

# PLANNING STATEMENT



## **PLANNING APPLICATION AND CORRESPONDING LISTED BUILDING CONSENT APPLICATION**

**FOR ALTERATIONS AND A  
REPLACEMENT EXTENSION  
(FOLLOWING PRE-APP 2018-0375-PRE)  
TO USE THE BUILDING AS A DWELLINGHOUSE  
AND A BASEMENT FLAT**

**AT  
26 CHALCOT CRESCENT,  
LONDON,  
NW1 8YD**

5<sup>th</sup> November 2018 Reference: PP18020

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## 1.00 INTRODUCTION

1.01 We act for Mr D Walsh and are instructed to submit the enclosed planning application and Listed Building Consent application for alterations and a replacement extension (following Pre-App **2018-0375-PRE**) at 26 Chalcot Crescent, London, NW1 8YD. The property, 26 Chalcot Crescent, is a Grade II Listed Building. The scheme also involves the partial demolition of the existing building (the existing rear extension at basement and ground floor levels). The site is in the Primrose Hill Conservation Area.

1.02 The building totals 248.8sqm GEA and is split into 3 units which for convenience are referenced **A** (basement flat), **B** (ground floor bedsit), & **C** (ground, first and second floor dwelling). The building has been unoccupied for several years and is in a poor state of repair.

1.03 A Pre-App was submitted under reference 2018/0375/PRE for the *“Change from flats to a single-family dwelling, replacement rear extension and creation of terrace at roof level.”* (**Appendix 1**). The Council’s response dated 9<sup>th</sup> March 2018 is attached at **Appendix 2**.

1.04 Officers concluded that the overall repairs and loss of one residential unit would be acceptable, but they raised concerns about the construction of a rear roof terrace and certain aspects regarding the loss of the basement rear yard.

The Pre-App states *“Although certain aspects of the proposals are considered acceptable, the Council would not support the creation of a roof terrace, nor the total loss of all outside amenity space. It is recommended that a certificate of lawful development is submitted prior to any planning application to determine the established, lawful use of the site. The outcome of this would determine the acceptability of the proposals in land use terms.”*

1.05 The enclosed applications have taken into account the comments of officers in the Pre-App response, including in relation to the lawful use of the building. This has now been clarified and a Statutory Declaration is included with this application which confirms the basement is a self-contained flat **A** and the 3 above ground floors were used as a bedsit **B** accessed from within the hall of the dwelling **C**. The property thus contains 3 residential units. The use of the 3 upper floors as a single dwelling, subsuming the bedsit (**B+C**), is therefore acceptable under policy H3 and accordingly there is no ‘in-principle’ policy objection. Further details are set out later in this Statement.

- 1.06 The proposal shows the retention of the self-contained basement flat and use of the ground, first and second floors as a single dwellinghouse. The existing rear basement/ground floor extension is to be replaced and the entire building is to be refurbished and modernised, including providing new windows, new doors, a replacement rooflight, a new staircase and new mouldings, skirtings and architraves throughout and a new stairway to the basement flat.
- 1.07 Enclosed with these applications is a Heritage Statement by JLL which assesses the impact of the proposed development on the significance of the Heritage Assets which comprise the Listed host Building and the Primrose Hill Conservation Area. The proposals have been formulated in close collaboration with JLL in order to be acceptable in Heritage terms.
- 1.08 The development accords with the policies of the Development Plan and the NPPF in improving the existing housing stock of not only the Borough but also the Capital whilst safeguarding and improving the fabric of the Listed Building in the Conservation Area.

## 2.00 DOCUMENTS AND PLANS

2.01 The following documentation comprises the planning application:

Forms of application;

Certificate B;

1. This Statement and supporting Appendices as listed at paragraph 2.03
2. CIL Form – no liability
3. Heritage Statement by JLL – October 2018
4. Design Statement 26 Chalcot Crescent, London 4<sup>th</sup> October 2018
5. Chalcot Crescent Precedents and Views by Brown Urbanism

