

Statement of Case on behalf of the Appellant

4 Leverton Street, London, NW5 2PJ

October 2017

15 Buckingham Gate London SW1E 6LB

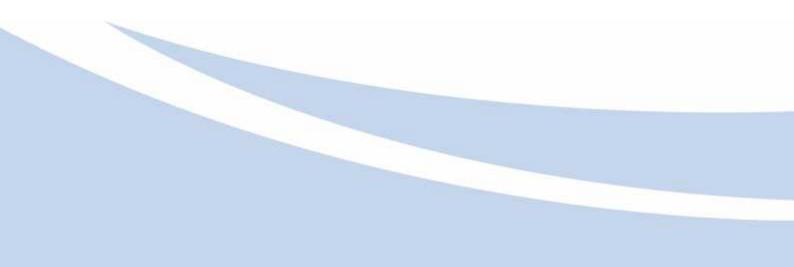
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Appellant's Statement of Case

Document 1

Householder Application and Listed Building Consent Decision Notices (ref. 2017/1225/P and 2017/1436/L)





Regeneration and Planning Development Management London Borough of Camden Town Hall Judd Street London WC1H 9JE

Tel 020 7974 4444

planning@camden.gov.uk www.camden.gov.uk/planning

Simply Planning Limited 15 Buckingham Gate London SW1E 6LB

> Application Ref: **2017/1225/P** Please ask for: **Patrick Marfleet** Telephone: 020 7974 **1222**

3 August 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Refused and Warning of Enforcement Action to be Taken

Address: 4 Leverton Street London NW5 2PJ

Proposal: Demolition and replacement of existing glazed infill extension and installation of bi-folding doors to the rear at ground floor level.

Drawing Nos: Heritage Statement dated Feb 2017, Design and Access Statement dated Feb 2017, Planning Statement dated Feb 2017, Simply Planning cover letter dated 28/02/2017, Simply Planning cover letter dated 26/05/2017, 101 4, 101 5, 101 2, DD01, Location Plan.

The Council has considered your application and decided to **refuse** planning permission for the following reason(s):

Reason(s) for Refusal

1 Reason for Refusal

The proposed rear extension, by reason of its scale, siting and detailed design would result in the further loss of the original built form to the rear of the property and would fail to preserve the character and appearance of the host building, adjoining terrace



of properties and surrounding conservation area, contrary to Policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

ENFORCEMENT ACTION TO BE TAKEN

The Council has authorised the Planning Department to instruct the Borough Solicitor to issue an Enforcement Notice alleging breach of planning control.

You can find advice about your rights of appeal at:

http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent

Yours faithfully

favid T. Joyce

David Joyce Director of Regeneration and Planning



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Tel 020 7974 4444

planning@camden.gov.uk www.camden.gov.uk/planning

Simply Planning Limited 15 Buckingham Gate London SW1E 6LB

> Application Ref: **2017/1436/L** Please ask for: **Patrick Marfleet** Telephone: 020 7974 **1222**

3 August 2017

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Refused and Warning of Enforcement Action to be Taken

Address: 4 Leverton Street London NW5 2PJ

Proposal: 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.

Drawing Nos: Heritage Statement dated Feb 2017, Design and Access Statement dated Feb 2017, Planning Statement dated Feb 2017, Simply Planning cover letter dated 28/02/2017, Simply Planning cover letter dated 26/05/2017, 101 4, 101 5, 101 2, DD01, Location Plan.

The Council has considered your application and decided to **refuse** listed building consent for the following reason(s):

Reason(s) for Refusal

1 The removal and replacement of the ground floor rear window with an enlarged replacement doorway and further internal works at ground floor, as described within this application, by virtue of their loss of historic features, plan form and fabric, are



considered to be harmful to the special architectural and historic interest of the grade II listed building, contrary to policy D2 (Heritage) of the Camden Local Plan 2017.

2 The proposed rear extension, by reason of its scale, siting detailed design and resulting internal works would result in the further loss of the original built form to the rear of the property and would be detrimental to the special architectural and historic interest of the listed building, contrary to Policy D2 (Heritage) of the Camden Local Plan 2017.

Informative(s):

1 ENFORCEMENT ACTION TO BE TAKEN

The Director of Culture and Environment will instruct the Borough Solicitor to issue an Enforcement Notice alleging a breach of planning control.

You can find advice about your rights of appeal at:

http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent

Yours faithfully

flavid T. Joyce

David Joyce Director of Regeneration and Planning



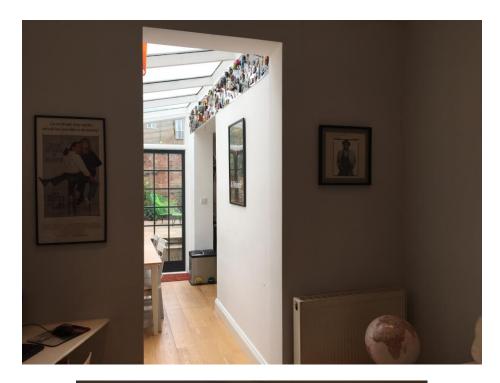
Appellant's Statement of Case

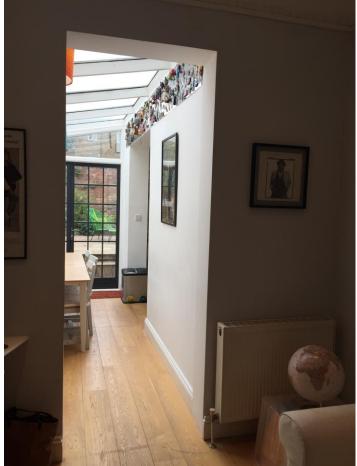
Document 2

Internal and external photographs of 4 Leverton Street



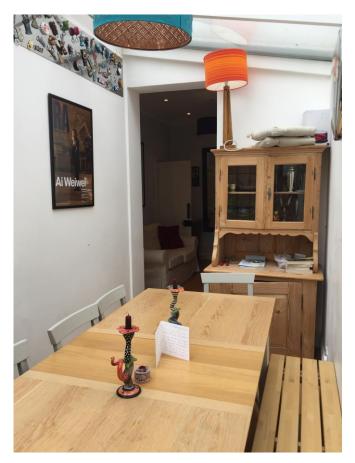
Internal and external photographs of 4 Leverton Street





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Appellant's Statement of Case

Document 3

Planning History Schedule



Planning History Schedule

Address	Application Ref	Proposal	Decision
2 Leverton Street, London, NW5 2PJ	2010/6188/L	Amendments to include enlargement of first floor rear extension, alterations to side and rear windows at first floor level and installation of 2no. rooflights to listed building consent granted on 13/09/2010 (ref. 2010/3830/L) for the erection of a single storey rear extension at first floor level with associated alterations to windows and doors on rear elevation at ground and first floor level and associated internal alterations to residential dwelling (Class C3).	Approved 21 January 2011
2 Leverton Street, London, NW5 2PJ	2010/6180/P	Amendments to include enlargement of first floor rear extension, alterations to side and rear windows at first floor level and installation of 2no. rooflights to planning permission granted on 13/09/2010 (ref. 2010/3827/P) for the erection of a single storey rear extension at first floor level with associated alterations to windows and doors on rear elevation at ground and first floor level to residential dwelling (Class C3).	Approved 21 January 2011
2 Leverton Street, London, NW5 2PJ	2010/3830/L	Erection of a single storey rear extension at first floor level, alterations to windows and doors on rear elevation at ground and first floor level and associated internal alterations to residential dwelling (Class C3).	Approved 13 September 2010
2 Leverton Street, London, NW5 2PJ	2010/3827/P	Erection of a single storey rear extension at first floor level with associated alterations to windows and doors on rear elevation at ground and first floor level to residential dwelling (Class C3).	Approved 13 September 2010
2 Leverton Street, London, NW5 2PJ	LEX0000771	Alterations to kitchen and bathroom, including re-roofing of flat roof with addition of lantern rooflights. As shown on drawing nos 001-011.	Approved LB Consent 26 September 2010
3 Leverton Street, London, NW5 2PJ	37208	The erection of a two storey rear extension.	Conditional 20 December 1983
5 Leverton Street, London, NW5 2PJ	PEX0000397	The demolition of existing single storey extension and erection of replacement two storey rear extension, replacement of front boundary wall with railings, reinstatement of first floor front balcony, installation of rooflights. As shown on drawing number PL.01 to PL.04 inclusive, PL.05(B) and PL.06	Approved 19 September 2000
5 Leverton Street, London, NW5 2PJ	LEX0000398	The demolition of existing single storey extension and erection of replacement two storey rear extension replacement of front boundary wall with railings, reinstatement of first floor front balcony, installation of rooflights together with internal alterations. As shown on drawing numbers PL.01 to PL.04 inclusive, PL.05(B), PL.06(B) and letter dated 19 th September 2000.	Grant LB Consent 19 September 2000



