
Appeal Decisions

Site visit made on 1 April 2014

by Terry G Phillimore MA MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 April 2014

Appeal Ref: APP/X5210/A/13/2206926 (Appeal A)
6 Perrins Court, Hampstead, London NW3 1QS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Malcolm Cuthbert against the Council of the London Borough of Camden.
 - The application Ref 2013/4016/P is dated 27 June 2013.
 - The development proposed is restoration of Georgian town house with erection of a hipped roof as replacement for existing roof terrace and formation of new roof terrace with frameless glass balustrade, glazed roof to lightwell, alterations to windows plus doors at front and rear elevations and associated alterations.
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Appeal Ref: APP/X5210/E/13/2206927 (Appeal B)
6 Perrins Court, Hampstead, London NW3 1QS

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Mr Malcolm Cuthbert against the Council of the London Borough of Camden.
 - The application Ref 2013/4084/L is dated 27 June 2013.
 - The works proposed are restoration of Georgian town house with erection of a hipped roof as replacement for existing roof terrace and formation of new roof terrace with frameless glass balustrade, internal works including lowering of the basement floor level, glazed roof to lightwell, new bathrooms, alterations to windows plus doors at front and rear elevations and associated alterations.
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Decisions

Appeal A

1. The appeal is dismissed insofar as it relates to erection of a hipped roof as replacement for existing roof terrace and formation of new roof terrace with frameless glass balustrade, and planning permission is refused for this. The appeal is allowed insofar as it relates to restoration of Georgian town house with glazed roof to lightwell, alterations to windows plus doors at front and rear elevations and associated alterations, and planning permission is granted for this at 6 Perrins Court, Hampstead, London NW3 1QS in accordance with the terms of the application, Ref 2013/4016/P, dated 27 June 2013, and the plans submitted with it so far as relevant to that part of the development hereby permitted and subject to the conditions set out in the attached Schedule.

Appeal B

2. The appeal is dismissed insofar as it relates to erection of a hipped roof as replacement for existing roof terrace and formation of new roof terrace with frameless glass balustrade, and listed building consent is refused for this. The appeal is allowed insofar as it relates to restoration of Georgian town house with internal works including lowering of the basement floor level, glazed roof to lightwell, new bathrooms, alterations to windows plus doors at front and rear elevations and associated alterations, and listed building consent is granted for this at 6 Perrins Court, Hampstead, London NW3 1QS in accordance with the terms of the application, Ref 2013/4084/L, dated 27 June 2013, and the plans submitted with it so far as relevant to that part of the works hereby permitted and subject to the conditions set out in the attached Schedule.

Procedural Matter

3. As suggested by the appellant, the above descriptions of the proposal combine those on the application forms and those given by the Council, with the internal works left out of that for Appeal A.

Main Issue

4. The main issue is the effect the proposal would have on the character and special interest of the listed building and the character and appearance of the Hampstead Conservation Area.

Reasons

5. The property is a Grade II listed building dating from around the early 18th century located within the Hampstead Conservation Area. An expert historic description of the building submitted with the proposal is agreed by the Council to be full and accurate, and identifies the main features of interest. The building is largely of Georgian origin. Alterations have been made over various periods, including some modern insertions and features. The remaining older fabric and historic form are the main elements of significance.
6. A number of aspects of the proposed works involve the reinstatement of layout and details that have been lost by way of recent alterations. These are generally non-contentious and would safeguard the interest of the building subject to appropriate conditions.
7. Internally, the Council has raised the proposed removal of what it describes as part of the chimney breast to the right hand side of the fireplace at ground, first and second floor levels as of concern. However, these parts appear to comprise boxed elements attached to the original structure and would not involve the loss of important chimney features.
8. Having regard to the existing layout, the proposed bathrooms could be incorporated without harm to fabric from new services, again subject to condition.
9. There is a basement lightwell to the south-west side of the building which is presently covered in part by a modern plastic roof. It is proposed to replace this by a full glazed covering. This would involve no loss of fabric and enable the original form of the well and adjacent vault to continue to be read. Having regard also to the particular nature of the well including its location relative to

the Perrins Court frontage, in this case the alteration would not cause material harm to the building's interest.