2.02 Plans as listed below: -

Drawing No.	Description	Scale & Print Size
CHA-P-001	Location Plan	1:1250 & 1:500 @A3
CHA-P-021	Existing Ground Floor & Basement Plans	1:50@A1/1:100 @A3
CHA-P-022	Existing First & Second Floor Plans	1:50@A1/1:100@A3
CHA-P-023	Existing Loft & Roof Plans	1:50@A1/1:100@A3
CHA-P-025	Existing Areas	1:50@A1/1:100@A3
CHA-P-031	Existing South Elevation (front)	1:50@A1/1:100@A3
CHA-P-032	Existing North Elevation (rear)	1:50@A1/1:100@A3
CHA-P-041	Existing Sections AA & BB	1:50@A1/1:100@A3
CHA-P-121	Proposed Ground & Basement Floor Plans	1:50@A1/1:100@A3
CHA-P-122	Proposed First & Second Floor Plans	1:50@A1/1:100@A3
CHA-P-123	Proposed Loft & Roof Plans	1:50@A1/1:100@A3
CHA-P-131	Proposed Elevations Front & Rear	1:50@A1/1:100@A3
CHA-P-141	Proposed Section AA & Rear Courtyard	1:50@A1/1:100@A3
CHA-P-142	Proposed Section BB & Rear South Elevation	1:50@A1/1:100@A3
CHA-P-201	Proposed Window & Doors Schedule	1:50/1:100@A1/A3
CHA-P-202	Proposed Windows Schedule	1:50@A1 1:100@A3
CHA-P-211	Proposed Extension Plan Detail	1:50@A1 1:100@A3
CHA-P-221	Proposed Internal Door Schedule	1:10@A1 1:20@A3
CHA-P-222	Proposed Basement Staircase	1:10@A1 1:20@A3
CHA-P-231	Proposed Joinery Details Schedule	1:2@A1
CHA-P-232	Proposed Internal Elevation Schedule	1:5@A1

2.03 The following Appendices are also attached in support of this Planning application:

1. Chalcot Crescent Feasibility Study 19/01/18
2. Pre-app response, reference 2018/0375/PRE, dated 9<sup>th</sup> March 2018
- 3a. Photographs of Basement flat A
- 3b. Photographs of Bedsit B
- 3c. Photographs of Dwelling C
- 3d. Photographs of the exterior, street scene and surrounding area
4. Statutory Declaration of Patrick Schneider dated 21 September 2018

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### 3.00 SITE DESCRIPTION & PLANNING HISTORY

3.01 Photographs of the site are attached at **Appendix 1**. It is at the north-western extremity of the Primrose Hill Conservation Area, first designated in 1971 and extended in 1985. The application site is in the 1985 extension which is identified in the Conservation Area Statement 2000 as Area 3 - Regent's Park Road North. The building has been unoccupied since March 2016. The area is predominantly residential, and Primrose Hill, a significant area of open space with a viewpoint, is found at the south-western end of the road.

3.02 The application site is part of a sinuous terrace of 12 Victorian houses that are Grade II Listed. It has a yellow painted stuccoed front elevation and is arranged on 3 floors above ground with a slate roof over and has a basement level underneath. Basement storage vaults also extend under the road to the front. The railings that run along the terrace are also part of the listing. The terrace is thought to have been built by J. Burden and dates from circa 1855. The building is not listed for any internal features and is in need of substantial repair and modernisation. 26 Chalcot Crescent is in residential use and does not have a garden. Part of the building forms part of the rear boundary of the site.



- 3.03 The basement is a self-contained one-bedroom flat **A** which has its entrance via external stairs at the front of the property and benefits from small courtyard terraces at the front and rear. Originally, the basement could be accessed from inside the ground floor, but now there is only an external staircase entrance at the front of the property.
- 3.04 The rest of the building is also in residential use but is not conventionally laid out which led to officers seeking further clarification as to its lawful use. In the pre-app response (**Appendix 2**), officers confirmed there is no planning history, building control or enforcement records for the property which is consistent with the very dated interior which includes several partitions.
- 3.05 The existing building comprises 248.8 sqm GEA and is split into 3 units and for convenience is referenced **A** (basement flat), **B** (ground floor bedsit), & **C** (ground, first and second floor dwelling). The existing drawings show the following rooms on each floor: -

<b>A</b>	Basement Flat	78 GEA (53 sqm GIA)	Hall, 1 bedroom, kitchen, living, bathroom, terraces x2, vaults	Self-Contained flat
<b>B</b>	Ground Floor Bedsit	30 sqm GEA	Inner Hall, bathroom, living, kitchen,	Bedsit with shared access from front door open to unit C
<b>C</b>	Ground, first and second floor dwelling	Total unit C 108 sqm GIA  (19.5 sqm GIA)	Main Hall 1 bedroom with en-suite	Bedroom and ensuite off main entrance hall from front door
<b>C</b>	First	54.4 sqm GEA (43 sqm GIA)	Hall, living, kitchen/dining	
<b>C</b>	Second	54.4 sqm GEA (46 sqm GIA)	Lounge, 1 bedroom, bathroom	

- 3.06 The issue of the lawful use of the building is addressed later in this report since it has implications for the application of policy H3. The submitted plans and details by Brown Urbanism show the existing building and the proposed changes to it. These are also explained



and carefully assessed in the Heritage Assessment by JLL given the Heritage Assets that will be affected, namely the Listed Building and the Conservation Area.

- 3.07 Photographs of the existing building, both internal and external, together with photographs of the surrounding street are attached at **Appendix 3a-3d**. These show the building in context, which differs markedly from the front to the back.

