

Delegated Report		Analysis sheet		Expiry Date:	19/08/2016
		N/A		Consultation Expiry Date:	N/A
Officer			Application Number(s)		
Matthias Gentet			2016/3553/L		
Application Address			Drawing Numbers		
Flat B 10 Regent's Park Road London NW1 7TX			Supporting Statement/Cover Letter; Schedule of Works; Site Location Plan; Site Plan; Set of 8no Photos; Design and Access/Heritage Statement; A01, A02, A03, A04.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Replacement of existing aluminium frame secondary glazing (2no bay windows and 2no sliding doors) with timber frame secondary glazing (2no bay windows and 2no hinged doors) to balcony windows and doors. [Retrospective]					
Recommendation(s):		Refuse Listed Building Consent and the Borough Solicitor 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 Borough Solicitor 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 Executive Director Supporting Communities be authorised to take direct action under Section 42 of the Act to secure compliance with the notice.			
Application Type:		Listed Building Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	No consultation was carried out due to the nature of the proposal					
Primrose Hill CAAC	An objection was received from the <b>Primrose Hill CAAC</b> , as follows:  <i>We object to the addition of the heavy timber framed secondary glazing which is in conflict with the modernist approach of the architect Erno Goldfinger. The proposals are harmful to the Listed Building.</i>					
Regents Park Housing Society	A support was received from the <b>Regent's Park Housing Society</b> , summarised as follow: <ul style="list-style-type: none"><li>○ The integrity of the building and flats is protected by the Lease and Listing, both of which we all take very seriously.</li><li>○ Blinds to be installed: As the gap between the window and the secondary glazing is extremely small, it would almost certainly not be possible to install a blind. If so, it would have to be pulled down the whole time in order to obscure the secondary glazing.</li><li>○ The only people who can see them are the other Members of the Society.</li><li>○ The painting of the frame in white should only relate to the outwards facing side.</li></ul> <u>Officer's Response:</u> <i>The impact of the timber frame is just as important on the internal space as the external impact. Although the fixture will have a limited visibility from the outside due to the set-up of the rear streetscape and the lower level of the flat which will mostly be overlooked by the resident of the 10 Regent's Park Road, its internal impact is highly significant. This is because the building is listed and the Council has a statutory duty to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.</i>  <i>The painting of the brown timber frame in white would improve the situation by addressing its currently excessive visibility. The insertion of blinds would also provide further concealing of the heavy timber frame. There is sufficient space between the secondary glazing and the external window to fit such fixture. The previous application would have been refused if these conditions had not been added.</i>					

	<p><i>Notwithstanding the above, this application is recommended for refusal due to the detailed design of the implemented works (see Officer's Report for details) coupled with the fact the frame has not been painted white and there is no blind between the timber frame secondary glazing and the external window.</i></p>
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## Site Description

The application site is a 4-storey modern architectural style, and Grade II listed building, designed by Erno Goldfinger. It was built in the late 1950s as an infill between 3-storey with basement Italianate villa style properties forming part of the north side of Regent's Park Road. The building comprises separate residential flats.

Cecil Sharp House – also a Grade II listing building – stands some 300m from the site address and forming the junction of Gloucester Avenue with Regent's Park Road. This eastern side of Regent's Park Road is residential and is located within Primrose Hill Conservation Area.

## Relevant History

### Application Site:

2015/6864/L (granted on 21/03/2016 with conditions attached) - Replacement of existing aluminium frame secondary glazing (2no bay windows and 2no sliding doors) with timber frame secondary glazing (2no bay windows and 2no hinged doors) to balcony windows and doors. [Retrospective]

### Adjacent Site:

2015/4183/L – (granted on 09/10/2015) - Addition of secondary glazing to 8 windows to front and rear elevations at ground and basement level - **2 Great Ormond Street**;

2015/3950/L – (granted on 20/10/2015) - Installation of secondary glazing to all rear windows - **42 Bedford Square**;

2015/3671/L – (granted on 09/11/2015) - Installation of secondary glazing in two rooms at 1st floor level - **7 New Square**;

2012/3402/L – (granted on 22/08/2012) - Installation of ladder on side elevation of annexe at roof level, photovoltaic panels on roof of annexe and internal alterations including introduction of secondary glazing to Rotunda all in connection with existing offices (Class B1) - **42 Gloucester Crescent**.

## Relevant policies

### **National Planning Policy Framework (2012)**

### **London Plan (2016)**

### **LDF Core Strategy and Development Policies (2010)**

CS14 Promoting high quality places and conserving our heritage

DP24 – Securing high quality design

DP25 – Conserving Camden's Heritage

DP26 – Managing the impact of development on occupiers and neighbours

### **Camden Planning Guidance**

CPG1 Design (2015) Chapters 2 & 3

### **Primrose Hill Conservation Appraisal (2001)**

## Assessment

### 1. Proposal

1.1 Listed building consent (retrospective) sought for the following:

- Retention of timber frame secondary glazing (2no bay windows and 2no hinged doors) following the replacement of aluminium frame secondary glazing (2no bay windows and 2no sliding doors) to balcony windows and doors.

