

Delegated Report		Analysis sheet	Expiry Date:	19/11/2015
		N/A / attached	Consultation Expiry Date:	06/11/2015
Officer		Application Number(s)		
Hugh Miller		A: 2015/5841/P B: 2015/5842/L		
Application Address		Drawing Numbers		
61 Neal Street London WC2H 9PJ		See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
A: 2015/5841/P – Erection of a ground floor and part 1 st floor rear extension with roof light and pitched roof, including relocation of staircase window and installation of a/c units at 1st floor level rear.				
B: 2015/5842/L - Internal and external works in association with erection of a ground floor and part 1st floor rear extension with roof light and pitched roof, relocation of staircase window and installation of a/c units at 1st floor level rear, and reconfigured staircase from the ground floor to first floor levels.				
Recommendation(s):		Refuse Planning permission		
		Refuse Listed building consent		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	20	No. of responses	00	No. of objections	00
Summary of consultation responses:	Advertised in Ham & High 23/10/2015, expires 13/11/2015. Site Notice displayed 21/10/2015, expires 11/11/2015. No responses were received.					
CAAC/Local groups* comments: <small>*Please Specify</small>	<p>Covent Garden Community Association: - Objection</p> <ul style="list-style-type: none"> • the staircase should either be repaired or install a staircase that is in keeping with the style and character of the current staircase. • a noise report should be submitted to assess the impact on noise from the repositioned air-conditioning units at the first-floor level. <p>Historic England: Objection</p> <p>The proposals are considered to cause harm to the special architectural and historic interest of the listed building, as they would remove features of significance, including the original staircase, staircase compartment, two room plan form at first floor level and part of the rear facade of the building. It is our view that these proposals are not necessary in order to provide a viable use for the building and are unlikely to be proven as such.</p> <p>We therefore recommend that listed building consent be refused for these works due to the harm caused to the significance of the building. As such, we consider the proposals to be contrary to the provisions of the Planning (Listed Building and Conservation Areas) Act 1990 and the policies set out in the National Planning Policy Framework.</p>					

Site Description

A basement plus 4-storey terraced building located on the south side of Neal Street, north of Neal's Yard. The building has mix uses of retail at basement ground floor levels plus residential use on the upper floors (1st – 3rd floor); and has separate entrance for each use. The building is listed grade II; it is within the Seven Dials (Covent Garden) Conservation Area.

Relevant History

Construction of small rear ground floor extension within existing rear yard and construct a small 1st floor extension (1m deep) across the rear elevation. Remove the ground to first floor staircase and replace with repositioned stair; ref. 2015/5841/P - **Decision Pending**

Construction of small rear ground floor extension within existing rear yard and construct a small 1st floor extension (1m deep) across the rear elevation. Remove the ground to first floor staircase and replace with repositioned stair; ref. 2015/5842/L – **Decision Pending**

Erection of single-storey extension at rear ground floor level as enlarged retail floorspace, ref 2014/7775/P **Decision pending**

Internal and external works in association with erection of single-storey extension at rear ground floor level including removal of rear ground floor wall of the Grade II Listed Building, ref 2015/0060/L **Decision pending**

July 1998 – PP Granted - Removal of the existing front dormer window and the erection of a new front dormer window; removal of the existing roof covering and replacement with Welsh slate; the removal of raddles render and replace with matching new raddles render, as shown by drawing numbers 9703/01b, 9730/03, 9730/04 and the Structural report by Bush Booth Associates; ref. PS9705292R2

July 1998 – LBC Granted - Removal of the existing front dormer window and erection of a new front dormer window; removal of the existing roof covering and replacement with Welsh slate; the removal of raddles render and replace with matching new raddles render, as shown by drawing numbers 9730/01b, 9730/03, 9730/04 and the structural report by Bush Booth Associates; ref. LS9705293R2.

Relevant policies

LDF Core Strategy and Development Policies

LDF Core Strategy

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving heritage / conservation areas)

Development Policies

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage / conservation areas)

DP26 (Managing the impact of development on occupiers and neighbours)

DP28 (Noise and vibration)

Camden Planning Guidance

CPG1 Design (2014) - Sections 1; 2; 3; 4 & 5

CPG6 Amenity (2011) - Section 6 Daylight and sunlight

Section 7 Overlooking, privacy and outlook

Seven Dials (Covent Garden) Conservation Area Appraisal and Management Strategy Rear Extensions (SD23 & SD24, SD27 & SD28)

London Plan (2011)

NPPF 2012

Assessment

1.0 Proposal

- Erection of a single-storey ground floor extension over the whole yard and a small projecting full width element at 1st floor;
- associated relocation of rear staircase window to be above whole extension;
- installation/relocation of 3 a/c units at 1st floor level rear;
- Internal alterations in association with this including replacement and repositioning of staircase from the ground floor to first floor levels.

1.1 The main concerns are: **a]** design and impact on the building's listed and historic fabric and on the conservation area; **b]** impact on amenity from extension and plant machinery.

