

Delegated Report		Analysis sheet	Expiry Date:	10/08/2017
		N/A / attached	Consultation Expiry Date:	13/07/2017
Officer			Application Number(s)	
John Diver			2017/1388/P	
Application Address			Drawing Numbers	
Flat 25 Highstone Mansions 84 Camden Road London NW1 9DY			<i>See decision notice</i>	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Replacement of no.4 single glazed Crittall windows with double glazed aluminium windows to side and rear elevation at 2nd floor level (retrospective)				
Recommendation(s):	Refuse and Warn of Enforcement Action to be Taken			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	<p>Multiple site notices were displayed near to the site on 21/06/2017 (consultation end date 12/07/2017).</p> <p>The development was also advertised in the local press on 22/06/2017 (consultation end date 13/07/2017).</p>			
Adjoining Occupiers:	No. of responses	01	No. of objections	01
Summary of consultation responses:	<p>A letter of objection was received on behalf of 'Battlehome Directors', the occupiers of flat 44 Highstone Mansions. The comments raised can be summarised as follows:</p> <ul style="list-style-type: none"> • Block is a unique example of a 1930s 'Poiret' style residential block in this neighbourhood, located in a conservation area which maintains an otherwise uniform appearance. • Installed windows do not match the casement dimensions or overall appearance of the Crittall windows which they have replaced despite the applicants having been informed on numerous occasions that they must do so. • The new windows sets a precedent for others to replace their original windows in the block, threatening a mishmash of poor quality aluminium and UPVC replacements which will greatly detract from the block's integrity and appearance both from the rear, where it constitutes a landmark viewed from Agar Grove/Royal College Street, and from the front, where it constitutes a landmark in Camden Town's townscape, on the vista up Camden Rd from Britannia Junction. 			
Regents Canal CAAC:	No responses were submitted following consultation.			
Rochester CAAC:	<p>A letter of objection was received submitted on behalf of the Rochester CAAC (a conservation area situated to the north of the site). The comments raised can be summarised as follows:</p> <ul style="list-style-type: none"> • Replacing Crittall windows with aluminium can be a mistake. • Proposed windows have bulky frames and are not in keeping with the original shape of the panes. Windows therefore do not match the rest of the building. • Request for the applicant to look to the work by Islington in its estate on Brecknock Road as a positive example 			

**Camden Broadway
CAAC:**

No responses were submitted following consultation.

Site Description

The application site is a seven storey L-shaped 1930's block of flats on the corner of Camden Road and the Regent's Canal, next to North Road Bridge. The application relates to a second floor flat with windows to the side and rear of the block. The site is not listed but lies within the Regent's Canal Conservation Area. The rear of the site also forms the boundary for the Camden Broadway Conservation Area. The nearby North Road Bridge over the Grand Union Canal is a grade II listed structure.

Relevant History

A summary of the site's planning history is as follows:

2010/6000/P: Planning permission was granted on the 10/01/2010 at Flat 24, Highstone Mansions for the 'Installation of replacement windows to rear elevation of existing flat (Class C3)'

PEX0100054: Planning permission was refused on the 06/03/2001 at Highstone Mansions for the 'Erection of a roof extension at 6th floor level to provide a two bedroom flat fronting the canal'.

Reasons for refusal:

- 1) The proposed extension would result in a loss of amenity to the existing occupants of the 6th floor of Highstone Mansions by reason of an increased sense of enclosure, loss of light and overlooking from the proposed roof garden. The development would therefore be contrary to policy...*
- 2) The proposal would result in an extension at 6th floor level on a building which is already significantly higher than its neighbours. The increase in scale, height, bulk and massing would be damaging to the character and appearance of the building and the surrounding Regents Canal Conservation Area, particularly when viewed from Royal College Street and the canal. The proposal would therefore be contrary to policies...*

The following ongoing enforcement investigations are also pertinent to this assessment:

EN17/0233 – Investigation into the alleged 'Installation of uPVC windows' at Flat 60 commenced on 23/02/2017. Assessment ongoing.

