

Patrick Marfleet
Development Management
Camden Council
Camden Town Hall Extension
Argyle Street
London
WC1 8EQ

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26th May 2017

Dear Mr Marfleet,

Town and Country Planning Act 1990
Planning (Listed Building and Conservation Areas) Act 1990
Amendments to planning application No. 2017/1436/L
4 Leverton Street, London, NW5 2PJ

It has been brought to our attention by Mr C Rose (Camden Council's Conservation Officer) that 4 Leverton Street, the property concerning application ref no. 2017/1436/L, has been subject to unauthorised building works. This letter has been provided in order to outline the works that have taken place and explains in detail how we would like to include, retrospectively, these works as part of the existing planning application (2017/1436/L).

The works identified by Mr C Rose comprise the removal of a rear ground floor sash window and the instalment of an internal opening to the rear of the property.

It is important to unambiguously make clear that the owners did not carry out the works. The current owners of 4 Leverton Street purchased the property in December 2015, by which time the works had already been carried out.

Camden Council's planning website identifies that there is planning history associated with the original rear ground floor sash window. A planning application for listed building consent was submitted in September 2008, and subsequently refused in October 2008 (2008/2712/L). The decision was taken to appeal (APP/X5210/E/09/2100909/WF) and subsequently dismissed in December 2009.

The appeal notice confirms that the window was inspected during a site visit carried out on the 1st December 2009. This confirms that the window must have been removed anywhere between 2nd December 2009 and December 2015.

It is important to note that should the window be replaced, the new window would not be part of the original fabric of the listed building.

With regards to National Planning Policy, the NPPF sets out (at paragraph 17) twelve core planning principles which are to underpin plan making and decision taking. The inclusion of retrospective listed building consent for the removal of the original sash window is consistent with point 10 of those objectives. Point 10 states:-

- ***“Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.”***

Point 10 is particularly relevant in this case as it should be recognised that the works have been carried out to ensure the layout of the listed terrace house would be better suited to its occupants. The implementation of an opening between the property's

dining room and consented conservatory has ensured the dining room receives higher levels of natural light. The works have also improved the natural ventilation between the rooms as well as the layout by allowing an additional access to the rear of the property.

The NPPF's advice on conserving and enhancing the historic environment appears in paragraphs 126 to 141. Paragraphs 131 and 132 set out the approach to determining planning applications that affect a heritage asset. They indicate that:-

"131. In determining planning applications, Local Planning Authorities should take account of:-

- ***The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;***
- ***The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and***
- ***The desirability of new development making a positive contribution to local character and distinctiveness.***

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As Heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a Grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably Scheduled Monuments, protected wrecks, battlefields, Grade I and II* listed buildings, Grade I and II* registered park and gardens, and World Heritage Sites, should be wholly exceptional."

In the context of this advice, the retrospective approval being sought as part of this planning application would only result in the theoretical loss of a very small part of the heritage asset (in reality that loss has already occurred). The retrospective approval part of the application merely seeks consent for the removal of the original lower floor rear sash window, which, given the approval of the rear conservatory, would have resulted in the window being located internally and not open to public view.

As such, we consider retrospective consent for the removal of the window should be granted as part of the overall planning application.

Given the original window would have ended up being internally located within the building, and given the layout has improved the living arrangements of the occupants residing within the property, it is considered that the perceived level of harm could not be described as significant. As a result, paragraph 134 applies. It indicates that:-

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

As this element of the planning application seeks retrospective consent, any harm perceived, has already taken place. The replacement of the original window would not result in the original fabric of the building being re-instated.

There are a total of 26 listed buildings on Leverton Street. The majority of the listed buildings have been subject to some form of building works, with several involving works to the original building fabric. It is possible that some works may have been completed prior to when the properties were first listed.

