

Address:	4 Chamberlain Street London NW1 8XB	
Application Number:	2015/4869/P	Officer: Nick Baxter
Ward:	Camden Town with Primrose Hill	
Date Received:	26/08/2015	
Proposal: Replacement of glazed door in rear addition with timber double-glazed door		
Background Papers, Supporting Documents and Drawing Numbers: Location plan, heritage statement v2, design & access statement v6, 7857 101A, 7857 102B, 7857 103B, 7857 105B, 7857 107A, 7857 108A, 7857 106D, 7857 108D, 7857 115A		
RECOMMENDATION SUMMARY: Grant planning permission		
Date of Application:	26/08/2015	
Application Number:	2015/5813/L	
Proposal: Various internal alterations and replacement of glazed door in rear addition with timber double-glazed door		
Background Papers, Supporting Documents and Drawing Numbers: Location plan, heritage statement v2, design & access statement v6, 7857 101A, 7857 102B, 7857 103B, 7857 105B, 7857 107A, 7857 108A, 7857 106D, 7857 108D, 7857 115A		
RECOMMENDATION SUMMARY: Grant listed building consent and warning of enforcement action to be taken		
Applicant:	Agent:	
Mr Jonny Bucknell 16 St George's Mews London NW1 8XE	Mr Philippe Hornsby Simon Levy Associates Link House 49 Theobald Street Borehamwood Hertfordshire	

OFFICERS' REPORT

Reason for referral to Committee: councillor's own scheme

1. SITE

- 1.1 The application site is located on the south side of Chamberlain Street. It is one of a terrace of eight houses.
- 1.2 The application building is a ground-floor flat and separate basement in a three-storey-plus-basement dwelling house built in the mid-19th century.

- 1.3 The predominant character of the street is residential in nature.
- 1.4 The site is grade II listed and located within the Primrose Hill Conservation Area.

2. THE PROPOSAL

- 2.1 The application seeks planning permission and listed building consent for the following:
 - The replacement of a rear door with single-glazed window with a door with double-glazed window.
 - Repairs to existing historic windows and secondary glazing
 - The installation of a railing around the rear light well.
 - The installation of a banister to the front area steps.
 - Reinstatement of the basement ceiling.
 - Repairs to internal plasterwork on damaged lath-and-plaster walls and ceilings.
 - Installation of new kitchen and bathroom in existing positions.

3. RELEVANT HISTORY

- 3.1 **9003297**: Erection of a first floor rear extension to accommodate a new bathroom to the existing dwelling house as shown on drawing nos. 1-4. GRANTED 10/9/90
- 3.2 **LEX0200387/L and PEX0200386/P/P** Replacement of rear 1st floor sash windows with a timber and glass door, and installation of a balustrade and partition over the existing rear extension in order to create a roof terrace. GRANTED 17/2/4
- 3.3 Enforcement investigation: an Environmental Health Improvement Notice was served on the property to bring it up to a habitable standard. In July 2015 the owner began to carry out the works required by the Notice even though an application for Listed Building Consent had not been made. Enforcement officers were notified that the works were under way and visited the site.
 - Alleged breach: "Within the rear ground-floor room, removal of original lath and plaster to large areas of the walls and to the entirety of the ceiling; partial removal of decorative cornice"

The works ceased, and discussions have taken place between the owner's agent, enforcement officer and conservation and design officers which resulted in the current application to reinstate the elements that were removed, enforcement ref. EN16/0450.

4. CONSULTATIONS

Conservation Area Advisory Committee

- 4.1 The Primrose Hill CAAC was consulted but did not comment

Adjoining Occupiers

- 4.2 A site notice was displayed from 20/1/16 until 10/2/16 and a public notice was published in the Ham & High on 20/1/16.