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## 4.00 THE PLANNING AND LISTED BUILDING APPLICATIONS

### Overview

- 4.01 This proposal involves the total refurbishment of 26 Chalcot Crescent to provide a self-contained basement flat and a dwelling house above (2 x no. C3 units in total). The existing ground floor bedsit of 30sqm will be incorporated into the existing dwellinghouse above. This issue of land use and the planning unit is dealt with in Section 7. Photographs of the building are attached at **Appendix 3a-3d**.
- 4.02 The proposed physical changes to the Listed building are assessed separately in Section 4 of the Heritage Statement by JLL (**Document 3**). These changes impact either solely on the Listed building (for internal changes) or on both the Listed building and the Conservation Area (for external changes).
- 4.03 The Pre-app Response (**Appendix 2**) indicated that in Listed Building and Conservation Area terms the proposals were considered broadly acceptable. This followed a site visit by officers on 21<sup>st</sup> February 2018. It noted the Council would not support the creation of a roof terrace, the subdivision of the first-floor level reception room (north) or the total loss of outdoor garden space. The submission plans and documents clearly show the Council's advice has been taken into account and these elements have been omitted from the submitted scheme. There was no objection to replacing the existing rear extension.
- 4.04 The proposed changes to the building include a replacement of the existing unsympathetic rear basement/ground floor extension with a superior and well-designed extension, the provision of new windows, replacement rooflights, a new internal staircase, rationalisation of the internal stair hall and plan form/decoration, new mouldings, skirtings and architraves throughout and a new cast metal and stone external stair to the basement flat. Plans showing the window and moulding details at scales of 1:2, 1:5 and 1:10 are included. Existing unsympathetic partitions will also be removed as part of the rationalisation of the plan form and existing services within the building will be rationalised.

### Self-contained basement flat A

- 4.05 The existing self-contained basement flat **A** will retain its outside and amenity space at the front and rear, in accordance with the Pre-app response. The overall layout will remain broadly as existing and will be refurbished. Outside, there is bin storage in the under crofts. The floor

area of the basement flat is 53sqm which just exceeds the adopted space standard of 50sqm for a 1b/2p unit. The existing mid-late C20<sup>th</sup> metal stairway (below) that leads to the basement flat A will be replaced with a more sympathetic cast metal and stone alternative (para 4.14, Doc 3).



Ground, first and second floor dwelling C incorporating bedsit B

- 4.06 The ground, first and second floors comprise a bedsit **B** of 30sqm GIA and a dwelling **C** of 108.5sqm GIA spread over the 3 upper floors, both served from the front door, central hallway and staircase. This is confirmed by the enclosed Statutory Declaration (**Appendix 4**). The proposal incorporates the bedsit into the upper 3 floors for use as a family home. At 30sqm GIA the ground floor bedsit falls well below (almost 25%) the minimum standard of 1p/1b of 39sqm for a unit with a bathroom. There were no clearly defined boundaries between the dwelling C and the entrance to the bedsit B, which would not meet today's standards of accommodation, and in reality, the bedsit was situated within the confines of the dwelling C.
- 4.07 Following on from the Pre-App response, no roof terrace is now proposed; the basement rear terrace is not shown to be enclosed but will be retained to serve the basement flat; the winter garden is removed; and there will not be any subdivision of the left-hand (north) room at first floor level. The existing rear basement/ground floor extension is to be replaced with a far

superior structure to form a sun room and an improved kitchen for the basement flat underneath. The submitted sketch views show this will include bespoke fitted seating inside, glazing and painted woodwork with a zinc roof over – see elevation drawings.

- 4.08 The scope of works to the Listed Building are described in detail on the drawings and are set out in the Design Statement.

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## 5.00 THE DEVELOPMENT PLAN

### Overview

- 5.01 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990, planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.02 Section 38(1) states that, for the purposes of any area in Greater London, the Development Plan is (a) the Spatial Development Strategy, (b) any other Development Plan documents that have been adopted or approved in relation to that area, and (c) the Neighbourhood Development Plans that have been made for that area.
- 5.03 The approved Development Plan for this site therefore comprises the policies of the London Plan March 2016 (6.02 (a) above) and the Camden Local Plan 2017 (6.02 (b) above).

### The London Plan 2016

- 5.04 The London Plan is the London Mayor's Spatial Development Strategy. It comprises the Plan from 2011, together with alterations from October 2013 and March 2016.
- 5.05 The vision underlining the London Plan is to develop London as an exemplary, sustainable world city. It has a commitment to London's continuing growth, both economically and as a place to live and to tackle climate change. All the Policies of the London Plan promote sustainable development, thereby according with the principles of the NPPF. Lambeth is within the Central sub-region.
- 5.06 The following policies would be relevant: -

- 3.5 Quality and Design of Housing Developments
- 3.14 Existing Housing
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage Assets and archaeology

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### **Camden Local Plan 2017**

