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Planning and Regeneration
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Date: 09/03/2018
Our ref: 2018/0375/PRE
Contact: Laura Hazelton/Elizabeth Martin
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David Walsh

By email

www.camden.gov.uk/planning

Dear Mr Walsh,

Re: 26 Chalcot Crescent, London, NW1 8YD

Thank you for submitting a pre-planning application enquiry for the above property which was received on 21/01/2018 together with the required fee of £1,218.00.

1. Drawings and documents

Chalcot Crescent Feasibility Study received by email dated 21/01/2018.

2. Proposal

Change from flats to a single family dwelling, replacement rear extension and creation of terrace at roof level.

3. Site description

26 Chalcot Crescent forms part of a Grade II listed terrace of 12 stucco houses with rusticated ground floors, dating from c.1855 and situated in the Primrose Hill Conservation Area. This conservation area is made up of a series of well laid out Victorian terraces, and has a predominantly residential character with shopping centres and a Primary School; because of the vicinity of Primrose Hill, it is also extremely well provided with open space. The building has been subdivided in the past and has a separate self-contained flat at basement level. The whole building is unoccupied.

4. Relevant planning history

There are no planning, enforcement or building control records for this property.

5. Relevant policies and guidance

[National Planning Policy Framework 2012](#)

[The London Plan March 2016](#)

[Camden Local Plan 2017](#)

Policy A1 Managing the impact of development
 Policy D1 Design
 Policy D2 Heritage
 Policy H1 Maximising housing supply
 Policy H3 Protecting existing homes
 Policy H6 Housing choice and mix
 Policy H7 Large and small homes
 Policy T1 Prioritising walking, cycling and public transport
 Policy T2 Parking and car-free development

Camden Planning Guidance

CPG1 (Design) 2015
 CPG6 (Amenity) 2011
 CPG7 (Transport) 2011

Primrose Hill Conservation Area Statement 2000

6. Assessment

The principle planning considerations are considered to be the following:

- Land use – loss of residential dwellings.
- Design – impact of the development on the special character of the host building, the setting of the adjacent listed buildings and the character and appearance of the wider conservation area;
- Amenity – impact of the development on neighbouring residents in terms of outlook, daylight/sunlight, and privacy.

7. Land Use

Whilst on site, it was discussed 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. You may wish to consider submitting a certificate of lawfulness application (existing) to establish this. Please note the onus is on the applicant to demonstrate the lawful use of the property.

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, 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.

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 be clarified prior to the submission of a planning application, because any proposals would be assessed against Policy H3 (protecting existing homes) which seeks to protect individual self-contained houses and flats. Specifically, this policy resists development that would involve the net loss of two or more homes, unless they:

- Create large homes in a part of the borough with a relatively low proportion of large dwellings;
- Enable 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.

The proposed development would not meet any of these criteria, and consequently the loss of two dwellings would be resisted by the Council. If you could satisfactorily demonstrate that the upper floors were not in use as separate self-contained dwellings, and the proposal therefore only resulted in the loss of one flat at basement level, then the development would comply with policy H3 and may be considered acceptable.

8. Design

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan 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.

Camden's Development Policies Document is supported by CPG1 (Design) and the Primrose Hill Conservation Area Statement.

Roof terrace

Policy PH18 of the Primrose Hill Conservation Area Statement states the following with regards alterations at roof level within the conservation area:

Roof extensions and alterations, which change the shape and form of the roof, can have a harmful impact on the Conservation Area and are unlikely to be acceptable where:

- It would be detrimental to the form and character of the existing building;
- The property forms part of a group or terrace which remains largely, but not necessarily completely, unimpaired;
- The property forms part of a symmetrical composition, the balance of which would be upset;

- The roof is prominent, particularly in long views and views from the parks;
- The building is higher than many of its surrounding neighbours. Any further roof extensions are therefore likely to be unacceptably prominent.

Policy PH19 states that for the reasons set out in policy PH18, roof extensions and alterations which change the shape and form of the roof are unlikely to be acceptable on all buildings on Chalcot Crescent. Policy PH24 also states that the creation of high level balconies where they will be visually intrusive or result in partial removal of the roof will be resisted.

The proposal to install a roof terrace to offset the loss of outside space at lower ground level (discussed further below) would be contrary to Policies PH18, PH19 and PH24 set out in the Primrose Hill Conservation Area Statement and would not be supported. Roof terraces are not characteristic of buildings of this age and status. Although there is a roof terrace at nos. 24 and 38, the terrace at no.38 was installed without permission and the terrace at no.24 was approved in 1971 prior to the building being listed, and would not be considered acceptable today. Installing one would result in the loss of a historic roof form and the introduction of an alien and incongruous feature, out of keeping with the listed building, the adjoining terrace and the wider conservation area, contrary to Local Plan Policy D2.

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.

The proposed infilling of the existing external courtyard to create an extension is acceptable in terms of bulk and scale in the context of the parent building. Although the rear extension would be highly visible, it would be lightweight and subordinate, and is not considered to compete with the 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. Internal circulation routes would be impacted, but this is likely to be considered acceptable given the fact that the existing configuration has been modified extensively already.

Notwithstanding this, the extension would result in the loss of the only outside amenity space at this site. Policy D1 (Design) recognises the importance of private amenity space in adding to residents' quality of life (paragraph 7.23) and the Council would not support the complete loss of outdoor garden space.

Internal works

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.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”) would be relevant in the determination of any future planning/listed building consent application at this site. This section provides that in considering whether to grant listed building consent for any works to a Listed Building special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The effect of this is that there is a statutory presumption in favour of the preservation of Listed Buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption. The NPPF provides guidance on the weight that should be accorded to harm to heritage assets and in what circumstances such harm might be justified (section 12).

9. Impact on the amenity of adjoining occupiers

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.

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.

The roof terrace would be located to the south east corner of the roof, where there is potential for occupants of the terrace to look into the upper windows of the residential block to the rear of the site and would not be considered acceptable.

10. Conclusion

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.

11. Planning application information

If you submit a planning application which addresses the outstanding issue detailed in this report satisfactorily, I would advise you to submit the following for a valid planning application:

- Completed form – Full planning and listed building consent
- An ordnance survey based location plan at 1:1250 scale denoting the application site in red

- Floor plans at a scale of 1:50 labelled 'existing' and 'proposed'
- Roof plans at a scale of 1:50 labelled 'existing' and 'proposed'
- Elevation drawings at a scale of 1:50 labelled 'existing' and 'proposed'
- Section drawings at a scale of 1:50 labelled 'existing' and 'proposed'
- Design and access statement
- Heritage statement
- Sample photographs/manufacturer details of proposed materials
- The appropriate fee
- Please see [supporting information for planning applications](#) for more information.

We are legally required to consult on applications with individuals who may be affected by the proposals. We would put up a site notice on or near the site and, advertise in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.

It is likely that that a proposal of this size would be determined under delegated powers, however, if more than 3 objections from neighbours or an objection from a local amenity group is received the application will be referred to the Members Briefing Panel should it be recommended for approval by officers. For more details click [here](#).

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

If you have any queries about the above letter or the attached document please do not hesitate to contact Laura Hazelton on the number above.

Thank you for using Camden's pre-application advice service.

Yours sincerely,

Laura Hazelton

Planning Officer
Planning Solutions Team