

**APPEAL AGAINST REFUSAL OF LISTED BUILDING CONSENT FOR WORKS AT  
31 DOWNSHIRE HILL PROPOSED IN OWNER'S REQUEST  
SUBMITTED 4 FEBRUARY 2018**

**APPENDIX 2**

**CORRESPONDENCE WITH CAMDEN**

Dates of contact with Camden relating to this proposal are shown in the following table:

Proposal submitted by owner	4 February 2018
Proposal recorded as received by Camden	5 February 2018
Proposal recorded as registered by Camden	16 February 2018
First telephone contact by Camden	6 April 2018
Visit for inspection by Camden's Mr. N. Baxter	9 April 2018
Camden's e-mail advising reasons for refusal of the proposal	10 April 2018
Owner's e-mail response to Camden's e-mail	10 April 2018
Camden's letter advising their decision on the proposal	23 April 2018

The period between submission of the proposal and Camden's informal refusal is 9 weeks 2 days.

Included in this Appendix are the following correspondence items:

- Mr. Baxter's e-mail of 10 April 2018 advising reasons for refusal of the proposal
- John Lindsay-Taylor's e-mail of 10 April 2018 replying to Mr. Baxter's e-mail of 10 April 2018
- Camden's letter of 23 April 2018 advising their decision on the proposal
- John Lindsay-Taylor's e-mail to Mr. Baxter dated 12 September 2018 ( at 15.10) sending him Appendices 3,4 and 7 to this appeal and seeking common ground.
- Mr. Baxter's e-mail reply dated 12 September (at 16.05 according to my computer) confirming his view that the proposed works would be harmful.

"Baxter, Nick" <Nick.Baxter@camden.gov.uk>

From:  
To: [REDACTED]  
Subject: Downshire Hill 31, 2018/0616/L  
Date sent: Tue, 10 Apr 2018 12:11:13 +0000

Dear Mr Lindsay-Taylor – I have now discussed your proposal with colleagues and I regret to say that it is unacceptable on the grounds of loss of historic fabric, causing harm to the listed building without corresponding public benefit.

The three timber cupboards, even if altered in the past, are possibly contemporaneous with the house and are certainly of great age, and we seek the retention of historic fittings including fitted furniture.

The demolition of most of the chimney breast will result in an unacceptable degree of loss of historic fabric. This is apparently necessitated by a desire to install a full-size farmhouse range with a very large metal cooker hood. This apparatus is not appropriately scaled for this modest house.

The raising of the floor, quite apart from the total loss of the fabric of the floor itself, will require the loss of the hearthstone and the removal of the surrounding cupboards and will affect the timber partition dividing the back room from the passage. It will also entail the insertion of an impermeable modern floor which is likely to drive moisture into the walls, where it will either cause rising damp or be trapped in the brickwork by the damp course.

If, as you suggest, the floor was altered in the 1950s to maintain the room's proportions after the ceiling subsided following the construction of the mid-century pub next door, it would surely have been done in concrete.

It does not appear at all definite that, in response to a visually imperceptible settlement in the ceiling of his basement, a 1950s occupant might have pulled up an existing stone floor, dug down by at least a foot (to allow joists, etc), then installed a complicated new suspended timber floor including a hearthstone, four inches below the prevailing floor level. And if the timber floor is not a 1950s response to the mid-century pub, its age is completely unknown.

I am sorry not to have had better news. Please let me know if you wish to withdraw the application or if I should determine it as it stands for refusal.

Kind regards,  
Nick Baxter MSc, BA hons  
Senior Planner (Conservation)  
Regeneration and Planning  
Supporting Communities  
London Borough of Camden

Telephone: 020 7974 3442  
Web: [camden.gov.uk](http://camden.gov.uk)  
5 Pancras Square  
5 Pancras Square  
London N1C 4AG

☒ ☒ ☒ ☒

---

*From:* [REDACTED]  
*To:* "Baxter, Nick" <Nick.Baxter@camden.gov.uk>  
*Subject:* Re: Downshire Hill 31, 2018/0616/L  
*Date sent:* Tue, 10 Apr 2018 22:15:25 +0100

Dear Mr. Baxter,

Thank you for your prompt response.

I would first like to mention two points on which there would appear to be misunderstandings.

a) Your fourth paragraph mentions 'raising of the floor'. It is not proposed that the floor be raised, rather that the corridor level be lowered to correspond with the finished floor level of the back room.

b) In paragraph 4 you state that 'The raising of the floor ... will affect the timber partition dividing the back room from the passage.' The proposal involves removal of this partition

I am disappointed with your intended refusal and will be seeking professional advice.