5.07 The Local Plan is current and up to date. The following policies, as identified in the Pre-app response, apply: -

Policy A1 - Managing the impact of development

Policy D1 - Design

Policy D2 - Heritage

Policy H1 - Maximizing housing supply

Policy H3 - Protecting existing homes

Policy H6 - Housing choice and mix

Policy H7- Large and small homes

### **Other Guidance**

5.08 The following Supplementary Planning Documents are also relevant: -

1. CPG1: Design July 2015 updated March 2018
2. CPG2: Housing May 2016 updated March 2018
3. CPG6: Amenity March 2018
4. Primrose Hill Conservation Area Statement 2000

### **NPPF (2018) and NPPG (2014)**

5.09 The National Planning Policy Framework was first published in March 2012 and has recently been revised and re-issued (July 2018). The National Planning Policy Guidance, March 2014, augments the advice in the NPPF.

5.10 Paragraph 7 notes *“The purpose of the planning system is to contribute to the achievement of sustainable development.”* There is a presumption in favour of sustainable development (paragraph 11).

5.11 The following are the updated chapters in the NPPF which are relevant to this application:

2. Achieving sustainable development

11. Making effective use of land

12. Achieving well-designed places

16. Conserving and enhancing the historic environment

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## 6.00 CONSIDERATION OF THE ISSUES

6.01 In the light of the relevant Policies of the Development Plan, the following issues are considered relevant in the determination of these applications:

1. Principle of Development
2. Impact on the Listed Building
3. Impact on the character and appearance of the Conservation Area
4. Design considerations
5. Space standards
6. The amenity impacts on neighbouring residential occupiers

### 1. Principle of Development

6.02 The lawful use of 26 Chalcot Crescent is the starting point for considering this application. Officers sought to address this issue at the outset of their Pre-app response since this would impact on the principle of the proposed pre-app development of the property as a single house under policy H3. The pre-app had shown all 4 floors of 26 Chalcot Crescent as a single dwelling. Officers noted: -

*“Notwithstanding this, although the building is listed with Council Tax as being in use as 4 flats; it was noted on site that there appears to be only one separate self-contained flat at basement level. The only indication that the upper floors were in use as flats is the two kitchens at ground and first floor level. There were no other internal alterations or subdivisions to separate the building into separate, self-contained dwellings. It is unclear whether the building was in use as one self-contained flat (at basement) level with separate flats on the upper floors, or if the rooms were rented out individually, with shared use of the facilities. This ambiguity would need to clarified prior to the submission of a planning application...” (underlining added).*

6.03 It continued *“that the works to convert the single dwellinghouse into separate flats may have been carried out sometime in the 1950s There do not appear to be any planning records for this conversion and it has therefore been carried out without the benefit of planning permission. If the works were carried out in the 1950s, then they may be considered lawful by virtue of time and would consequently be immune from enforcement action. However, please be aware that any works carried out to a listed building without consent are a criminal offence, and do not become lawful after a certain period of time. As the building was listed in May 1974,*

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*it is likely that the works were completed before this date, but this would also need to be demonstrated as part of a certificate of lawfulness.”*

- 6.04 Enclosed with this application is a Statutory Declaration (**Document 4**) of Mr. Philip Schneider dated 21 September 2018. Mr. Schneider is the great nephew of the last occupant, (Mrs. Carolyn Sandra Walker), and an executor of her estate. It clarifies how 26 Chalcot Crescent was used to his knowledge. He is 31 years old and visited the property more frequently after his brother Matthew moved in with their aunt in 2002. He therefore has long-standing first-hand knowledge of the building and how it was used. This provides the clarification officers required regarding the lawful use of the building.
- 6.05 The Declaration confirms that the basement flat has always been self-contained (paragraph 3). This is therefore one residential unit, identified on the drawings as Unit A. That unit is to be retained and refurbished.
- 6.06 In relation to the 3 above ground floors of the dwelling, Mr. Schneider explains how the living arrangements worked. He confirms that in the past the rooms on the left when entering the house were used as a ground floor bedsit within the main house and that from about November 2014, when Carolyn Walker became ill, it was used by her live-in carer (paragraph 4). It notes that Mrs. Walker was admitted to hospital in late 2015 and then moved into a care home so the bedsit ceased to be occupied by a carer from late 2015. The Table of Figures at paragraph 3.05 shows that the ground floor bedsit is just 30sqm. It is identified on the drawings as Unit B.
- 6.07 Carolyn Walker and her husband occupied the remainder of the above ground floors themselves, including accommodating their nephew Matthew from 2002 to 2011 when he was a student (paragraph 5 and 6). The ground floor rooms on the right when entering the property were used by Matthew and comprise a bedroom with bathroom only with no cooking or living facilities. After Matthew left in 2011, Carolyn Walker used this room as a home office until she went into hospital in late 2015. The ground floor bedroom/bathroom and first and second floors therefore comprise Unit C.
- 6.08 The Declaration states, *“I am, therefore, aware this room has not been used as living accommodation separate to the top floor of the property since at least 2002.”* (paragraph 5). Occupation of the ground floor bedroom/bathroom by a nephew, a close family relative, did



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not involve a material change of use of Carolyn's house. He occupied the bedroom as part of the family that was Carolyn Walker and her husband. This ground floor bedroom and bathroom therefore form part of the dwellinghouse C that is the first and second floors of the building which were occupied by Carolyn Walker and her husband.

