

Delegated Report		Analysis sheet		Expiry Date:		05/05/2017	
		N/A		Consultation Expiry Date:		06/04/2017	
Officer				Application Number(s)			
Patrick Marfleet				1. 2017/1225/P 2. 2017/1436/L			
Application Address				Drawing Numbers			
4 Leverton Street London NW5 2PJ				See draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
		Charles Rose					
Proposal(s)							
1. Demolition and replacement of existing glazed infill extension and installation of bi-folding doors to the rear at ground floor level. 2. Internal and external alterations including removal of internal partition wall to the rear and re-orientation of ground floor WC, retrospective removal and enlargement of rear ground floor window and replacement of glazed rear extension.							
Recommendation(s):		1. Refuse planning permission 2. Refused listed building consent and warn of enforcement action					
Application Type:		1. Householder Application 2. 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:		Both application: Site notice: 15/03/2017 - 05/04/2017 Press notice: 16/03/2017 - 06/04/2017 No responses received from neighbouring residents.					
Bartholomew Estate & Kentish Town CAAC		No comments received.					

Site Description

No. 4 Leverton Street is located on the south eastern side of the road, close to the junction with Leighton Road. The property is a two storey Grade II listed building. The host property forms part of terrace of listed residential properties which are characterised by coloured stucco facades and narrow front gardens.

The application property and wider terrace are located within the Kentish Town conservation area and are identified as making a positive contribution to the character and appearance of the area.

Relevant History

Application Site

2007/2028/P & 2007/2030/L - Demolition of single-storey rear extension at ground floor level and erection of a single storey extension to single family dwelling house (C3). **Approved 16/07/2007.**

2008/2712/L - Replacement of existing timber framed window with timber French doors at ground floor on the rear elevation. **Refused 09/10/2008.**

An appeal was subsequently dismissed on 01/12/2009 ref: APP/X5210/E/09/2100909/WF and the Council's decision to refuse the removal of the window upheld.

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2016

Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

Camden Planning Guidance 2011/2015

CPG1 (Design)

CPG6 (Amenity)

Kentish Town conservation area appraisal and management strategy 2011

Assessment

1.0 PROPOSAL

1.1 Planning permission and listed building consent are sought for the following internal and external alterations:

- Replacement and reconfiguration of the existing single storey glazed infill extension at ground floor level and installation of bi-folding doors across rear elevation creating approximately 1sqm of additional floorspace.
- Removal of internal partition wall to the rear and re-orientation of ground floor WC.
- Retrospective removal of original ground floor rear window and lowering of the cill to create a new doorway to the kitchen area. The aforementioned window was originally an external opening but is now an internal feature following the erection of single storey rear extension at the site.

1.2 Revisions

During the site visit officers discovered that the original ground floor window to the rear of the site, the removal of which had been refused as part of a previous application and successfully defended by the Council at appeal, had been removed and the cill lowered to create a new doorway into the kitchen area. This issue was raised with the applicant who was unaware of the site's planning history and subsequently submitted a revised existing floor plan showing the original window in situ along with a covering letter advising that the retrospective removal of the aforementioned window was to be included as part of the current application.

2.1 ASSESSMENT

The material considerations for this application are summarised as follows:

- Design and Conservation (impact of the proposal on the special interest of the host Listed Building and the character and appearance of the surrounding conservation area); and
- Amenity of neighbouring residential occupants;

2.2 Design and Conservation

2.2.1 Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

External alterations

2.2.2 Permission was granted in 2007 for the erection of a single storey rear extension at the site which involved the demolition and enlargement of the existing closet wing along with a glazed conservatory type structure that occupied the yard area between the closet wing and adjoining boundary wall. The current proposal to remove the conservatory, which has no particular architectural or historic value, would be therefore be considered acceptable in terms of its impact on the character of the host dwelling and surrounding conservation area.

2.2.3 However, the design and fenestration of the proposed replacement extension is considered

unacceptable in its current form. The alterations proposed would bring the height of the glazed infill to the same flat roof height (2.7m) and depth as the existing closet wing extension, creating a full width development that would no longer be read as a traditional closet wing with secondary infill structure, which was the intention when permission was granted for the existing development in 2007. The proposed bi-folding doors would also be at odds with the pattern of fenestration to the rear of the property and would not preserve or enhance the original character of the building.

- 2.2.4 Furthermore, from the information available to the Council, it appears that the majority of the neighbouring buildings in the terrace have closet wings of a similar scale and design to the subject site, and whilst it has been altered previously the built form to the rear of the site is considered to make a significant contribution to the special interest of the residential dwelling and cannot be allowed to be altered without clear justification for the works and further assessment of its significance as part of the listed building.

Internal alterations

- 2.2.5 Plan form and internal layouts make a significant contribution to the special interest of listed buildings. The proposed reorientation of the ground floor WC would result in the blocking of the original rear doorway from the vestibule to the closet wing/courtyard, which is a characteristic feature of buildings of this type and an integral component of its original plan form. Therefore, the alterations proposed in this instance would harm the special architectural and historic interest of the host dwelling and are not considered acceptable.

- 2.2.6 In 2008 the Council refused Listed Building Consent (2008/2712/L) for the removal of the original ground floor rear window and enlargement of the opening to create a new doorway at the site due to the damaging impact the loss of original fabric would have on the special interest of the building. This decision was appealed by the applicant (APP/X5210/E/09/2100909/WF) and subsequently dismissed by the Planning Inspector who supported the Council's reason for refusal and concluded that:

"The proposed alterations would damage the architectural and historic interest of the building and would conflict with local and national policy. For those reasons I conclude that the appeal should fail".

- 2.2.7 Given the above, there has been no significant change in circumstance between the refused application in 2008 and the current retrospective application that would justify the removal of the aforementioned window and compel the Council to change their stance on its retention. The proposal would therefore result in the loss of an original six over six timber sash window whilst the lowering of the cill to create an additional doorway at the property would unacceptably alter the original plan form of the building and harm the special architectural and historic interest of the Grade II listed property, contrary to Policies D1 and D2 of the Camden Local Plan 2017. It is for these reasons the Council consider it expedient to take enforcement action against the unlawful works and seek the reinstatement of the original window.

- 2.2.8 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area and listed building under s.16 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The proposed works by reason of their loss of historic features, plan form and fabric would be detrimental to the special architectural and historic interest of the Grade II listed building and surrounding conservation area.

2.3 Amenity of neighbouring residential occupants

Daylight / Sunlight / Outlook / Privacy

- 2.3.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 (Amenity) provides specific guidance with regards to privacy, overlooking and outlook.
- 2.3.2 The proposed alterations to the existing extension at the site would not have a significant impact on the amenity of neighbouring residents in terms of loss of light, outlook or privacy.

3.0 **Recommendation**

- 3.1 a) Refuse Planning Permission
b) Refuse Listed Building Consent and authorise enforcement action

That 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:

The unauthorised removal of an original ground floor rear window and lowering of the cill to create a doorway.

The Notice shall require that, within a period of three months of the Notice taking effect:

1. To fully reinstate the ground floor rear window with a six over six, single glazed, timber sash window as shown on existing plan numbers DD01/DD02 and make good any resulting damage.

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

The unauthorised removal of an original ground floor rear window and lowering of the cill to create a doorway has lead to a loss of historic plan form and disrupted the historic features of interest which are detrimental to the significance of the grade II listed building contrary to policies D1 and D2 of the Camden Local Plan 2017.