Address	Application Ref	Proposal	Decision
7 Leverton Street, London, NW5 2PJ	8903204	Erection of a roof extension and roof terrace at second floor level as shown on drawing nos. 01, 02, 03. 04A, 05, 06, 07 revised on 1 st August 1989.	Grant Full or Outline perm. With conditions 31 August 1989
7 Leverton Street, London, NW5 2PJ	CTP/F12/114/34493	The enlargement of the existing single storey rear extension and the erection of a rear extension at first floor level.	Granted 2 September 1982
7 Leverton Street, London, NW5 2PJ	CTP/F12/11/4/11862	The erection of a first floor rear extension for use as a bathroom at 7 Leverton Street, London, NW5.	Granted 2 August 1972
8 Leverton Street, London, NW5 2PJ	36374	The erection of a single storey rear extension and a roof extension with terrace at the front, together with roof terraces at rear first and second floor levels and an external rear staircase access to the garden from second floor level.	Granted 7 June 1983
8 Leverton Street, London, NW5 2PJ	23068	The construction of a roof terrace.	Granted 21 July 1977
11 Leverton Street, London, NW5 2PJ	F12/11/14/35632	The erection of a roof extension.	Granted 26 January 1983
12 Leverton Street, London, NW5 2PJ	2016/1780/L	Erection of single storey rear extension, with glazed roof, to replace existing extension. Internal alterations to include blocking off 2 ground floor openings, creating 1 ground floor door opening, installing new ground floor lavatory, installing bathroom within existing rear first floor room, alterations to non-original fireplace at ground floor, relocating attic sink and installing shower to create wet room to existing dwelling house (Class C3)	Granted 5 April 2016
12 Leverton Street, London, NW5 2PJ	2016/1249/P	Replacement of single store rear extension to dwellinghouse (Class C3).	Granted 5 April 2016
13 Leverton Street, London, NW5 2PJ	8602005	The erection of an extension to the existing roof storey as shown on drawing nos. PGA 230/1A and 2.	Granted 21 October 1986
15 Leverton Street, London, NW5 2PJ	CTP/F12/11/13/32620	The erection of a two storey rear extension for residential purposes.	Granted 26 June 1981



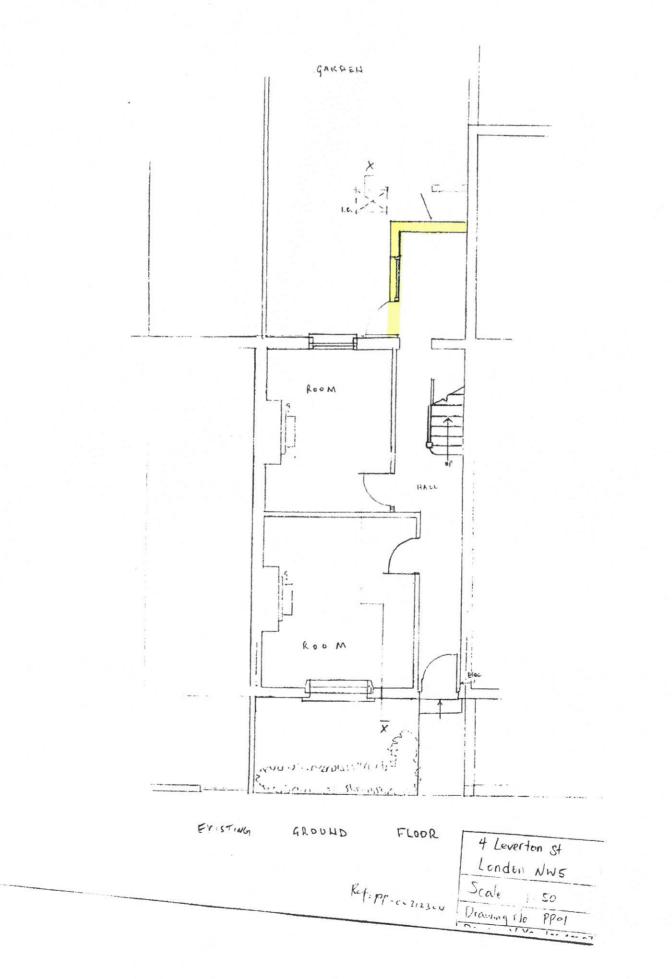
Address	Application Ref	Proposal	Decision
15 Leverton Street, London, NW5 2PJ	CTP/F12/11/13/33871	The erection of an enlarged 2 storey rear extension as an amendment to the scheme granted permission by letter dated 14 th August 1981 (reg no. 32620 [®] for the erection of a 2 storey rear extension for residential purposes.	Granted 16 March 1982
20 Leverton Street, London, NW5 2PJ	29595	Erection of a two storey rear extension to provide additional residential accommodation.	Granted 27 November 1979
21 Leverton Street, London, NW5 2PJ	PEX0101041	Demolition of existing rear ground floor extensions, and construction of new ground and first floor rear extension. As shown on drawing numbers EX000; 001; 002; 003; 004; 005; 006; 007; 008; 009; 010; 011; 012; PA/001 (Rev A), PA/002, PA/003; PA/004 (Rev A); PA/005.	
21 Leverton Street, London, NW5 2PJ	LEX0101042	Demolition of existing rear ground floor extensions, and construction of new ground and first floor rear extension. As shown on drawing numbers EX000; 001; 002; 003; 004; 005; 006; 007; 008; 009; 010; 011; 012; PA/001 (Rev A), PA/002; PA/003; PA/004 (Rev A); PA005.	Granted 13 August 2002
22 Leverton Street, London, NW5 2PJ	15053	Extension of a rear extension at 22 Leverton Street, NW5 at ground level.	Granted 15 November 1972
26 Leverton Street, London, NW5 2PJ	2009/0930/L	Internal and external alterations in association with the rear extension to single family dwellinghouse (Class C3).	Granted 5 March 2009
26 Leverton Street, London, NW5 2PJ	2009/0928/P	Replacement of doors and windows and introduction of rooflight to rear extension of single family dwellinghouse (Class C3).	Granted 5 March 2009
26 Leverton Street, London, NW5 2PJ	29676	Addition of 0.7 metres height to the parapet wall, addition of a cornice and addition of slates to the front elevation of the roof extension (alterations to the permission given by letter dated 14 th March 1979, registered no. 27765(R)).	Granted 14 December 1979
26 Leverton Street, London, NW5 2PJ	27765	The erection of a single storey rear extension and a roof extension.	Granted 15 December 1978