- 6.09 The Declaration also confirms that Carolyn Walker continued to occupy the first and second floors following her husband's death and until late 2015 when she was admitted to hospital (paragraph 6). The house has been vacant since 2016.
- 6.10 The Declaration is clear that 26 Chalcot Crescent is made up of 3 residential (Use Class C3) units, namely the basement flat (A), ground-floor bedsit (B) and the rest of the house (part ground, first and second floors – Unit C). This is how the building was used since at least 2002 and is therefore the lawful use. The Declaration therefore provides the clarification officers need.
- 6.11 Policy H3 seeks to protect all housing floorspace within the Borough (Use Classes C3 and C4) as part of the overall aim of maximising housing supply, a National objective that is particularly critical in the Capital. Further Guidance on the loss of residential units is contained within CPG2: Housing, reflecting policy H3. Policy H3 states, insofar as relevant,

*“The Council will aim to ensure that existing housing continues to meet the needs of existing and future households by:*

- c. *resisting development that would involve the net loss of two or more homes (from individual or cumulative proposals), unless they:*
- *create large homes in a part of the borough with a relatively low proportion of large dwellings;*
  - *enable existing affordable homes to be adapted to provide the affordable dwelling-sizes that are most needed; or*
  - *enable sub-standard units to be enlarged to meet residential space standards.”*

- 6.12 The existing basement flat A will remain. It exceeds the minimum standards for a 1b/2p unit and will retain its rear amenity space. Accordingly, it will provide a good level of amenity for future occupiers.

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6.13 The existing ground floor bedsit B is just 30sqm and will be incorporated into the remainder of the lawful dwellinghouse C. The scheme does not therefore involve the net loss of two or more homes. Paragraph 6.4 of CPG2: Housing, says *“The Council does not generally seek to resist schemes combining dwellings where they involve loss of a single home.”* Notwithstanding there is no *prima facie* conflict with H3 (c) through loss of two or more residential units, at 30sqm bedsit B is also clearly substandard and provides a level of accommodation that falls far below the minimum standard for a 1p/1b of 39sqm for a unit with a bathroom as set out in policy 3.5 - Quality and Design of Housing Developments of the London Plan. Considerations relating to the Listed Building are also important and are discussed separately.

6.14 In summary, the scheme will provide 2 residential units, namely a basement flat and a house of three floors over. Bedsit B will be incorporated into the house. This does not involve the loss of 2 or more dwellings so there is no in principle objection to the scheme on the basis of policy H3.

## **2. Impact on the Listed Building**

6.15 Enclosed with this application is a Heritage Statement by JLL which assesses in detail the Heritage Asset that is the Listed Building given the refurbishment works that are proposed.

6.16 Chapter 16 of the NPPF deals with Conserving and enhancing the historic environment and paragraph 189 advises that *“In determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting. The level of detail should be proportionate the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”*

6.17 Paragraph 190 continues, *“As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”* Paragraph 132 states *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets' conservation.”*

6.18 Development plan policies 7.8 - Heritage Assets, of the London Plan 2016 and Policy D2- Heritage of the Camden Local Plan are also material considerations to take into account.

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- 6.19 The Listing Description for 26 Chalcot Crescent is included in the Heritage Statement – Appendix B. The Assessment summarises the Heritage Considerations at paragraph 2.9: *“The key heritage considerations in relation to this planning and listed building consent application will be the impact of the proposed scheme on the special architectural and historic interest or ‘significance’ of both No. 26 Chalcot Crescent and Primrose Hill Conservation Area by virtue of the proposed internal and external works to No. 26 Chalcot Crescent.”*
- 6.20 An assessment of the significance Heritage Assets is set out in Section 4 and includes a site history of 26 Chalcot Crescent. The summary states *“No. 26 Chalcot Crescent has been subjected to a significant degree of alteration in the 20th century. This primarily includes works to alter all basement elevations, the rear courtyard, the scullery and the lightwells as well as historic circulation routes and plan form within. “*
- 6.21 The Assessment of Significance confirms that as one of a few double fronted buildings within the street, 26 Chalcot Crescent has an elevated status in a significant London Street scene. *“Its principal elevation, specifically that visible at ground through to second floor level forms focus of its significance (special architectural and historic interest).”* (paragraph 3.39)
- 6.22 Paragraph 3.40 notes the basement level, large sections of the rear elevation, scullery, internal plan form and circulation spaces are poorly preserved, have had multiple interventions over time, and *“are of lesser significance offering little or no contribution to the special architectural and historic interest of the building.”*
- 6.23 The plan form and spatial volumes of the interior as well as some detailing are still appreciable and have a greater contribution to the significance of the building. This includes some windows, part of the staircase handrail, some joinery and plasterwork and the internal proportions of the rooms, particularly on the northern side. (paragraph 3.41)
- 6.24 The assessment confirms the rear extension (former scullery, now bathroom, with kitchen over) is not of special significance.
- 6.25 The Statutory duty in respect of Listed Buildings is set out in Sections 16 and 66 of the 1990 Act. That being, that decision makers shall have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses, and special regard must be given by the authority in the exercise of

