

Delegated Report		Analysis sheet		Expiry Date:	03/04/2018
		N/A		Consultation Expiry Date:	24/03/2018
Officer			Application Number(s)		
Ben Farrant			1. 2018/0672/P 2. 2018/1067/L		
Application Address			Drawing Numbers		
37 Inverness Street London NW1 7HB			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of frosted glass privacy screen to existing roof terrace (Retrospective)					
Recommendation(s):		Refuse planning application and listed building consent			
Application Type:		1. Full Planning Permission 2. Listed Building Consent			

Conditions or Reasons for Refusal:	Refuse Consent					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	<p>A site notice for the application was displayed between 02/03/2018 and 23/03/2018; and was advertised in the Ham and High between 03/03/2018 and 24/03/2018.</p> <p>No responses were received.</p>					
Primrose Hill Conservation Area Advisory Committee	No response received.					

Site Description

The application site is a three storey property (with basement) located at the end of a terrace of 5 properties on the south-eastern side of Inverness Street. The property is detailed with rusticated stucco at ground floor level, stucco detailing to window openings and cornices and an iron balcony. This terrace of properties (nos.37-43 Inverness Street) forms a symmetrical composition, with blind windows and stucco detailing to the flank wall of no.23 Gloucester Crescent reflecting that of no.37 Inverness Street (application site).

The property is a Grade II statutorily Listed Building (as is the remainder of the terrace), and is located within the Primrose Hill Conservation Area.

Relevant History

37 Inverness Street (Application Site)

None directly applicable

39 Inverness Street

None directly applicable

33 Inverness Street

2012/1115/P - Erection of rear extension at basement and ground floor level including raising of boundary walls, creation of terrace at rear first floor, installation of doors at rear first floor level, new window at rear third floor level, alterations at roof level to create roof garden, alterations to front lightwell including a new staircase and enclosing of part of lightwell all in connection with existing dwellinghouse (Class C3) – Granted 10/04/2012

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2016

The Camden Local Plan July 2017

A1 - Managing the impact of development

D1 - Design

D2 - Heritage

Camden Planning Guidance

CPG1 - Design

CPG6 - Amenity

Primrose Hill Conservation Area Statement (January 2001)

Assessment

The application proposes the retention of a privacy screen to the first floor roof terrace. The frosted glass privacy screen with chrome capping measures 1.1m above the existing parapet with an overall height of 3.7m from ground floor level.

Whilst the applicant makes reference to a similar privacy screen at the neighbouring property no.33 Inverness Street (Ref: 2012/1115/P granted 10/04/2012), it is noted that this is not the design of privacy screen previously approved on this site, with a timber slatted design shown on the approved plans. It is additionally acknowledged that no.33 is not a statutorily Listed Building, unlike the application site. In any event, each case is determined on its own planning merits, and the presence of a similar screen at no.33 does not represent any form of precedent for development.

The privacy screen forms a bulky and unsympathetic addition to the rear of this property. The modern design of the frosted glass and chrome capping is considered to form an incongruous addition to this heritage asset, detracting from its character, appearance and historic interest.

There is no demonstrable public benefit as a result of installation of the privacy screen.

The proposal is thereby considered to constitute less than substantial harm to this Grade II Listed Building, with no demonstrable public benefit derived from the scheme. In the absence of any demonstrable public benefit, the proposal is considered to be contrary to Section 12 of the NPPF which seeks to preserve and enhance heritage assets. Similarly the proposal would be contrary to Policy D2 of the Local Plan (2017) which seeks to preserve and enhance the character or appearance of heritage assets.

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.16, 66 & 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The proposed alteration would not unduly impact on the amenities of nearby occupants.

No comments were received in relation to this scheme following public consultation. The planning history of the site and surrounding area has been taken into account when determining this application.

Given the above assessment, the proposed development is contrary to policies D1 & D2 of the London Borough of Camden Local Plan 2017, the London Plan 2016, and the National Planning Policy Framework 2012.

Recommendation

1. Refuse planning permission and warning of enforcement action
2. Refuse Listed Building Consent

a) Issue an enforcement notice

b) Authorise enforcement action

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

That the Borough Solicitor be instructed to issue a Listed Building Enforcement Notice under Section 38 of the Planning (Listed Building and Conservation Area) Act 1990 as amended and to pursue any legal action necessary to secure compliance and officers authorised in the event of non-compliance, to

prosecute under Section 43 or appropriate power and/or take direct action in order to secure the cessation of the breach of planning control.

The Notice shall allege the following breach of planning control:

The unauthorised erection of a privacy screen to existing rear roof terrace at first floor level

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

Removal of the privacy screen and make good any damage to the original building

Reasons for Issuing the Notice:

- 1) It appears to the Council that the above breach of planning control has occurred within the last 4 years.
- 2) The unauthorised development by reason of the harm to the listed building and the wider conservation area would be contrary to policy D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017