's Conservation and Urban Design Division.

Step 7: Remove the unauthorised brush fence on the rear side boundary wall with No. 14.

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