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planning functions to the desirability of preserving or enhancing Listed Buildings and their setting.

- 6.26 In respect of the proposed internal works, in the Pre-app response officers noted *“During a site visit carried out on Wednesday 21st February, it was evident that the internal floorplan of the building had undergone extensive alteration in the past with various modern partitions installed. There are few internal architectural features of note. The majority of the proposed alterations to the floorplan are acceptable, enabling the legibility of the original floorplan to remain. The subdivision of the first-floor reception room as proposed would not be supported however; the room at present has its original floorplan with central chimneybreast. The wall of the proposed bathroom would sit directly adjacent to the chimneybreast, obscuring the original proportions of the room.”*
- 6.27 The proposals do not now include the subdivision of the first-floor reception room, thereby retaining the spatial volume of the room. The building is not listed for any internal features although some mouldings remain. These will be retained and conserved with the sympathetic addition of new mouldings to enhance the interior of the building as shown in detail on the submitted drawings.
- 6.28 The Conclusion of the Heritage Assessment, taking into account all the alterations proposed states *“In summary, it has been identified that the proposal represents an opportunity to remove features of lesser significance and rationalise the existing building. On balance, it is evident that the special architectural and historic interest or ‘significance’ of the designated heritage assets would be preserved and enhanced. The scheme forms the opportunity to secure the long term viable use of the redundant building through thoughtful upgrading and positive intervention.”*
- 6.29 After careful consideration, the Heritage Assessment acknowledges the opportunity to preserve and enhance the character of the Listed building. This accords with the aims of the NPPF and the relevant policies of the Development Plan, namely London Plan policies 7.4, 7.6 and 7.8 and Camden Local Plan policies D1 and D2. It also takes into account the Primrose Hill Conservation Area Statement (2000) and Camden Planning Guidance 1: Design (2018).

### 3. Impact on the character and appearance of the Conservation Area

- 6.30 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) sets out the statutory duty in respect of Conservation Areas. In exercise of those functions, Local Planning Authorities must pay special attention to “*the desirability of preserving or enhancing the character or appearance of that area.*” The courts have ruled that preservation equates to “no harm” being caused.
- 6.31 The site is in the Primrose Hill Conservation Area and involves changes to the exterior of the building. As noted above, the NPPF Chapter 16 requires that the relevant historic environment record should have been consulted, and the heritage asset should be assessed with the level of detail proportionate the asset’s importance. The Conservation Area is one of the Heritage Assets involved in this application. Policy 7.8 - Heritage Assets, of the London Plan 2016 also applies as well as Policy D2 – Heritage, of the Camden Local Plan.
- 6.32 In addition, the Primrose Hill Conservation Area Statement (2010) provides an assessment of the historic development, character and appearance of the area. As noted previously, the Conservation Area is divided into four parts and the applications site is in area 3. Regent’s Park Road North.
- 6.33 The Significance of the Heritage Asset (the Conservation Area) is considered in Section 3 of the Heritage Assessment (**Document 4**). Paragraphs 3.13 *et seq* explain the history and development of Primrose Hill Conservation Area and of Chalcot Crescent, noting that development began in the mid C19th. Drivers for this were an increasing population and major developments such as the Regent’s Canal, linking to the wider canal network and docks, and the construction of the London and Birmingham Railway in the 1830s. The land on which Chalcot Crescent now sits was part of Lord Southampton’s estate (developed and sold as freehold portions) which was intended to be laid out as a spacious estate of grand villas. That development was not fully realized as conceived, and higher density terraced housing was constructed, including Chalcot Crescent.
- 6.34 The summary states “*Chalcot Crescent forms a narrow street flanked by terraced housing thought to have been built by J. Burden c.1850-1855. The dense architecture and streetscape deviates from the original Southampton Estate design concept which envisaged generous streets with villa development and associated garden/green space throughout the majority of what is now Primrose Hill Conservation Area.*”