Either myself or my advisor will be in touch with you in due course to take this matter further.

Kind regards,

John Lindsay-Taylor

---



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

Tel 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Mr John Lindsay-Taylor  
31 Downshire Hill  
LONDON  
NW3 1NT

Application Ref: **2018/0616/L**  
Please ask for: **Nick Baxter**  
Telephone: 020 7974 **3442**

23 April 2018

Dear Sir/Madam

## **DECISION**

Planning (Listed Building and Conservation Areas) Act 1990

### **Listed Building Consent Refused**

Address:  
**31 Downshire Hill  
LONDON  
NW3 1NT**

#### **Proposal:**

Move kitchen from the front to back basement room and internal alterations

Drawing Nos: Design & access statement, heritage statement, 31DH003E 0 (exist sec AA), 31DH005E 0 (exist sec CC), 31DH004E 0 (exist sec BB), 31DH006P 0 (propo concrete floor build-up), 31DH003P 0 (propo secAA), 31DH004P 0 (propo secBB), 31DH005P 0 (propo secCC), 31DH002P 0 (propo 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 proposed alterations, namely, the partial demolition of the chimney breast, the demolition of the timber floor in the back room and the brick floor in the passage, the demolition of the timber fitted cupboards, the alteration of the passage cupboard, the demolition of the timber partition, and the insertion of a concrete floor slab would result in an unacceptable loss of historic fabric and plan form and so would harm the special interest of the listed building, contrary to policy D2 of the Camden Local Plan



2017.

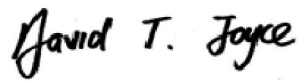
Informative(s):

1

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive style with a large 'D' and 'J'.

David Joyce  
Director of Regeneration and Planning

[REDACTED]

From:  
To: nick.Baxter@camden.gov.uk  
Subject: Planning Reference 2018/0616/L, Appeal  
Date sent: Wed, 12 Sep 2018 15:10:16 +0100

---

Dear Mr. Baxter,

Further to Camden's refusal dated 23 April 2018 of my Request for Listed Building Consent relating to proposed works at 31 Downshire Hill, planning reference 2018/0616/L, I notify you that it is my intention to appeal the decision.

Attached are the following draft appendices to the appeal which take account of things which have become apparent since your visit and which may cause Camden to reconsider their determination:

- Appendix 3, 'History and Layout of 31 Downshire Hill', presents the history of 31 Downshire Hill, to the extent that it is known, with a view to assisting in dating changes made to the building since its construction.
- Appendix 4, 'Responses to Mr. Baxter's Comments' responds to comments made in your e-mail of 10 April 2018.
- Appendix 7, 'Photographs and Images', lists and describes photographs and images which are referenced in the appeal and its appendices.

Photographs and images listed in appendix 7 will be sent in a separate transmission as the files are large.

I would ask that you review these appendices, photographs and images with a view to establishing prior to submission of the appeal, whether there are elements of the proposal which are acceptable to Camden. Should you wish to make a further visit you would be very welcome.

Please confirm receipt of this e-mail and advise the action you plan to take.

Kind regards,

John Lindsay-Taylor

Attachments: C:\Users\Family\Documents\John unshared\House\Kitchen Planning Application\Appeal\Bundle Contents-Final\Appendices\Appendix 3 History and Layout of 31 Downshire Hill.pdf  
C:\Users\Family\Documents\John unshared\House\Kitchen Planning Application\Appeal\Bundle Contents-Final\Appendices\Appendix 4 Responses to Mr. Baxter's Comments.pdf C:\Users\Family\Documents\John unshared\House\Kitchen Planning Application\Appeal\Bundle Contents-Final\Appendices\Appendix 7 Photographs and Images.pdf

"Baxter, Nick" <Nick.Baxter@camden.gov.uk>

From: [REDACTED]  
To: [REDACTED]  
Subject: RE: Planning Reference 2018/0616/L, Appeal  
Date sent: Wed, 12 Sep 2018 15:05:09 +0000

---

Dear Mr Taylor – thank you for your e-mail. Unfortunately, we are unable to receive WeTransfer documents, or to use any kind of file uploader service.

As for your grounds of appeal, I remain of the view that the various components of your basement and their evolution over the years contribute to the special interest of your listed building and that the alterations you propose are harmful.

Kind regards,  
Nick Baxter  
Senior Planner (Conservation)

Telephone: 020 7974 3442