The following schedule has been provided to clearly identify the listed properties on Leverton Street and the types of works that have been allowed to the properties' original fabric:-

Property No.	Works granted with the required Listed Building Consent	Planning Application No.
2 Leverton St	Although not associated with the application, drawing no. P2_01 APPROVED PLANS identifies that there is a wide opening between the ground floor middle room and the approved conservatory. This indicates that an original rear sash window has been removed.	2010/6180/P 2010/3830/L
5 Leverton St	As part of the planning application, the proposals include the demolition of an existing brick partition wall which separated the living room and dining areas. This altered the original fabric of the internal layout of the property.	PEX0000397
12 Leverton St	Planning Application No. 2016/1249/P was granted planning permission in August 2016 for the following development:- 'Replacement single storey rear extension to dwelling house (class C3)'. As part of the planning application, a new opening from the hallway to the middle room on the ground floor was approved. This has had an effect on the buildings original fabric.	2016/1249/P

The schedule above identifies applications that have been granted Listed Building Consent that permit works to the original fabric of the building. Therefore, we consider that a precedent has been set within Leverton Street which allows minor changes to the original fabric. As a result, we consider retrospective listed building consent should be granted for the removal of the original ground floor rear sash window – which we reiterate, has already been removed.

Furthermore, all properties that are listed are recorded on the *Historic England* Database. As part of the Listing, all properties are given a description to describe in detail their listed building significance. The row of terrace properties on the eastern side of Leverton Street, including No 4 Leverton Street, has the following description:-

Location: Numbers 2-26 and railings to numbers 10 and 20, 2-26, Leverton Street:

'Terrace of 13 houses. c1845. Painted stuccoed brick, slate roofs. One window wide and 2 rooms deep; 2 storeys. First-floor band and moulded cornices stepped as ground rises to north. Projecting first-floor pilaster strips between Nos 2-10, and Nos 18-26; Nos 10-18 separated by recessed panels. Margin light sashes in moulded architrave surrounds, those to first floor with console brackets and with surviving anthemion cast-iron decoration to sills of Nos 2, 4, 6, 10, 12, 14, and 20. Doors with rectangular top lights set to right of each house, those to Nos 4, 10, 12 and 14 with original doors. INTERIORS not inspected but some noted to retain unusual plaster decoration. The terraces of Leverton Street form a charming group of small-scale, painted houses with distinctive decoration that is very unusual in London'.

Although we do not argue that the rear window was not part of the original fabric of the listed building, it is evident from the list description that the original ground floor rear sash window was not a significant element of the buildings listing.

Given the listing states that "*Margin light sashes in moulded architrave surrounds, those to first floor with console brackets and with surviving anthemion cast-iron decoration to sills of Nos 2, 4, 6, 10, 12, 14, and 20. Doors with rectangular top lights set to right of each house, those to Nos 4, 10, 12 and 14 with original doors*", had the front window or door been removed, it could be considered that this would have had a far more detrimental impact to the building.

Additionally, the Kentish Town Conservation Area, in which 4 Leverton Street is located, is defined by the following definition:-

“in stucco with some brick; individual designs reflect piecemeal development. To the north Leverton Street is a composition of coloured stuccoed houses, some with remaining ‘antique greek’ ironwork details.”

Once again, we acknowledge the property in its entirety is part of the Kentish Town Conservation Area. However, the definition clearly states that the Conservation Area is designated primarily on its frontage features such as the “*antique greek’ ironwork details*”. Again, no reference is made to the windows to the rear of the property. As such, the loss of the rear ground floor sash window has not had any unacceptable impact to the Kentish Town Conservation Area. Indeed, the window could not be seen from the Conservation Area.

In summary, the removal of the ground floor rear sash window has already taken place; any replacement would not constitute the original fabric of the building. As a result of the new access, the property has benefited from better ventilation, whilst providing the dining room with additional light and ensuring the property has a better layout for its occupiers.

The NPPF supports development to listed buildings where the proposed works are weighed against the buildings optimum viable use. In addition, various listed buildings on Leverton have also had sections of the original fabric removed, as such; it is considered that the proposed amendment to the existing application (application ref no 2017/1436/L) should be considered acceptable.

As a result of the amendment being retrospective, the existing (Drawing No.1, Dated 08/02/2017) and proposed (Drawing No.2, Dated 08/02/2017) floor plans submitted with the original application submission (2017/1436/L) remain unchanged.

I look forward to discussing these proposals further with you and your Conservation Officer, Charles Rose.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R. Springett', written in a cursive style.

Richard Springett
Planner