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- 6.35 In assessing the significance of the Conservation Area, paragraph 3.46 notes *“The special architectural and historic interest of the Primrose Hill Conservation Area is defined by the character of the buildings and streets which came about following the development of land owned by Lord Southampton. It reflects the environmental limitations/considerations of the area at the time of conception, necessitating a deviation from the original design concept envisaged by Lord Southampton for the area. This reactive development process has created a compact area of high-quality Victorian town planning and architecture which responded to a continues to reflect the context within which it was built. The altered rationale for the area is readily appreciable within the areas densely populated and well-preserved streetscapes, which includes Chalcot Crescent.”*
- 6.36 The proposals include changes to the external appearance of the building and these are described in the Design Statement. At the front of the building, some of the windows (non-original or poor quality) on the front elevation are to be replaced with better quality windows, the metal stair to the basement flat is to be replaced with a Portland stone and cast metal stair, and the existing front roof slope rooflight will be replaced. To the rear, existing non-original windows and doors will also be replaced and a new rooflight will be incorporated into the rear roof slope. The most significant change however is the replacement of the existing rear extension (bathroom with kitchen over) with a new, high quality extension constructed of timber, painted, and with glazing along its eastern side and *“when viewed from within the courtyard at basement level, the structure appears as a single element from ground to first with a continuous skin of painted timber panelling and windows.”* (Design Statement – **Document 4**).
- 6.37 The pre-app response (**Appendix 2**) noted in respect of the rear extension *“With regard to rear extensions, Policy PH27 of the Primrose Hill Conservation Area statement specifies that extensions should be in harmony with the original form and character of the house and the historic pattern of extensions within the terrace or group of buildings. The acceptability of larger extensions depends on the particular site and circumstances.”*
- 6.38 The appearance of the replacement extensions has been deliberately designed to have a ‘lightweight’ appearance with a shallow pitched roof. The lower section will only be visible from the inside the rear courtyard and the upper sunroom will replace an existing poorly executed enlargement. Officers noted that the *“Although the rear extension would be highly visible, it would be lightweight and subordinate, and is not considered to compete with the*

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*architectural language of the host building. There is no uniformity to the rear elevation of the wider terrace, so it is not considered to affect the group dynamics or harm the special character of the wider terrace of listed properties.”*

- 6.39 The photographs at **Appendix 3d** clearly show a different character at the rear compared to the relative uniformity of the front. This section of Chalcot Crescent, including no.26, backs onto Hopkinson’s Place, a more modern flatted development on the site of the former piano factory. It is also part of the Conservation Area but is ‘read’ differently to the front. The proposed rear extension and the minor window alterations will not adversely impact on the significance of the Heritage Asset that is the Conservation Area.
- 6.40 In summary, The Heritage Assessment concludes on this issue (paragraph 4.9) *“The replacement extension will preserve and enhance the character and special architectural or historic interest (significance) of No. 26 and Primrose Hill Conservation Area, as well as the setting and thus the special architectural or historic interest (significance) of the wider listed buildings within the terrace.”*

#### **4. Design Considerations**

- 6.41 To some extent this issue overlaps with the considerations in respect of the Conservation Area which have already been considered above. Chapter 12 of the NPPF seeks to achieve well-designed spaces and the same aims and intentions are set out more specifically for Camden Borough in policy D1 of the Local Plan. This includes that new developments must (a) reinforce context and historic character; (b) preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage; (e) comprises details and materials that are of high quality and complement the local character; (l) incorporates outdoor amenity space; and (n) for housing, provides a high standard of accommodation.
- 6.42 Policy 3.5 of the London Plan also deals with Quality and Design of Housing Developments. Camden’s Development Policies Document is supported by CPG1 (Design) and the Primrose Hill Conservation Area Statement. Policy PH27 of the Primrose Hill Conservation Area statement says that extensions should be in harmony with the original form and character of the house and the historic pattern of extensions within the terrace or group of buildings.
- 6.43 The proposed external changes to the building are well-designed taking into account it is a Listed Building in a Conservation Area. Further, the rear replacement extension will be a high-

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quality addition that will replace a substandard structure that does not contribute positively in design terms to either the dwelling or the wider area. There will be an improvement to the visual appearance of the building which will benefit the wider locality.

### **5. Space standards**

- 6.44 Policy 3.5 Quality and Design of Housing Developments of the London Plan 2016, requires that housing should be of the “*highest quality internally, externally and in relation to their context and to the wider environment...*” and policy 3.8 says that Londoners “*should have a genuine choice homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments.*” The proposal is within a Conservation Area and consequently will be of a high standard of design and interior finish.
- 6.45 Changes to the minimum space standards for new dwellings were agreed in March 2016 and form an amendment to the London Plan. These post-date the 2015 Technical Update to the Residential Design Standards (2011).
- 6.46 As noted previously, the basement flat is 53sqm GIA which exceeds the standard in the London Plan and Nationally Described Space Standards of 50sqm for a 1b/2p single storey unit. The basement flat will also continue to benefit from the rear terrace for external amenity space.
- 6.47 For the dwelling at ground, first and second floors, the plans show a double bedroom at first floor level and two double bedrooms at second floor level which gives a dwelling of 3b/6p occupancy over 3 floors. At 138.5sqm GIA (108.5 sqm + 30sqm), the proposed dwelling, incorporating the very modest bedsit B, will exceed the standard of 108sqm.
- 6.48 There is no external amenity space for the dwelling. As originally constructed 26 Chalcot Crescent was a single dwelling arranged over 4 floors and had no garden, just a small basement terrace. What remains of this terrace now forms part of the basement flat and appears to have done so for very many years since the staircase from the upper floors was removed. The replacement conservatory extension at the rear will nevertheless provide a sunroom which will akin to amenity space for the house, contributing to the enjoyment of occupiers. The house is also of course just a very short walk away from Primrose Hill which offers high quality open space.