<i>Number of letters sent</i>	12
<i>Number in support</i>	0
<i>Number of objections</i>	0

5. POLICIES

5.1 National and London wide policies and guidance

Planning (listed building and conservation area) Act 1990 as amended
Enterprise and Regulatory Reform Act (ERR) 2013.
National Planning Policy Framework 2012
National Planning Policy Guidance 2014
London Plan 2015

5.2 LDF Core Strategy and Development Policies

CS1 (Distribution of growth)
CS5 (Managing the impact of growth and development)
CS6 (Providing quality homes)
CS11 (Promoting sustainable and efficient travel)
CS13 (Tackling climate change and promoting higher environmental standards)
CS14 (Promoting high-quality places and conserving our heritage)
DP2 (Making full use of Camden's capacity for housing)
DP5 (Homes of different sizes)
DP6 (Lifetime homes and wheelchair homes)
DP16 (The transport implications of development)
DP17 (Walking, cycling and public transport)
DP18 (Parking standards and the availability of car parking)
DP19 (Managing the impact of parking)
DP20 (Movement of goods and materials)
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)
DP28 (Noise and vibration)
DP29 (Improving access)
DP32 (Air quality and Camden's Clear Zone)

5.3 Other Planning Policies / Guidance

Camden Planning Guidance (CPG) 2015 – CPG 1, 2, 3, 4, 8
Camden Planning Guidance (CPG) 2011 – CPG 6 and 7
Hampstead conservation area statement (2001)

6. ASSESSMENT

6.1 The principal consideration material to the determination of this application are summarised as follows:

- Impact on the significance of heritage assets (listed buildings and conservation area)

Impact on the Heritage Assets

Legislative background

Planning (Listed Buildings and Conservation Areas) Act 1990

Listed buildings

6.2 In considering developments that affect a listed building or its setting, Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that local authorities 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.

6.3 In this case, the primary issue relates to preserving the special interest of the grade-II-listed host building as well as the setting of the adjoining listed buildings.

Conservation Area

6.4 In considering developments affecting a conservation area, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that local authorities shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

6.5 The site forms part of the Primrose Hill Conservation Area.

6.6 In line with the above statutory duties and recent case law, considerable importance and weight has to be attached the impact of the heritage assets and their setting. It should also be noted that the duties imposed by section 66 and 72 of the Act are in addition to the duty imposed by section 3(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) 2012

6.7 The NPPF requires its own exercise to be undertaken as set out in its chapter 12, Conserving and enhancing the historic environment.

6.8 Paragraph 129 requires Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.

- 6.9 Paragraphs 132-134 and 138 require consideration as to the impact of a proposed development on the significance of a designated heritage asset and assessment of the identification of any harm.

Camden Development Plan 2010

- 6.10 The proposal shall comply with the relevant Camden Local Development Framework Core Strategy policy which is CS14(a-c) 'Promoting high-quality places and conserving our heritage'
- 6.11 The relevant Development Plan policies are DP24 'Securing high-quality design' and DP25 'Conserving Camden's heritage' which provides more detailed guidance on the Council's approach to protecting and enriching the range of features that make up our built heritage. It states that the Council will only grant alterations and extension to listed buildings which does not cause harm, not permit development which harms the setting of listed building or harms the character and appearance of conservation areas.

Draft local plan

- 6.12 The draft local plan is being drafted for re consultation at present and therefore carries little weight. However the proposal does comply with the current draft local plan.

Consultation

- 6.14 In line with Arrangements for Handling Heritage Applications – Notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015 came into force on 15 April 2015 – Historic England did not require notification of the applications.

Significance

- 6.15 4 Chamberlain Street is a grade-II-listed building and is therefore considered to be a building of national historic and architectural importance.
- 6.16 Numbers 1 to 8 and their railings are listed as a group and are described as a "Symmetrical terrace of 8 houses. Mid C19. Yellow stock brick with blue brick bands and stucco dressings. Slated roofs with overhanging bracketed eaves. Nos 1 & 11 have pediments and slightly project. 3 storeys and basements. 2 windows each. Prostyle porticos; panelled doors with overlights. Ground floor tripartite sashes have channelled stucco voussoirs, keystones and triglyph with guttae drops; cast-iron window guards to bracketed cornice sills. Architraved 1st floor sashes with bracketed cornices and pediments, cast-iron window guards and continuous sill band. 2nd floor sashes have bracketed sills, continuous sill band and are flanked at the top by the large enriched eaves brackets. INTERIORS: not inspected. SUBSIDIARY FEATURES: attached cast-iron railings with spearhead finials to areas. The houses in Chamberlain Street form a very complete group."