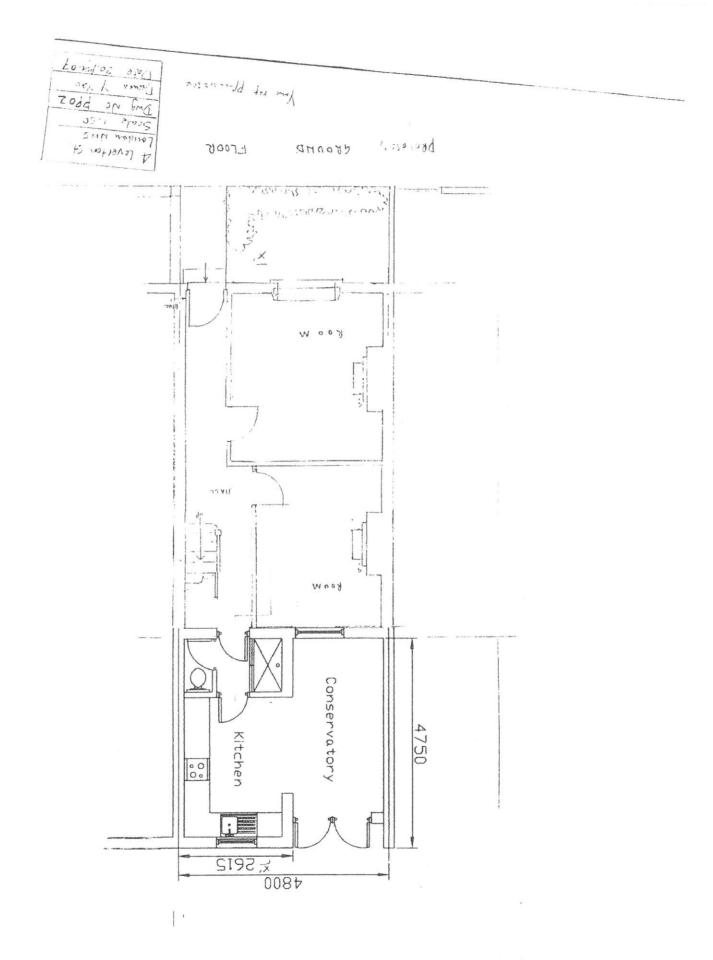


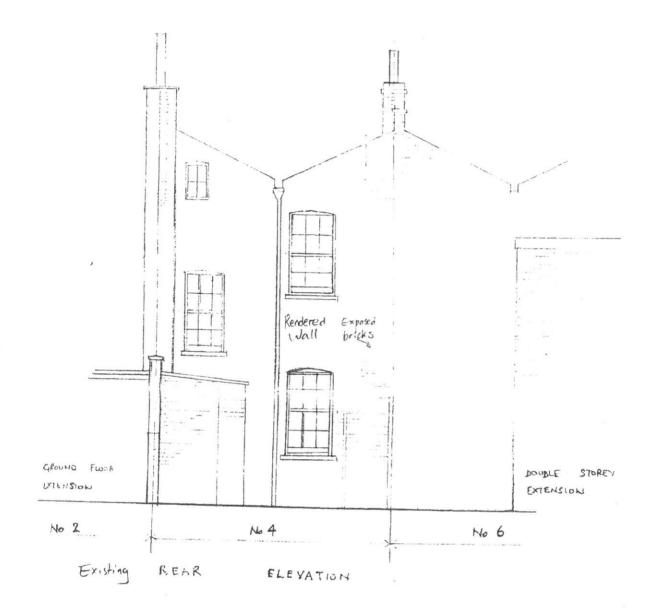
Appellant's Statement of Case

Document 4

Existing and approved floor plans for the demolition of the rear closest wing to 4 Leverton Street (refs. 2007/2028/P and 2007/2030/L)