6.49 Accordingly, the basement flat and the proposed dwelling meets the standards of the London Plan. As such they provide a good standard of residential amenity for future occupiers. The proposal also involves the complete refurbishment of the building which is not only tired and dated inside with unsympathetic alterations but also needs substantial improvements to the fabric of the Listed Building, windows, doors and staircases. The scope of works proposed will substantially improve the quality of the accommodation and secure the fabric of the Listed Building which can only be a benefit to occupiers.

### **6. The amenity impacts on neighbouring residential occupiers**

6.50 26 Chalcot Terrace is a mid-terrace dwelling. It faces obliquely the side elevation of a staggered end of terrace house (19 Chalcot Crescent) opposite – see photograph below and the Location and Block Plan. There will not be any change in the relationship between the application site and 19 Chalcot Crescent as a result of this application. The distances between opposing windows will remain as existing and no additional window openings are proposed so no overlooking will arise.



Source: Google Street View showing the relationship between 26 Chalcot Crescent (R) and 19 Chalcot Crescent (L)

6.51 To the rear of the application site are the communal grounds for substantial 4-storey blocks of modern flats (Hopkinsons' Place) which also includes the Primrose Hill Community Association. The rear wall of 26 Chalcot Crescent forms part of the boundary – see Location and Block Plan.

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This wall also forms the rear wall of adjoining 24 Chalcot Crescent which has no garden and the rear of 28 Chalcot Crescent also adjoining.



Photographs from the rear showing the rear of 26 Chalcot Crescent, including the rear extension to be demolished.

(L) long view and (R) close view

- 6.52 The existing rear extension accommodates a kitchen and is glazed on its eastern side overlooking Hopkinsons' Place and has glazing on its northern elevation which faces the flank wall of 28 Chalcot Crescent. There are also 3 existing principal rear windows to the right of the rear extension and 4 smaller windows to the left— see photographs above. There will not be any impact on the 2 adjoining properties (nos. 24 and 28) as a result of this application given their configurations relative to the application site.
- 6.53 The existing rear windows will remain with an additional bathroom window at second floor level which would be obscurely glazed. No overlooking would therefore arise. The replacement extension at the rear will similarly not impact on the residential amenity of neighbours.
- 6.54 The pre-app response considered the issue of neighbour amenity, noting that *“Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for*

*development that does not cause harm to amenity. Factors to consider, and which are particularly relevant to this case, include sunlight, daylight, outlook, visual privacy and overlooking.”*

- 6.55 It continued *“The proposed rear extension, although two storeys in height, would fill the area of the rear courtyard and would be bounded by the existing two storey rear extension to the south and the blank 4 storey flank elevation of no. 28 to the north. The extension would therefore have limited impact on the amenity of neighbouring residents.”* We concur with that assessment. The site is part of an established residential area and there will not be a material change to existing relationships.

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## 7.00 CONCLUSIONS

- 7.01 This proposal is to use 26 Chalcot Crescent as a basement flat and as a dwelling arranged on three floors over. Detailed information in the form of a Statutory Declaration about how the building has hitherto been used confirms it was not sub-divided into 4 units but was used as a self-contained basement flat A and the 3 above ground floors were used as a bedsit B accessed from within the hall of the dwelling C. The property thus contains 3 residential units. Unit B is sub-standard.
- 7.02 The proposal shows the building in use as 2 units, namely a basement flat and the dwelling above. There will not be any conflict with policy H3 and the development is acceptable in principle.
- 7.03 The scheme follows a pre-app submission which was broadly positive in response. The objectionable elements have been removed from the proposal. The scope of the works proposed have been carefully considered in consultation with JLL – Heritage Consultants who have completed a detailed Heritage Assessment of both Heritage Assets, namely the Listed Building and the Primrose Hill Conservations Area. There will be positive improvements to the Listed Building and to its appearance of the Conservation area.
- 7.04 The replacement rear extension will be a high-quality addition, replacing a poorly designed and built extension. There will be no harm to neighbours through overshadowing or loss of light and the proposal will provide a good standard of accommodation and residential amenity for future occupiers.
- 7.05 The development accords with the policies of the Development Plan and the NPPF and should therefore be supported.

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