10. The building has a twin mansard roof. The section furthest away from Perrins Court is recessed from the south-west edge, with an area of roof terrace in front, and is agreed to be modern. It is proposed that this section would be rebuilt as a new hipped roof brought forwards to align with the adjoining structure, with a new roof terrace behind. The existing north-east wall would be retained, with a glazed balustrade abutting this and the rear of the new section. The new part of the roof would reinstate the original form, matching the adjoining section, and there would be no loss of original fabric. However, the proposed flat area of roof would materially erode the integrity of the historic roof form. In addition, the balustrading rising above much of the roof would be an alien feature at this level, despite the limited visibility in public views.
11. Overall, therefore, many of the proposed works would preserve the special interest of the building, but the roof alteration would not. To the extent that the building contributes to the character and appearance of the Hampstead Conservation Area, which to a large degree is derived from the historic form of its buildings, this would also be adversely affected by the latter alteration. The harm to the significance of the heritage assets as a result of this would be less than substantial, but this is not outweighed by the benefits of other works in restoring the building or the provision of a larger external amenity area for use by the occupiers. The roof alteration would conflict with the requirements on respect for heritage features sought by policies DP24 and DP25 of Camden Development Policies 2010, while the other works would comply with these.
12. The proposed roof alteration can be separated from the other parts of the proposal, which can be allowed. Conditions are needed on the listed building consent to control all detailed aspects of the works in order to safeguard its special interest. Requirements relating to the roof proposal are deleted from the suggested conditions. The condition precluding the attachment of various structures to the faces of the building is also not included since this would be subject to normal listed building control. On the planning permission a condition specifying the approved plans is needed for the avoidance of doubt and in the interests of proper planning, together with a condition on materials to safeguard the appearance of the building.
13. I have taken into account all other matters raised, including comments made by the Georgian Society. For the reasons given above I conclude that the appeals should be allowed in part and dismissed in part.

T G Phillimore

INSPECTOR

Schedules of Conditions

Appeal A

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.

- 2) No development shall take place until samples of the materials to be used in the refurbishment of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 12-202/X_01, X_02, X_03, P_01, S_01, E_01, E_02, L_01; 202-DWG-300.

Appeal B

- 1) The works hereby authorised shall begin not later than 3 years from the date of this consent.
- 2) All architectural features including cornices, architraves, skirting, floorboards, balustrades, and fireplaces shall be retained and repaired to match the original work unless shown on the drawings hereby approved.
- 3) Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:
 - i) Plan, elevation and section drawings of all new doors at a scale of 1:10 with typical moulding and architrave details at a scale of 1:1 including a clear location of the new door and a photo of the existing door to be removed.
 - ii) Drawings of all new architectural details including at a scale of 1:2 of all new skirting and cornicing including photos of the existing to be removed clearly marked on a floor plan (other than where reinstatement is a repair to existing, which should be undertaken on a like for like basis in accordance with the approved drawings).
 - iii) Plan, elevation and section drawings of all new windows (including lightwell rooflight) at a scale of 1:10 with typical glazing bar details at 1:1 including a clear location of the new window and a photo of the existing window to be removed.
 - iv) Plan, elevation and section drawings of all new staircase parts at a scale of 1:10 including string, handrail and balustrades.
 - v) Samples and manufacturer's details of all new facing materials. A sample panel of all facing materials shall be erected on-site and approved by the local planning authority before the relevant parts of the work are commenced and the works shall be carried out in accordance with the approval given. The panel shall include facing brickwork demonstrating the proposed colour, texture, face-bond and new pointing or re-pointing.
 - vi) Samples and manufacturer's details of all new floors including existing and proposed threshold levels and associated location plan and photo of the existing floor finishes to be removed.
 - vii) Plan, elevation and section drawings including materials of all new fireplaces including a clear plan showing the proposed location.
 - viii) Details of any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification including new fire and sound insulation or additional structural works to the building.

- ix) Details of service runs for all new bathrooms, demonstrating the location of the pipeworks and risers and their relationship with the structure of the building.

The relevant parts of the works shall then be carried out in accordance with the approved details.

- 4) A full method statement/specification and 1:20 drawings for any alterations to the existing panelling and reinstatement of the timber panelling shall be submitted to and approved in writing by the local planning authority, with sample panels to be made available for inspection in locations to be agreed, prior to the relevant work commencing. The relevant part of the works shall then be carried in accordance with the approved details.
- 5) A full method statement/specification and samples for the cleaning and re-pointing of the façade shall be submitted to and approved in writing by the local planning authority, with sample panels to be made available for inspection in locations to be agreed, prior to the relevant work commencing. The relevant part of the works shall then be carried in accordance with the approved details.
- 6) All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings hereby approved or required by any condition(s) attached to this consent. This includes lath and plaster walls and ceilings.
- 7) All new partitions shall be scribed around the existing ornamental mouldings.
- 8) A qualified structural engineer's report demonstrating all structural alterations including details of all historic fabric to be removed shall be submitted to and approved in writing by the local planning authority before works are commenced. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.
- 9) Any hidden historic features or fabric which are revealed during the course of works shall be retained in situ, work suspended in the relevant area of the building and the local planning authority notified immediately. Notwithstanding the approved drawings provision shall be made for the retention and reuse of the fabric unless otherwise agreed in writing by the local planning authority.