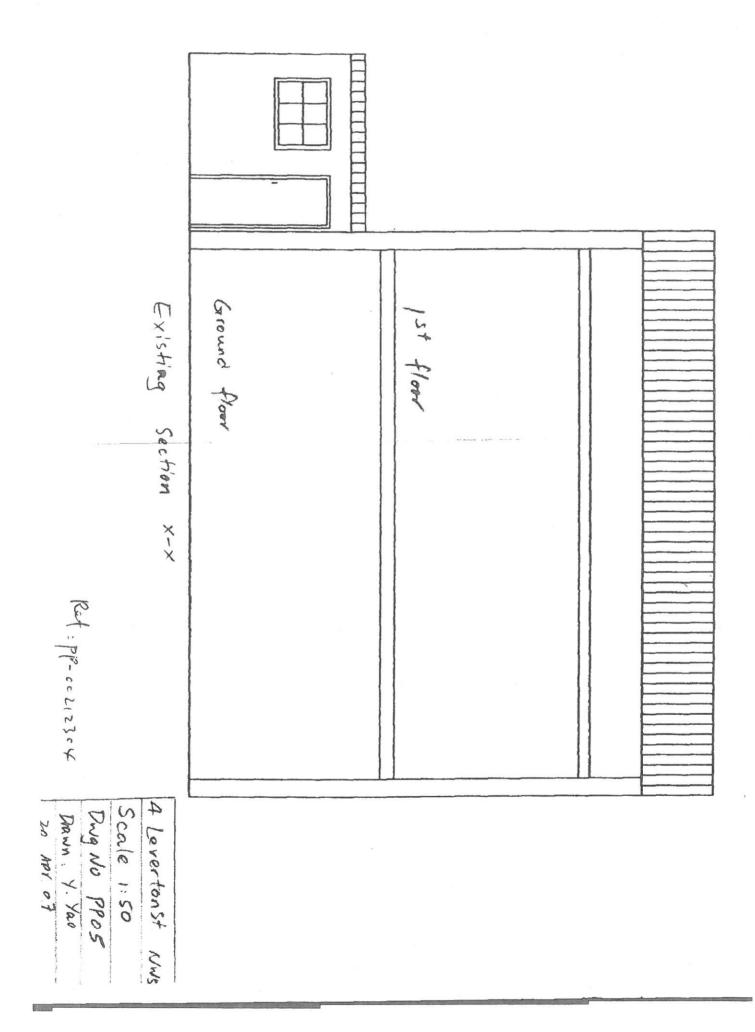


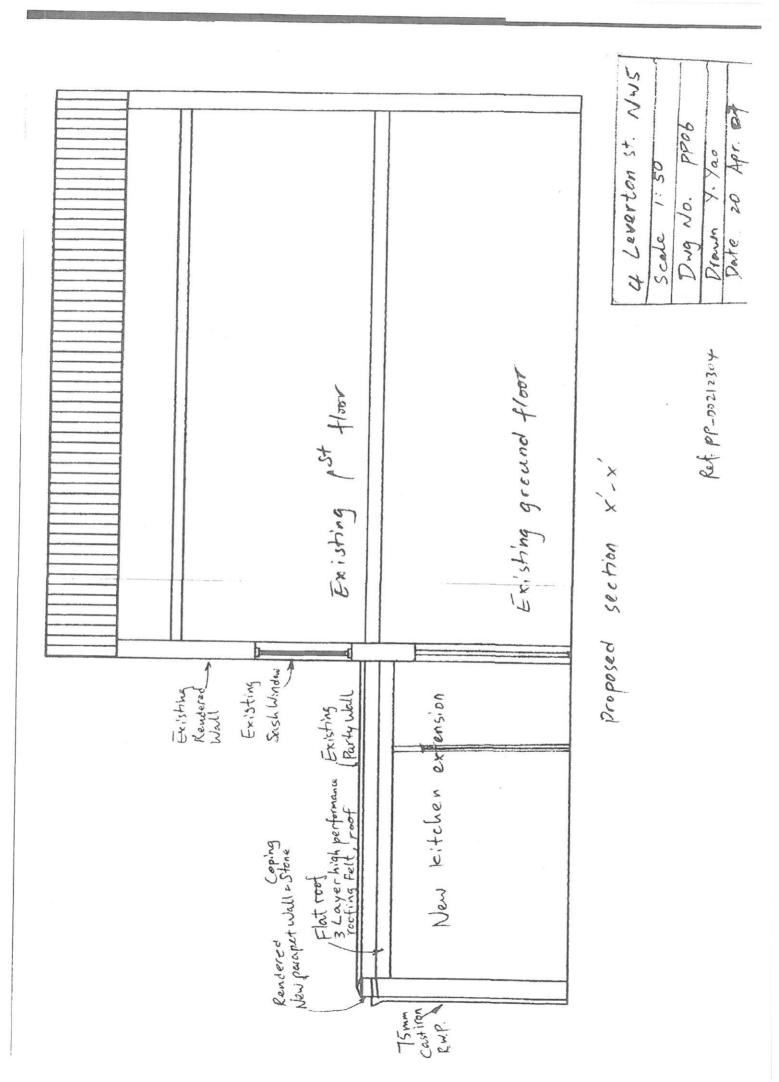


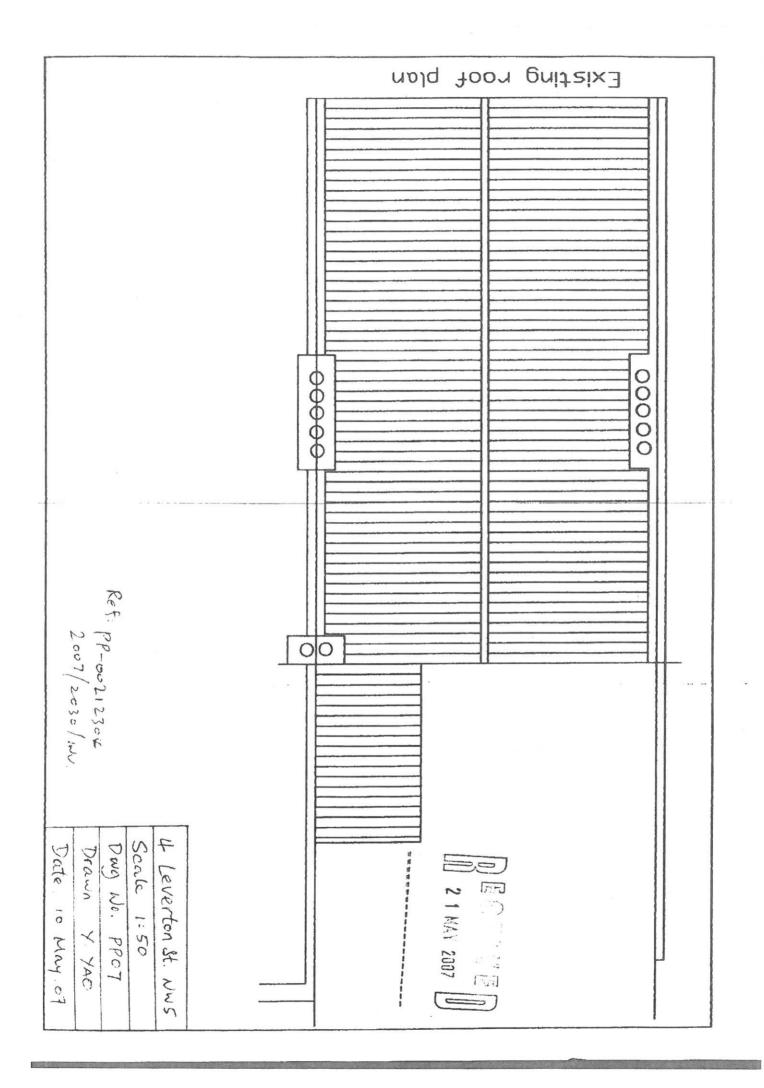


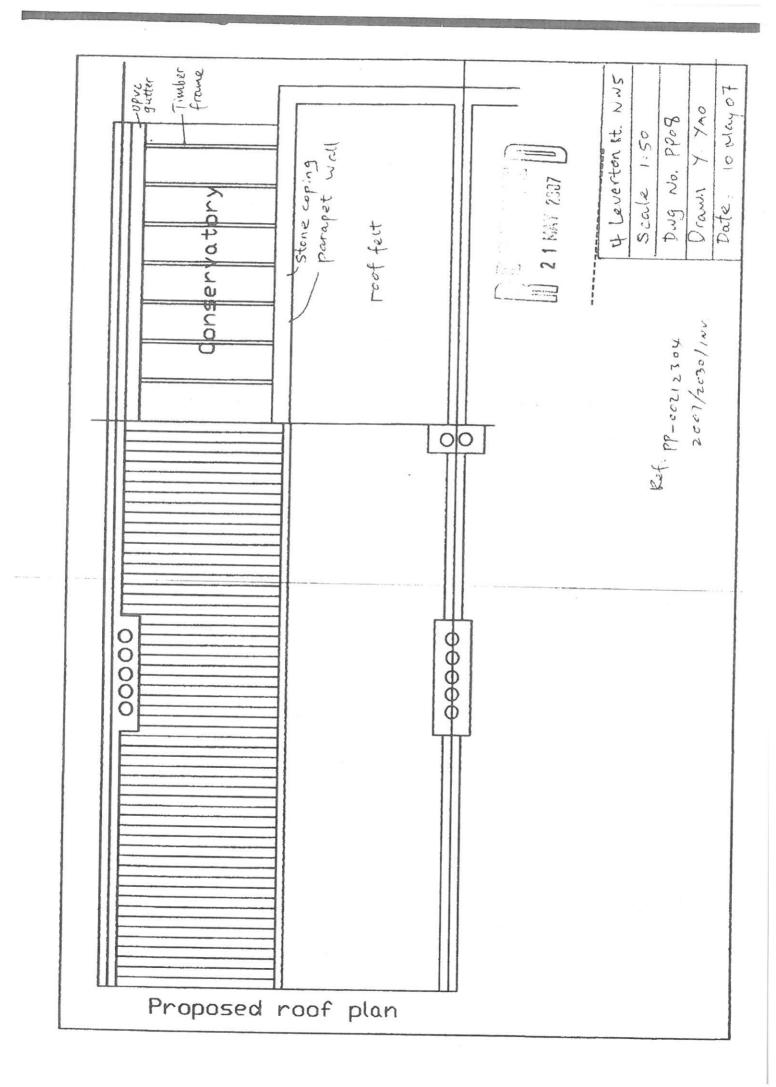
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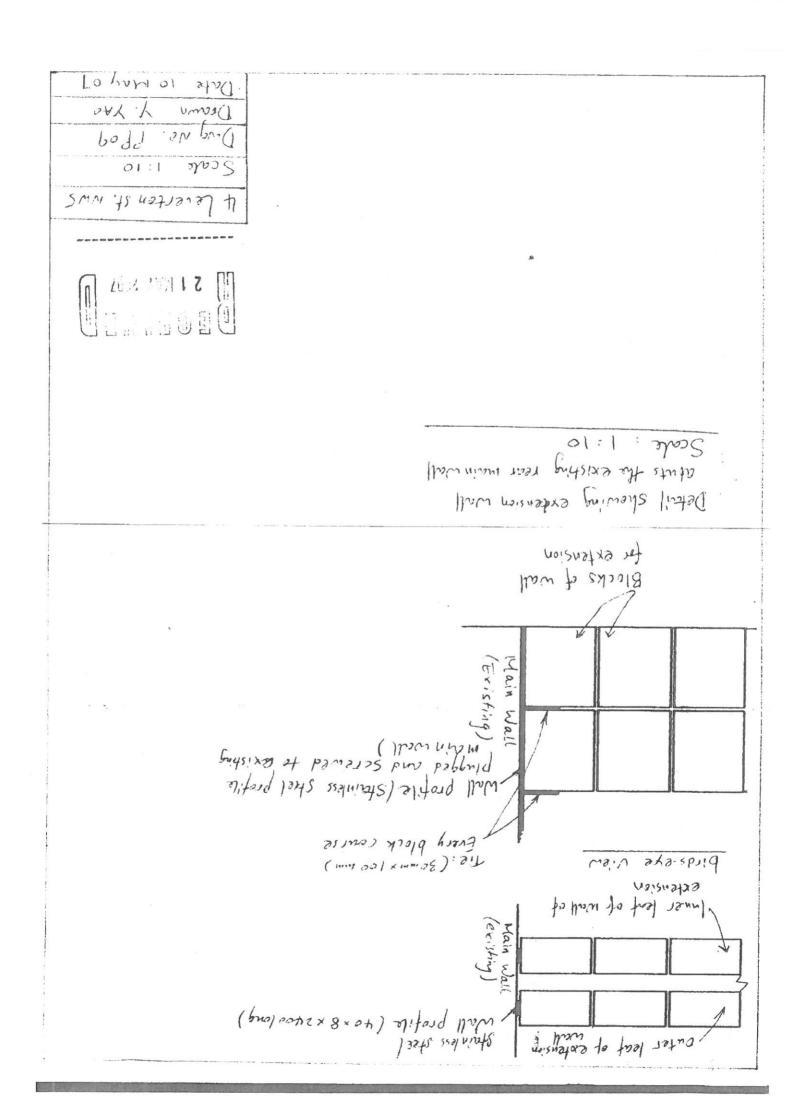
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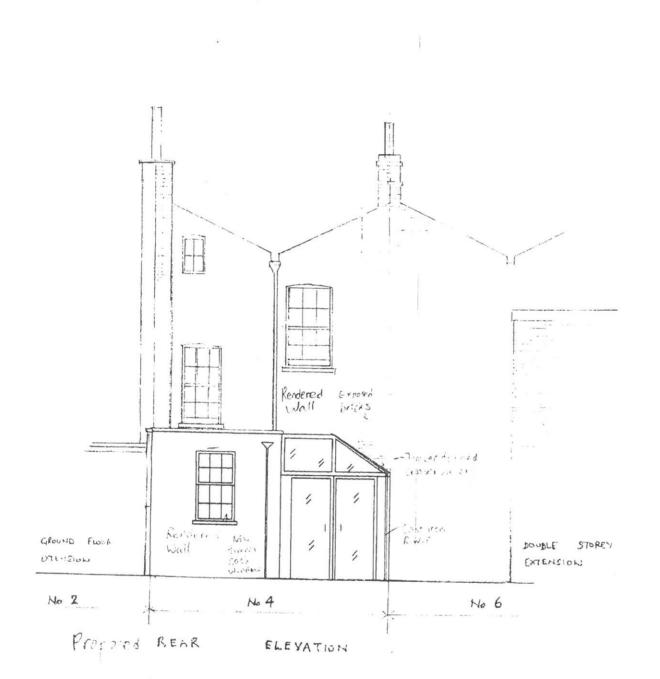