EN17/0233 – Investigation into the alleged 'Installation of replacement windows' at Flat 25 commenced on 26/05/2017. This application is to determine the acceptability of works commenced.

Relevant policies

National Planning Policy Framework (2012)

The London Plan (2016)

Camden Local Plan (2017)

- H3 – Protecting existing homes
- A1 - Managing the impact of development
- A4 - Noise and vibration
- D1 - Design
- D2 – Heritage

Camden Planning Guidance

CPG1: Design (2015) Chapters:

- 1 - Introduction
- 2 - Design excellence
- 3 - Heritage
- 4 - Extensions, alterations and conservatories

CPG6: Amenity (2011) Chapters:

- 4 - Noise and vibration
- 5 - Artificial light
- 6 - Daylight and sunlight
- 7 - Overlooking, privacy and outlook

Regent's Canal conservation area appraisal and management strategy (2008)

Camden Broadway Conservation Area Appraisal and Management Strategy (2009)

Assessment

1. Introduction / Proposal

1.1. Retrospective planning permission is sought for the replacement of four windows (3 to side elevation and 1 to the rear) at second floor level of the application property. The windows existing prior to these works were the original, single glazed steel framed windows (crittall). The window installed are double glazed with aluminium frames. To the front of the site these frames are coated in white and to the rear a black coating has been applied.

2. Assessment

2.1. The principal considerations material to the determination of this application are as follows:

- Design and conservation;
- Impact on the amenity of adjoining occupiers;
- Transport / Planning Obligations

Design and conservation

2.2. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used. Policy D2 'Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.

2.3. The Council's design guidance (CPG1) states that where it is necessary to alter or replace windows that are original or in the style of the originals, "they should be replaced like with like wherever possible in order to preserve the character of the property and the surrounding area. New windows should match the originals as closely as possible in terms of type, glazing patterns and proportions (including the shape, size and placement of glazing bars), opening method, materials and finishes, detailing and the overall size of the window opening" (para.4.7).

2.4. The Regent's Canal CA appraisal and management strategy (2008) states that it is expected that "the historic details which are an essential part of the special architectural character of Regent's Canal Conservation Area to be preserved, repaired and reinstated where appropriate" (page 36).

2.5. Although the host building is not listed or specifically highlighted as making a positive contribution to the character of the conservation area, the building is nevertheless of architectural merit. This is particularly by virtue of its surviving architectural integrity; particularly due to its elevational

composition, its modest detailing and the uniformity derived from the original crittall windows retained across its front, side and rear elevations. These design features are reflective of architectural preferences of the construction period, appearing somewhat utilitarian and forming a significant contribution to the character of the building. With particular reference to the original windows, these crittall windows are of appealing design with slimline painted steel frames, regular composition and unassertive square mullion/glazing bars. Although it is noted that a number of windows to other flats across the block have been replaced with highly insensitive additions (with enforcement investigations ongoing where windows are not already lawful due to the passage of time), the overall integrity of the building's character is presently maintained.

2.6. The host building is situated in a particularly prominent location, with the elevation facing the canal (the side elevation of the building but front of the application unit) being particularly prominent within the Regents Canal conservation area and the rear of the building also forming the back drop to the Camden Broadway conservation area. The host building also forms is read as within the setting of the adjacent listed structure (North Road Bridge). For the above reasons, despite the lack of listed status the protection of the character of the building is considered crucial for the preservation of the character of these heritage assets.

2.7. At flat 25, a total of 4 original single-glazed, crittall (steel) windows have been replaced with aluminium framed double glazed windows (3 to the front and 1 to the rear). As the host building is not listed, the replacement of single glazed windows with double-glazed is not necessarily considered objectionable in principle. This is outlined in the Council's Design guidance CPG1 where it is stated that *"In conservation areas original single-glazed windows often contribute to the character and appearance of the area, and should be retained and upgraded. There may however be some instances where double glazing can be installed in a design that matches the original... In such cases, the window frame and glazing bars of the replacement windows should match the existing"* (para.4.7). The Council would also support development to improve the thermal efficiency of existing dwelling and the use of double-glazing can be beneficial in this regard, however, this would be subject to the preservation of the host building's character, especially when situated within a conservation area.