### 2. History and Background

2.1 The replacement secondary glazing was originally installed without listed building consent and a Planning Enforcement case was opened by the Council. A retrospective application was subsequently submitted to the Council (2015/6864/L).

2.2 Listed building consent was granted on 21/03/2016 subject to, amongst others, the following 2 conditions:

*4. Within 3 months of this decision the brown timber frame of the secondary glazing hereby permitted shall be painted white.*

*Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of 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.*

*5. Within 3 months of the date of this decision blinds shall be installed between the timber frame secondary glazing hereby approved and the external window.*

*Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of 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.*

2.3 The abovementioned conditions were intended to aid in minimising the impact of the secondary glazing and mitigating the harm to the listed building, mostly in relation to the impact of the proposal on the internal space, due to the heavy timber frame of the secondary glazing and its colour.

2.4 Listed Building consent would not have otherwise been granted, without these conditions.

2.5 The proposal as a whole reflects the need of better sound proofing, insulation and thermal efficiency to address the impact on the flat due to its orientation.

### 3. Assessment

Design:

3.1 The considerations relevant to the determination of this application are the impact of the

proposal on the special architectural or historic interest of the listed building.

- 3.2 The original metal frame secondary glazing was formed of 4 glazing panels separated by slim batons blending behind the larger width of the external window frame. The overall size of the original secondary glazing measured 1.9m in width x 1.4m in height.
- 3.3 The 'as built' brown timber frame secondary glazing is also formed of 4 glazing panels. These are, however, separated by wider timber frames which produce dividing batons measuring 0.1m in width, including the thickness of the all-round frame also measuring 0.1m.
- 3.4 The thickness of the 'as built' brown timber frame secondary glazing overlaps the thickness of the external window frame. The joinery is of high quality material and craftsmanship, with clean finish and clearly well installed. The material used also matches the existing built-in wardrobe which has been retained since the construction of the building, and is a listed feature typical of the 1950s in terms of design and material. However, the bulky size of the timber frame is incongruous and does not match the external critical frame window. The 'as-built' frame is disproportionate in size, when it should in fact either be of equal size or subordinate to become an integrated feature of the original external window.
- 3.5 Due to the size of the timber frame overlapping the size of the external window frame, its heaviness is such that it is an unduly dominant fixture within the internal space. The size of the timber frame is completely dwarfing and obscuring the frame of the external critical window which has become in a sense, a 'foreign' detail no longer part of the internal integrity of the building and space. The room accommodating the feature is of a modest size and as such, a much thinner frame would have been more sympathetic and in keeping with the 1950s style of window of the epoch.
- 3.6 It is acknowledged that, because the proposal affects the rear of the building and is at ground floor level, there would be limited impact on external views of the listed building. However, the harm to the internal space of the listed building is considered to be unacceptable. When viewed from inside, the brown timber frame secondary glazing is incongruous, giving the impression of being the primary fenestration rather than a secondary feature of the window. This is considered to be harmful to the special architectural and historic interest of the listed building.
- 3.7 The previous listed building consent was granted subject to conditions to require that the secondary glazing frame be painted white and that a blind be installed between the timber frame secondary glazing and the external window. It is considered that these measures would satisfactorily mitigate the harm that is being caused to the listed building. However, the applicant is unwilling to comply with these conditions and the Council is unwilling to grant listed building consent without these conditions.

Materials:

- 3.8 The chosen material (timber) for the frame is of high quality and the craftsmanship of the product is also high quality. A lot of effort has been given to the details and finished product. As such, no concerns are raised on this aspect of the proposal.
- 3.9 Despite the high quality of the material and the joinery, the brown timber frame is generating some form of remodelling of the historic internal identity and design of the host room (lounge/front room) by its oversized frame which is harmful to the special architectural and historical interest of the listed building.

#### 4. Conclusion

4.1 The timber framed secondary glazing, by virtue of its size, design and location is considered to cause harm to the special architectural and historical interest of the listed building, contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.

#### 5. Recommendation

- a. Refuse the Listed Building consent; and
- b. The Borough Solicitor 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 Borough Solicitor 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 Executive Director Supporting Communities 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 planning control:**

Retention of a timber frame secondary glazing (2no bay windows and 2no hinged doors) to balcony windows and doors.

#### **WHAT YOU ARE REQUIRED TO DO:**

1. Remove the timber frame secondary glazing; and
2. Make good any resulting damage.

#### **PERIOD OF COMPLIANCE**

The Notice shall require that the brown timber frame secondary glazing be removed within a period of 2 months of the Notice taking effect.

#### **REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE.**

The timber framed secondary glazing, by virtue of its size, design and location is considered to cause harm to the special architectural and historical interest of the listed building, contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.