4 Leverton st NWS Scale 1.00 Dug No PP04a Drawn Y. Yar 10. May 07

Your Rif. pp. c. c. 23. 4



Appellant's Statement of Case

Document 5

Appeal Decision Notice (ref. APP/X5210/E/09/2100909/WF)



Appeal Decision

Site visit made on 1 December 2009

by A J Davison BA(Hons) LLB(Hons) MSc MBA Dip LD RIBA FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

The Planning Inspectorate 4/11 Eagle Wing Temple Quay House 2 The Square Temple Quay Bristol BS1 6PN

117 372 6372 email:enquiries@pins.gsi.g ov.uk

Decision date: 8 December 2009

Appeal Reference: APP/X5210/E/09/2100909/WF 4 Leverton Street, London NW5 2PJ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Ms Bridget Rogers against the decision of the Council of the London Borough of Camden.
- The application Reference 2008/2712/L, dated 3 June 2008, was refused by notice dated 9 October 2008.
- The works proposed are the "replacement of existing timber framed window at ground floor on the rear elevation with timber French doors that will be painted white to match existing windows".

Decision

1. I dismiss the appeal.

Reasons

- 2. The appeal property, a two-storey mid-terrace house built in about 1845, is a Grade II Listed Building. The proposal is to remove an existing sash window frame, along with its sill and the brickwork below it, and to replace it with a pair of French doors. The main issue in the appeal is the effect that this would have on the architectural and historic interest of the building.
- 3. National planning policy on Listed Buildings is set out in Planning Policy Guidance 15, *Planning and the Historic Environment* (PPG15). Paragraph 2.4 of PPG15 points out that there is no statutory requirement to have regard to the provisions of the development plan when determining applications for listed building consent. Nevertheless, Policy B6 of the 2006 London Borough of *Camden Replacement Unitary Development Plan* (the UDP), to which the Council has drawn particular attention, is an important material consideration in the appeal.
- 4. The Council says that the window in question is original and nothing that I saw during my site visit would cause me to question that view. It therefore represents part of the architectural and historic interest of the building. Paragraph 3.3 of PPG15 draws attention to the way that Listed Buildings can be robbed of their special interest by unsuitable alterations and says that there should be a general presumption in favour of preservation except where a convincing case can be made out for their alteration. Paragraph 3.4 goes on to say that applicants for listed building consent must be able to justify their proposals and show why the proposed works are desirable or necessary.

- 5. A conservatory and kitchen extension has been added to the back of the house. As a result of this, the window in question, which had been on an outside wall, is now an internal feature of the building. I do not, however, see that as a good reason for removing it. The extension does have a more modern appearance than the original building and has altered the character of the rear elevation but this makes it all the more important that surviving features of the original building should be retained. Moreover, buildings are listed for their inherent architectural and historic interest, which may lie in their interiors just as much as in their external appearance. It does seem to me, however, that it would have no material impact on the character or appearance of the Kentish Town Conservation Area, within which the building is situated.
- 6. The Appellant claims that the window impedes the ventilation and lighting of what has become an internal room. I see no reason why a restored sliding sash window should not provide adequate ventilation to this comparatively small space. It was apparent during my site visit that the recent extension already limited the amount of natural light reaching the window. Furthermore, I consider it unlikely that the proposed doors would materially increase the amount of light reaching the internal room, bearing in mind the additional woodwork required for the stiles the opening would still be the same width and the fact that they would only be glazed to a point little below the level of the existing sill. The Appellant also refers to the window restricting the "flow of continuity" within the dwelling but this does not seem to me to be a good argument given that the rooms concerned are quite small and there is already a door leading from the extension into the rest of the house.
- 7. I could see during my visit to the site that the window was in a very poor state of repair. However, paragraph C.40 of PPG15 makes it clear that windows in historic buildings should be repaired or, if beyond repair, replaced on a like for like basis. While taking account of all the above matters raised by the Appellant I see no good reason why the window could not be restored in line with that policy.
- 8. My conclusion is that the proposed alterations would damage the architectural and historic interest of the building and that they would conflict with national policy as set out in PPG15 and with saved UDP Policy B6. For those reasons I conclude that the appeal should fail.

Anthony J Davison

Inspector

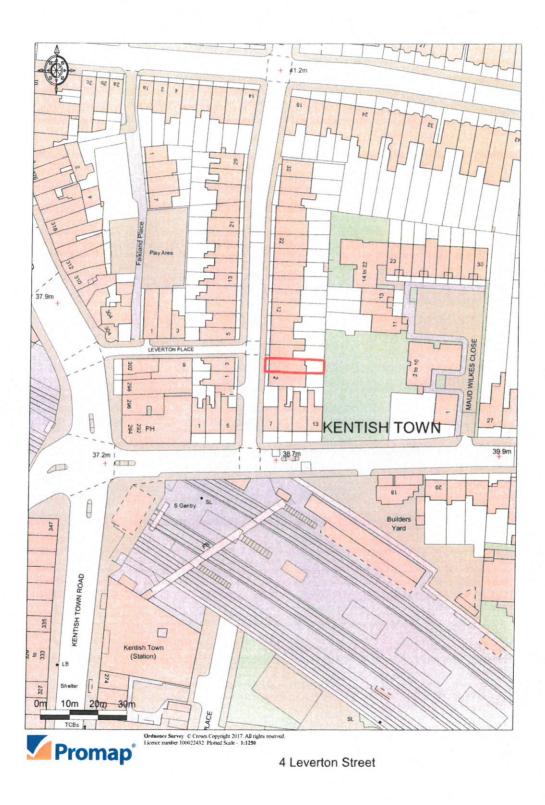


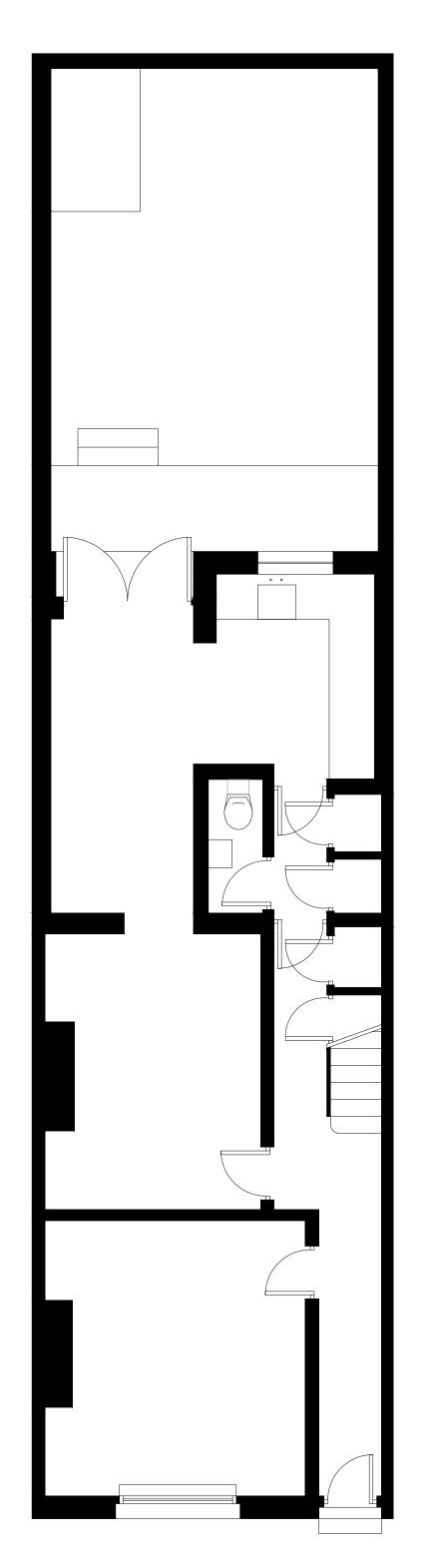
Appellant's Statement of Case

Document 6

Full set of plans/drawings for original planning application (refs. 2017/1225/P and 2017/1436/L)