2.8. As evidence of the above, the Council has previously granted permission for the replacement of single-glazed with double-glazed to a window to the rear of the building at Flat 24 (ref. 2010/6000/P dated 10/01/2010). In this instance, it was considered that the proposed replacement windows by virtue of their composition, frame size, frame colour, opening style and astragal bar detailing all matched the original windows to a degree that meant the works would not result in a detrimental impact to the character of the property and its integrity was preserved.

2.9. In the case of the application site, it is acknowledged that some attempts have been made to match the replacement window to the original design (opening method, frame colour and number of horizontal glazing bars). Notwithstanding this, the replacement windows do vary significantly from the original windows across block and as a result the windows as installed appear incongruous. This is with particular reference to the bulky frame size of the aluminium units jarring with the slim-line design of original windows, the window's proportions and vertical composition opposing the original design as well as the total lack of any astragal bar detailing. The lack in attention to these details by the applicant/window supplier has meant that the installed windows act to further erode the uniformity of the building by adding yet another variation upon the elevational composition to the detriment of its character and appearance. Due to the fact that the front of the site is particularly prominent in public views from the listed bridge, canal tow path and conservation area, these impacts are exacerbated. The development is consequently considered to have resulted in harm to the character of the host building and has failed to preserve or enhance the character and appearance of the Regents Canal conservation area.

2.10. Overall it is considered that the installed windows have resulted in a further erosion of the appearance of the host block, to the detriment of its character. It is also considered that the development has resulted in harm to the Regents Canal conservation area. The works are

therefore considered to remain contrary to adopted policies D1 and D2. The benefits derived from the scheme in terms of the improved thermal efficiency of the residential unit are not considered to outweigh this harm. The development therefore also remains contrary to paragraph 134 of the NPPF 2012.

- 2.11. It should be noted that the submitted supporting statement states that the detailed design of the replacement windows was restricted due to a lack of window suppliers. In order to investigate this, correspondence was sent to the manufacturers of the replacement windows approved to Flat 24 (Duration Windows). Confirmation was received via email on the 08/08/17 from that this form of heritage window remains commercially available.

Residential Amenity

- 2.12. The replacement windows are not considered to have resulted in any detrimental impact upon the amenities of adjoining occupiers in terms of light, outlook, privacy or noise.

Transport / Planning Obligations

- 2.13. Due to the scale of the works commenced, no transport concerns are raised. As such no transport or other planning obligations would be deemed necessary in this instance.

3. Recommendation

3.1. A) Refuse planning permission

3.2. B) Authorise enforcement action

That the Borough Solicitor be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended and to pursue any legal action necessary to secure compliance and officers be authorised in the event of non-compliance, to prosecute under section 179 or appropriate power and/or take direct action under 178 in order to secure the cessation of the breach of planning control.

The Notice shall allege the following breach of planning control:

The unauthorised installation of replacement windows to the front and rear elevation of flat 25.

The Notice shall require within a period of 3 calendar months of the Notice taking effect:

1) Remove the unauthorised windows; and either

2) Reinstall single glazed, steel framed windows to match the originals; or

Fit double glazed, aluminium framed windows with proportions and detailing to match the originals.

REASONS WHY THE COUNCIL CONSIDERS IT EXPEDIENT TO ISSUE THE NOTICE:

- (1) The replaced windows, by virtue of their frame size, proportions and detailed design, have resulted in harm to the appearance of the host building and the character and appearance of the Regent's Canal Conservation Area, contrary to policies D1 and D2 of the London Borough of Camden Local Plan 2017.