Contribution to the significance of the Primrose Hill Conservation Area

- 6.17 As a listed building, the site is considered to be a positive contributor to the conservation area.

Impact of the proposed work on the significance of the listed building

Internal works

- 6.19 The works to the kitchen and bathroom have a neutral effect on the special interest of the building because they replace existing facilities. The replacement of the basement ceiling and repairs to the damaged plasterwork represent an improvement on the existing state of the building. Repair and the addition of secondary glazing is the preferred method of upgrading the windows of a listed building, so this part of the proposal is acceptable.

External works

- 6.20 Double glazing would not normally be considered appropriate in a listed building but, in this case, the replacement door to the rear is in a non-original aperture (i.e. in a non-original rear extension), so it is acceptable in this instance. The banisters in the front area will not be visible, while the railings around the rear light well will also be concealed from public view. In neither case will the work harm the special interest of the listed building.

Impact of the proposed work on the character and appearance of the Primrose Hill Conservation Area

- 6.21 The works are either internal or of so minor a nature as to have no effect on the character and appearance of the conservation area.

Impact of the proposed work on the setting of the adjoining listed buildings.

- 6.22 The works are either internal or of so minor a nature as to have no effect on the setting of the adjoining listed buildings.

Conclusion

- 6.23 As set out in paragraph 3.3, works were required as a result of an environmental health improvement notice and a planning enforcement investigation. The application has been submitted as a result of discussions with planning enforcement and conservation and design officers.
- 6.24 In respect to the Planning Act it is considered that the proposal would preserve as well as enhance the special architectural and historic interest of the grade-II-listed house. The proposal is also considered to preserve the character and appearance of the Primrose Hill Conservation Area and the setting of the adjoining listed buildings. No harm would be caused to the listed building, its character and appearance or significance. The proposals overall would enhance the condition of the listed building, thereby ensuring its future health.
- 6.25 The scheme has been assessed against the NPPF and no harm is found to have been caused to heritage assets. Finally the scheme has been considered against

the Development Plan policies and guidance and is found to comply with the relevant policies.

7. CONCLUSION

- 7.1 The proposal is considered to be acceptable in design, conservation and heritage terms and there would be no adverse impact on the residential amenity of neighbouring properties.
- 7.2 The development would be appropriate and in accordance with relevant National and Regional Policy, Core Strategy and Development policies and Camden Planning Guidance for the reasons noted above.
- 7.3 The granting of planning permission is recommended.
- 7.4 The associated listed building application (ref: 2015/5813/L) is recommended for conditional approval.
- 7.5 Recommendation: that the Head of Legal Services be instructed to issue a Listed Building Enforcement Notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, and, in the event of non-compliance with the notice, the Head of Legal Services be authorised to pursue any legal action necessary to prosecute the owner under Section 43 of the Act and or other appropriate power and/or the Director of the Culture and Environment Department be authorised to take direct action under Section 42 of the Act to secure compliance with the notice.

The notice shall allege the following breach of listed building control:

The notice shall allege that, without listed building consent, the following works were carried out:

- Within the rear ground floor room, removal of original lath and plaster to large areas of the walls and to the entirety of the ceiling; partial removal of decorative cornice;

Requirements

The notice shall require within a period of 12 months of the Notice taking effect:

- Completely repair and reinstate the original plaster wall, ceiling and decorative corning to match the original:

OR

- Restore and reinstate the plaster wall and ceiling treatment and the decorative cornices in accordance with the approved drawing 7857 106D.

Reason why the Council considers it expedient to issue the notice

The Notice shall specify the reason why the Council considers it expedient to issue the notice:

The unauthorised internal works, including the alterations to original walls, ceilings and decorative plasterwork are detrimental to the special architectural and historic interest of the building and contrary to policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

8. **LEGAL COMMENTS**

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