Location Plan





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DRAWING 1 - Existing layout Ground Floor

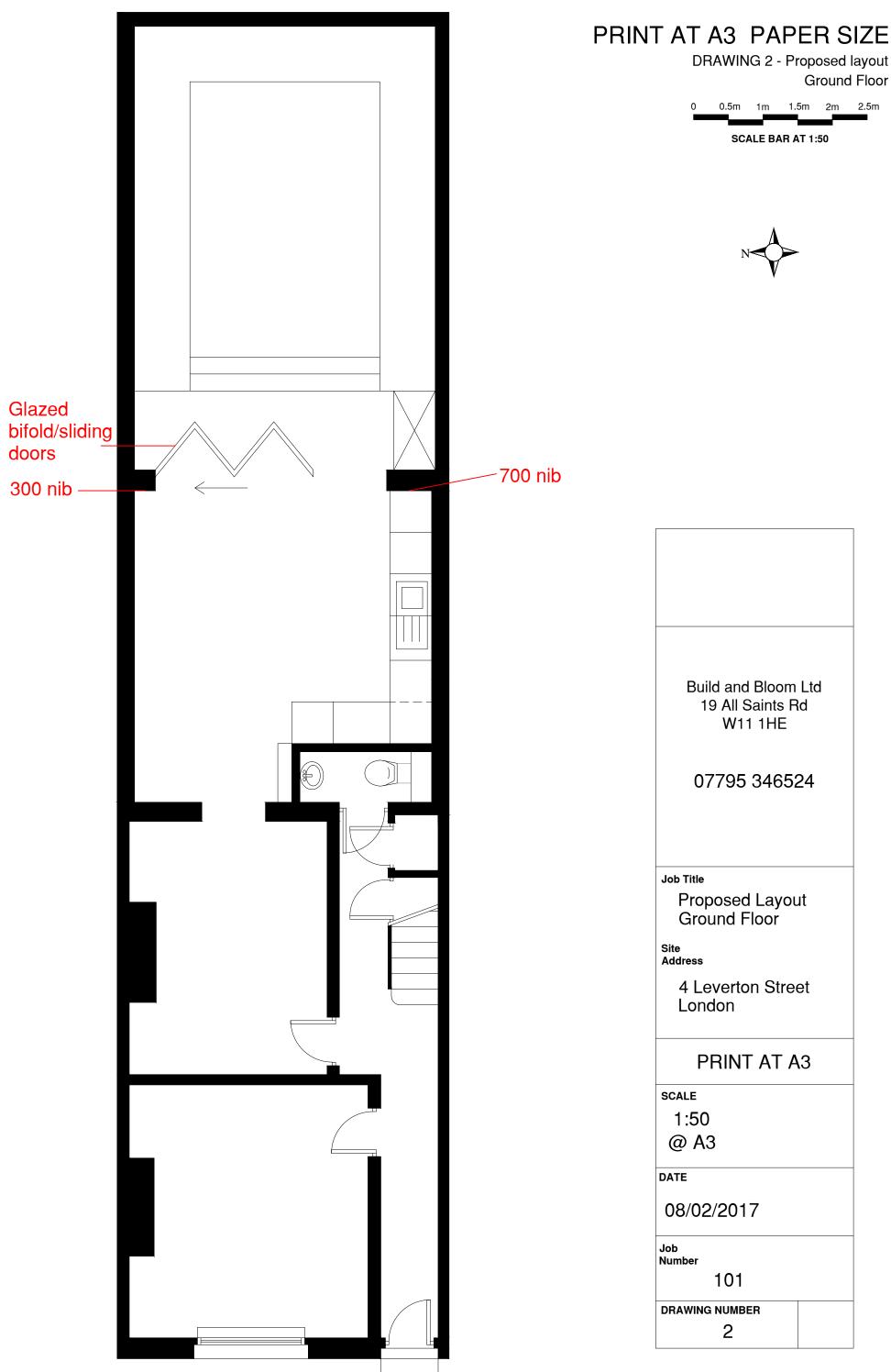




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Existing Rear Elevation

Proposed Elevation



Existing guttering remains

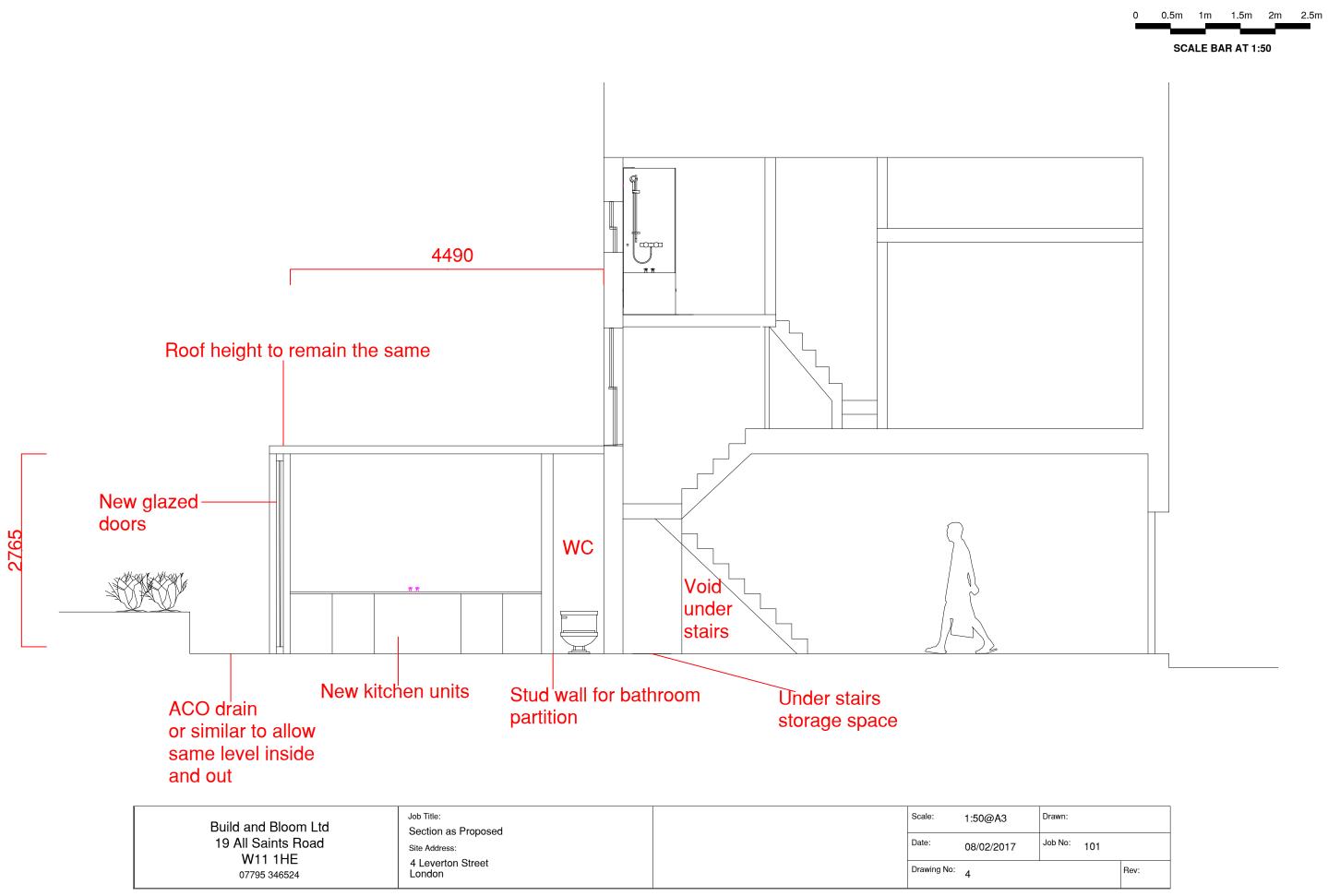
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	4 Leverton Street London		Drawing No:

PRINT AT A3 PAPER SIZE DRAWING 4 - Section as proposed

Ground floor roof height extended at rear to create space for glazed doors

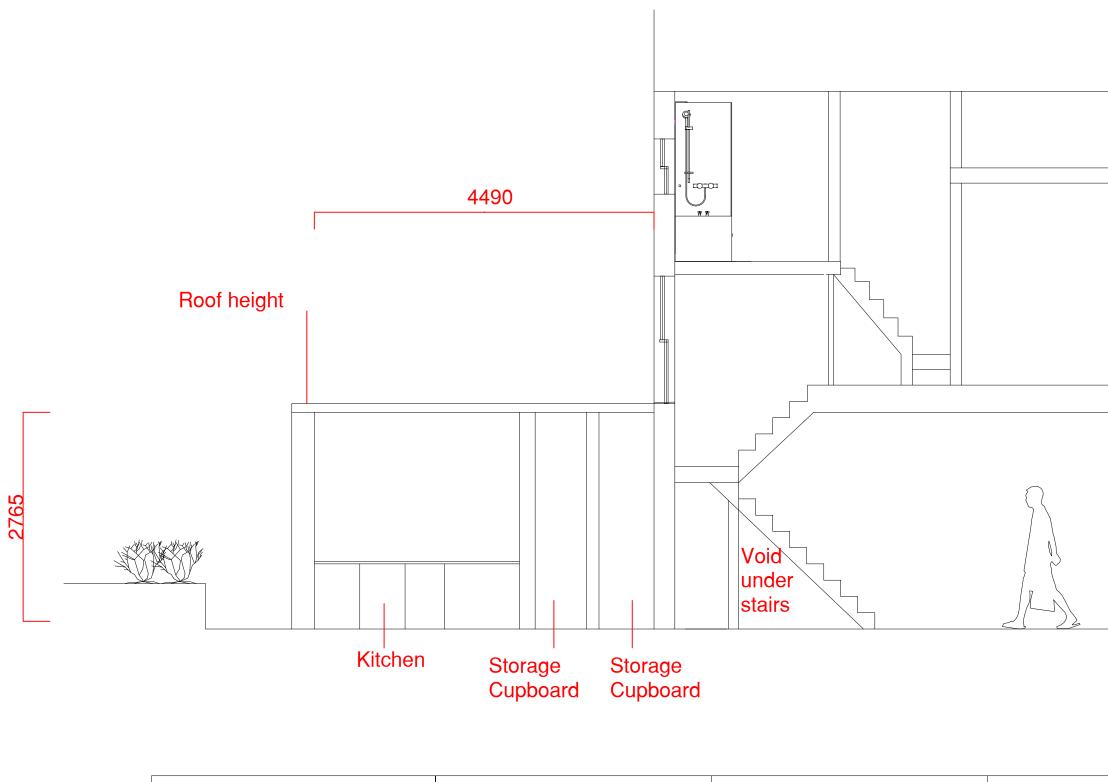
Rendered brickwork to match existing -Thin profile aluminium sliding/bifold glazed doors

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Job No:	101	
		Rev:



PRINT AT A3 PAPER SIZE DRAWING 4 - Section as proposed

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		Rev:



Build and Bloom Ltd 19 All Saints Road W11 1HE 07795 346524	Job Title: Section as Existing Site Address: 4 Leverton Street London		Scale: Date: Drawing No:	1:50@A3 08/02/2017 5	
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PRINT AT A3 PAPER SIZE DRAWING 5 - Section as existing



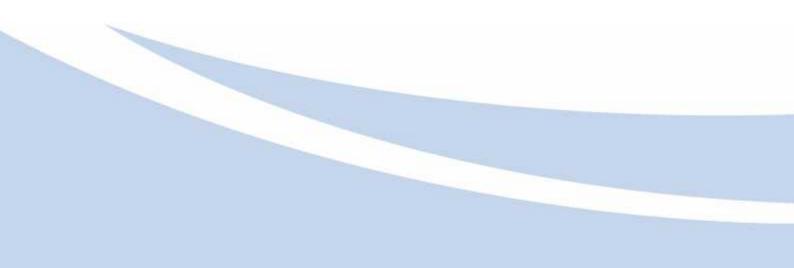
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Appellant's Statement of Case

Document 7

House particulars





Leverton Street Kentish Town, NW5

£1,100,000 Asking Price

A rare opportunity to acquire this stunning Grade II listed early Victorian home in one of Kentish Town's most desirable streets. Beautifully presented with a seamless blend of period and contemporary features and cleverly arranged accommodation with the choice of two or three bedrooms, and further benefitting from a sun filled kitchen/diner leading onto the delightful garden. Ideally located in this ever popular residential enclave with good access to the many amenities of Kentish Town, the new Soho house restaurants and nearby Hampstead Heath, plus excellent transport links to the City of London, West End and St. Pancras International.



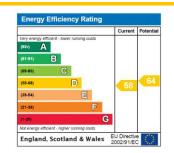


Leverton Street Kentish Town, NW5

- Grade II listed Two/Three bedroom house
- Underfloor heating
- Seamless blend of period and contemporary features
- Sought after address
- Delightful garden

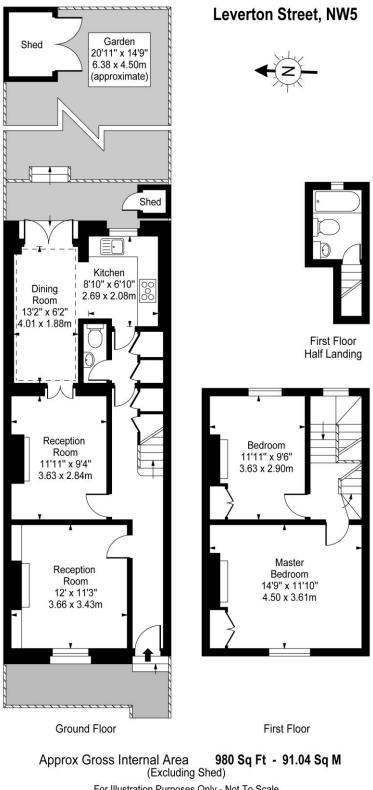


Tenure: Freehold



Chestertons Kentish Town Lettings

274 Kentish Town Road London NW5 2AA sales.kentishtown@chestertons.com 020 7267 1010 chestertons.com



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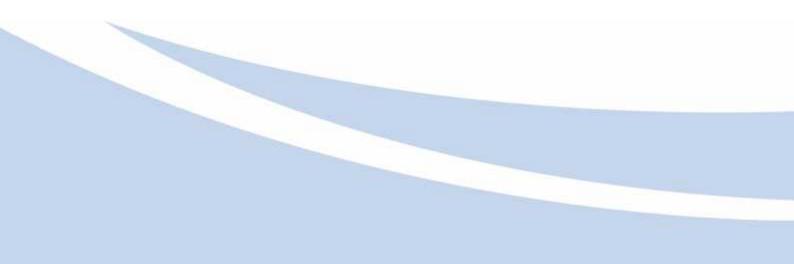


4 Leverton Street, London, NW5 2PJ

Appellant's Statement of Case

Document 8

Statutory Declaration



STATUTORY DECLARATION

In the matter of the Property known as 4 Leverton Street, London, NW5 2PJ

I, Gracie Miller, of 4 Leverton Street, London, NW3 2PJ do solemnly and sincerely declare as follows:-

- I, together with my husband, William Hitchins, purchased the property known as 4 Leverton Street, London, NW5 2PJ on 12th January 2015.
- 2. We rented the property to tenants between January 2016 and December 2016.
- 3. We moved back into the property in December 2016 and have lived at the property ever since.
- 4. When we purchased the property the internal layout to building was as it exists today. In particular, there was an opening leading from the rear reception room to the kitchen/dining room area. That open archway included two doors which we subsequently removed.
- 5. I understand from the planning records to the site that some years ago this rear wall was solid with an original sash window within it. It was not, as such, possible to walk between the two rooms.
- 6. Removal of that sash window was undertaken before our purchase of the property.
- 7. Attached as Exhibit A are the sales particulars produced by Chestertons of Kentish Town from the time when we purchased the property. They include floor plans showing the ground floor as it existed at that time. Those plans clearly show an archway with doors between the rear reception room and kitchen/dining room. That layout accords with the property's layout when we purchased it.
- 8. The previous owners of the property from whom we bought it were Mr and Mrs Savage.
- 9. When we purchased the property, Mr and Mrs Savage advised us that works to the rear wall including removal of the original sash window had been undertaken by the previous owners prior to their purchase.
- 10. My husband recently got in touch with Mr Savage. His email to William, dated 9th October 2017 (Exhibit B), confirms that it was the previous owner before Mr and Mrs Savage who was responsible for removing the sash window.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

A commissioner for eathers A solicitor empowered to administer oaths or (as appropriate)

EVIDENCE

Exhibit 1 – Sales particulars produced by Chestertons

Exhibit 2 – Email from Mr Savage dated 9th October 2017

EXHIBIT 1



Leverton Street Kentish Town, NW5

£1,100,000 Asking Price

A rare opportunity to acquire this stunning Grade II listed early Victorian home in one of Kentish Town's most desirable streets. Beautifully presented with a seamless blend of period and contemporary features and cleverly arranged accommodation with the choice of two or three bedrooms, and further benefitting from a sun filled kitchen/diner leading onto the delightful garden. Ideally located in this ever popular residential enclave with good access to the many amenities of Kentish Town, the new Soho house restaurants and nearby Hampstead Heath, plus excellent transport links to the City of London, West End and St. Pancras International.