2.0 Design / Heritage

2.1 The host building has an open rear yard where as the neighbouring rear yards are all built over with single-storey buildings with flat roofs. The proposed single-storey extension [(5m (w) x 3m/4m (h) x 3m (d)] would occupy the entire rear yard to match the neighbours. At 1st floor level a mono-pitch roof extension is proposed that measures 1m (d) x 5m (w) x 4m/3m (h). The proposed single-storey extension would increase the retail floorspace by approximately 18.4sqm. The 1st floor extension would allow for the removal of the fire damaged staircase at ground floor level and the positioning of a new staircase up to the first floor. This would also enable the increase of the ground floor retail floorspace.

Ground & 1st floor rear extensions

2.2 The proposed single-storey ground floor extension is considered acceptable in principle, owing to similar extensions to neighbouring buildings. However the extension is considered unacceptable due to the removal of large portion of the rear wall which is considered unacceptable in this instance. This proposal is unlike a previous submitted proposal for a similar single-storey rear extension excluding demolition (references 2014/ 7775/P & 2015/0060/L), that excludes the 1st floor extension and retains the rear wall of the host building.

2.3 At 1st floor level, the proposal involves a full width rear extension. The proposed extension projects beyond the adjacent grade II listed building at No. 59, which shares the same rear building line as No. 61, and the extra height and bulk to the rear of No. 61 would affect its setting at the rear. This is considered unacceptable due to the largely intact fabric at this floor level and above, and is a good example of its type within the terrace group. The applicants cite as a precedent other extensions at the rear of properties in Neal Street and the surrounding area; however, the examples given are not recent and they are less than half-width and tend to be built as small closet wings off the staircases of similar properties. Moreover, as noted in paragraph 24.13, policy DP24, '*...Past alterations or extensions to surrounding properties should not necessarily be regarded as a precedent for subsequent proposals for alterations and extensions*'. The proposed extension would be contrary to the CAS, paragraph SD28 on rear extension, on grounds of harm to the appearance and historic interest of the host building and negative collective harm.

2.4 The proposals are considered unacceptable in terms of impact on historic fabric, as they intend the removal of a large proportion of the rear walls on both floors. Not only will there be a notable loss of historic fabric in these areas of the building, the proposal involves the removal and relocation of the original principal staircase from the ground plus 1st floor levels and staircase compartment of the listed building. The loss of historic fabric would harm the plan form of the building and involves the loss of historic fabric which is not justified – no evidence has been provided that the staircase is beyond structural repair and no justification has been given for its reconstruction/relocation. Likewise, the proposed removal of the original triangular chimney breast to the rear of the first-floor back room and its replacement with an internal WC is considered unacceptable and impact detrimentally on the plan form and would cause demonstrable harm to the buildings historic fabric. Like all developments

affecting a listed buildings and/or conservation area, the test is whether the proposal would preserve or enhance the historic fabric of the building. Given numerous modern unsympathetic alterations to the building, the proposals that form parts of this permission are considered unacceptable because they would incur unacceptable loss of features of significance and would not sustain the significance of this Grade II listed building.

2.5 The proposal is considered unacceptable and is not in compliance with LDF policies CS14, DP24 and DP25, nor with guidance in CPG 1 (rear extensions guidelines) and Seven Dials (Covent Garden) Conservation Area Statement guidelines on rear extensions and alterations to listed buildings.

2.6 Planning (Listed Buildings and Conservation Areas) Act 1990 specifies in the following sections:

s16- In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

s66- In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

s72- In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

2.7 The proposals cause 'less than substantial' harm to the grade II listed building and the setting of the adjacent grade II listed building, plus to the character and appearance of the Seven Dials (Covent Garden) Conservation Area, in line with paragraph 134 of the NPPF. It is considered that the proposal delivers no public benefits. As a consequence, it is therefore considered that, in line with sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, this proposal should be refused.

3. Amenity

3.1 The windows of the proposed 1st floor extension would provide limited views of the habitable rooms of neighbouring buildings and would not cause any additional harm to occupiers' amenities in terms of loss of privacy or outlook and is considered satisfactory.

3.2 Had the ground floor extension considered acceptable, a condition would have be added to restrict the use of the flat roof as a roof terrace to minimise adverse harm.

3.3 In terms of location, depth and height, the proposed extension on both floors is considered not to harm adjoining occupiers' day/sunlight and outlook and is satisfactory.

4. Plant machinery

4.1 The proposed relocated plant and additional units would be installed on the roof of the single-storey extension and the rear elevation of the new 1st floor rear extension similar to neighbouring buildings. As such, there is no objection to their proposed location subject to satisfactory noise report.

4.2 No supporting acoustic noise report was submitted for the Council's assessment to determine the new units' impact on the occupiers of the neighbouring buildings. Officers consider that the relocated/new plant may have negative impact on amenity and should be assessed in line with policy DP26. The absence of this information will form a reason for refusal.

5.0 Recommendation:

Refuse Planning permission.

Refuse Listed building consent.