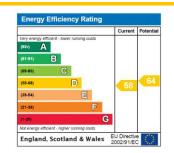


Leverton Street Kentish Town, NW5

- Grade II listed Two/Three bedroom house
- Underfloor heating
- Seamless blend of period and contemporary features
- Sought after address
- Delightful garden

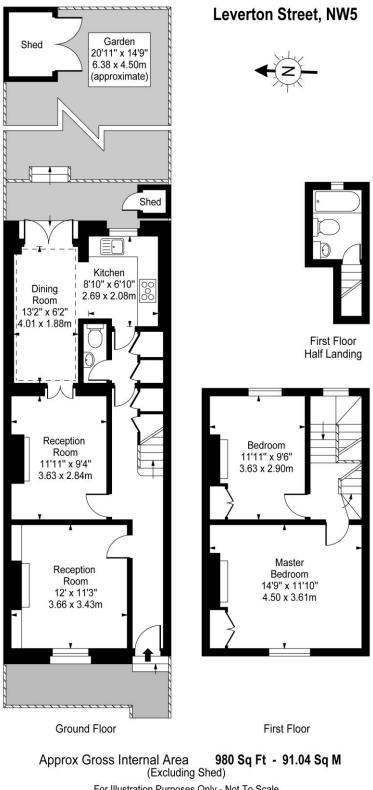


Tenure: Freehold



Chestertons Kentish Town Lettings

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EXHIBIT 2

Wendy Hall

Subject:

FW: 4 Leverton Street

----- Forwarded message -----From: **Andrew Savage** <<u>andrew.savage0@gmail.com</u>> Date: 9 October 2017 at 14:09 Subject: Re: 4 Leverton Street To: William Hitchins <<u>williamhitchins@googlemail.com</u>>

Hi Will

Good to hear from you & I hope you are both well. Still miss Kentish Town from time to time !!

Yes, I confirm that the lady before us (Bridget - can't recall her second name) did that work, so hopefully that will help you. I seem to recall that unlike us, she didn't explicitly raise it but instead our solicitor figured it out - which suggests there may be something on the council records. Or it may be that her solicitor disclosed it in answering a question our solicitor put.

I'm happy to sign a document to conform she did the works if needs be. I hope you get to do what you want.

Best wishes

Andrew

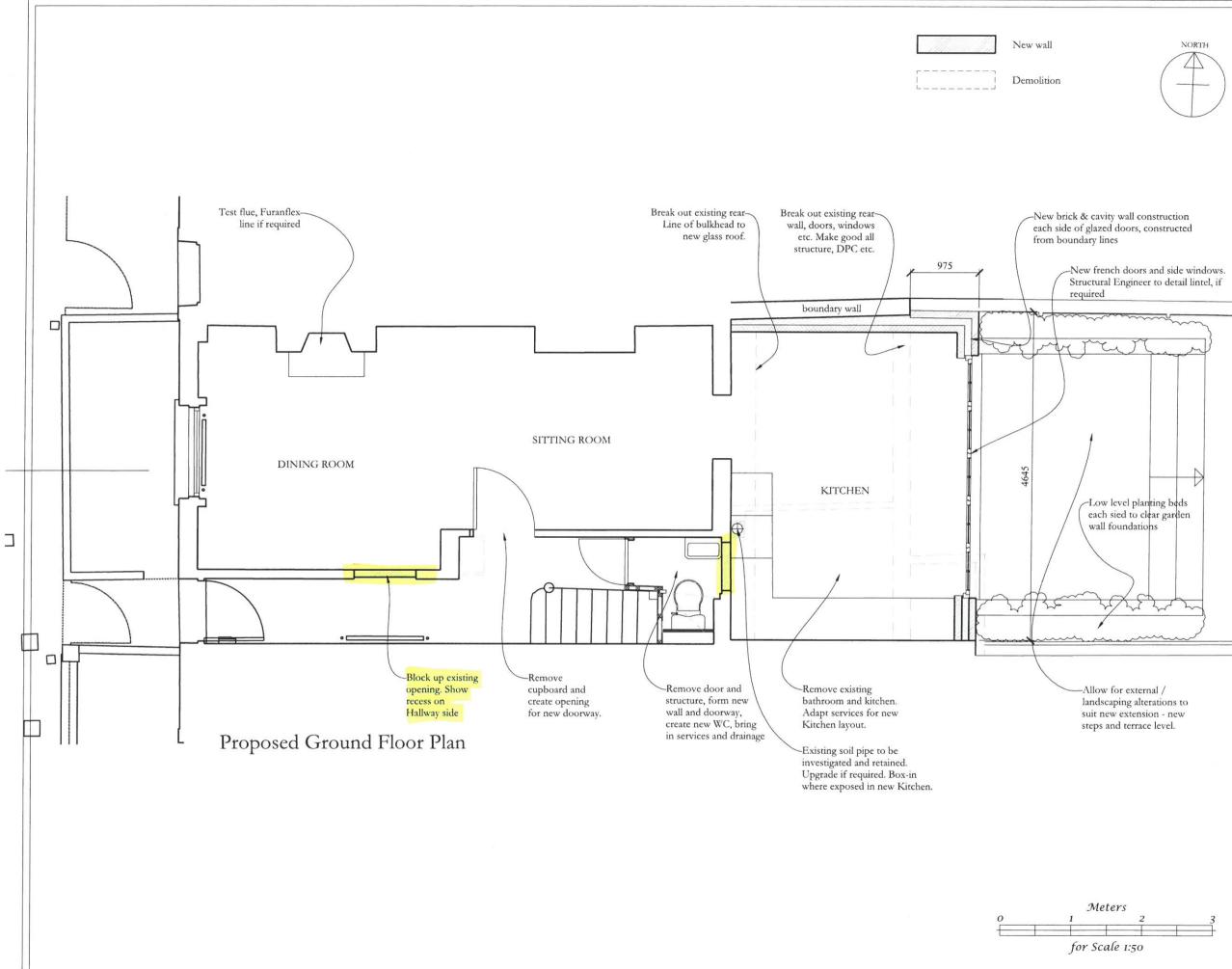


4 Leverton Street, London, NW5 2PJ

Appellant's Statement of Case

Document 9

Approved ground floor plan, including the blocking of doorways to 12 Leverton Street (refs. 2016/1249/P and 2016/1780/L)





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Report all discrepancies, errors or omissions between drawings, site conditions and all other documents to Guy Goodfellow Ltd.

Please read this drawing in conjunction with all other Architect's, Consultant's and Sub-contractor's drawings.

Materials, components and workmanship are to meet or exceed the requirements of current Building Regulations, British Standards codes of practice, and the appropriate manufacturer's recommendations.

Sanitaryware on drawing is indicative only. All M&E information is to be detailed by Gas Safe and/or NICEIC registered contractor and approved by Guy Goodfellow Ltd.

Listed Buildings may need underpinning and this will require Listed Building Consent.

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Revisions:

REV G - Understair WC noted in more detail, Hallway blocked door recess noted.

REV F - Conservatory wall positions amended

REV E - new french door system shown

REV D - sash window amended, Dining Room/Sitting Room to Hall doors amended.

REV C - General revisions. (DRAFT)

REV B - External doors amended to show one door and one window.

REV A - French doors reduced to 1100mm wide.

PLANNING

GUY GOODFELLOW INTERIORS AND ARCHITECTURAL DESIGN

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Leverton Street

Ground Floor Plan Proposed Works

1:50 at A3

Feb 2016

GGL-LEV-004

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DRAWN BY

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