

Delegated Report		Analysis sheet	Expiry Date:	31/10/2018
		N/A	Consultation Expiry Date:	
Officer			Application Number(s)	
Josh Lawlor			2019/3780/P & 2019/4028/L	
Application Address			Drawing Numbers	
1 St Mark's Square London NW1 7TN			See decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
<p>2019/3780/P - Installation of single glazed timber casement and sash windows, retention of black and gold metal railings to balconies, retention of brick walls and railings to the rear patio, associated alterations, part retrospective application.</p> <p>2019/4028/L - Installation of single glazed timber casement and sash windows, removal of external security grilles, retention of black and gold metal railings to balconies, installation of marble treads and risers to external steps, remove and replace CCTV cameras, remove terracotta pavers to driveway and replace with stone pavers, retain brick walls and railings to the rear patio, internal alterations including alterations to staircase, room layouts, joinery, part retrospective application</p>				
Recommendation(s):		i) Grant Planning Permission and warning of Enforcement Action to be Taken ii) Grant Listed Building Consent and warning of Enforcement Action to be Taken		
Application Type:		i) Householder Permission ii) Listed Building Consent		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	<p>Site notices were displayed near to the site from on 15/08/2019 and expired on 08/09/2019</p> <p>The application was publicised in the local press on 09/092019 and expired on 02/09/2019</p> <p>No responses were received.</p>					

Site Description

The application building is a three storey with basement semi-detached mid nineteenth Century house. The building is designed in the style of a large Italianate villa. The building is Grade II Listed and located within the Primrose Hill Conservation Area.

Planning History:

The planning history for the application site can be summarised as follows:

LE9900424 The erection of front and rear extensions at basement level with ground level gardens above; a two storey second floor rear extension and internal alterations Refused 03/08/1999

PE9900423 The erection of front and rear extensions at basement level with ground level gardens above; a two storey second floor rear extension and internal alterations Refused 03/08/1999

PE9900835 The erection of a rear extension at basement level; a single storey front outbuilding at basement level with a ground floor level garden above; a single storey second floor rear extension; and internal alterations, for residential use. Granted 04/11/2000

Enforcement history:

EN18/0488 – Unauthorised external works to listed building – Investigation ongoing, case opened 14/06/2018

Officer comment: This application has been submitted in order to regularise and rectify the recent unauthorised works.

Relevant policies

The National Planning Policy Framework 2019

- Chapter 12- Achieving well-designed places (paragraphs 124-128, 130, 131).
- Chapter 16- Conserving and enhancing the historic environment (paragraphs 190, 193 and 196).

London Plan 2016, consolidated with alterations since 2011

- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology

Camden Local Plan 2017

- A1 Managing the Impact of Development
- D1 Design
- D2 Heritage

Camden Planning Guidance (CPG)

- CPG Design (July 2015 Updated March 2019)
- CPG Altering and Extending your Home (March 2019)
- CPG Amenity (March 2018)

Primrose Hill Conservation Area Statement (2000)

Assessment

1. The proposal

1.1. Planning permission is sought for the regularisation and re-instatement of recent unauthorised works associated with enforcement investigation ref. EN18/0488 dated 14/06/2018. The proposed works are based on an understanding of the pre-existing fabric prior to the planning and listed building consent ref. PE9900835 14/12/2000, and the implemented aspects associated with these permissions. The proposal, as listed in the 'schedule of proposed rectification' involves:

- Replacement of unauthorised uPVC double glazed windows and French doors with single glazed timber casement sash windows;
- Removal of unauthorised external security grilles to front, rear and side elevation;
- Retention of black and gold metal railings to balconies;
- Removal of unauthorised metal railings to front boundary wall;
- Removal of unauthorised quartz treads and risers to external steps and replacement with marble treads and risers;
- Replacement of unauthorised CCTV Camera to side elevation, replace 3x CCTV cameras with micro dome cameras;
- Installation of stone pavers following removal of unauthorised terracotta pavers to driveway;
- Retention of brick walls and railings to the rear patio;
- Internal alterations including alterations to staircase, reorganisation of the fitted wardrobes at second floor to reveal the chimney breast, alterations to joinery

2. Assessment

2.1. The principal considerations material to the determination of this application are as follows:

- The design impacts on the listed building and surrounding Primrose Hill Conservation Area (Design and Heritage)
- The impacts caused upon the amenities of the neighbouring properties.

3. Design and Heritage

3.1. Local Plan Policy D1 seeks to secure high quality design in development which respects local context and character. Policy D2 states that the Council will preserve and enhance Camden's heritage assets and their settings, including conservation areas. The Council will not permit development that results in harm that is less than substantial to the significance of the heritage asset unless the public benefits of the proposal significantly outweigh that harm. CPG Design recommends that alterations take into account the character and design of the property and surroundings, and that windows, doors and materials should complement the existing building.

3.2. The retention of the external metal railings installed to balconies at upper ground and lower

ground floor is considered acceptable, the railings are in keeping with the surrounding conservation and the age and character of the listed building.

- 3.3. The retention of the paving to the rear side passage and rear patio is considered acceptable, the paving is consistent with the character of the building and conservation area.
- 3.4. The recently installed uPVC double glazed windows cause harm to the significance of the listed building on account of their non-traditional materials and their thicker proportions. The thickness of the frames and glazing bars provide a bulkier appearance which detracts from the appearance of the front elevation.
- 3.5. The pre-existing windows were painted timber sash and casement windows which are assumed to be single glazed, it is highly unlikely that these windows were original. The uPVC windows and French doors would be replaced with traditional timber sash windows, to match the design of the pre-existing windows and therefore remove the harm to the listed building and conservation area. The external metal security grilles to the windows at upper ground floor are harmful to the appearance of the building and conservation area. The removal of the grilles would reinstate the appearance of building prior to the recent unauthorised works.
- 3.6. The recently installed metal railings to the front boundary wall are an incongruous addition which create a harsh and visually detrimental setting to the listed building. The removal of these railings is therefore welcomed in design and heritage terms.
- 3.7. The mosaic tiles to the walls of the portico would be removed and replaced with white stucco render which is more appropriate for the listed building. The quartz treads and risers to the front portico steps are to be stripped out and replaced with stone/marble to match the existing flooring within the portico, a condition is imposed to require details of the marble to be submitted to the Council prior to the alterations to the steps commencing. The terracotta tiling to front forecourt is to be replaced with stone paving slabs that match the existing perimeter driveway. These material finishes would be more in keeping with the age and character of the listed building.
- 3.8. There is one camera to the left hand side of the front elevation would be removed which welcomed. Three external CCTV cameras would be replaced with micro dome-cameras located above the projecting stringcourse. These micro-cameras are discreet additions that are smaller than the cameras that have recently been installed. The proposed micro dome cameras would be located so as to be hidden from view. The associated CCTV cabling is to be relocated above the stringcourse, in white painted trucking which would help ensure that the CCTV is not immediately visible.
- 3.9. Special regard has been given to the desirability of preserving or enhancing the character and appearance of the conservation area, under s.16 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Internal alterations to the listed building

- 3.10. There are minor inconsistencies between the "as built" layout and detail of the basement and laundry room to what was approved in 2000. These differences are acceptable in heritage terms and there would be no harm to plan form or historic features and fabric.
- 3.11. The larger opening to the basement dining room to what was approved in 2000 is considered acceptable. This opening is of a similar width to the opening at upper ground level between the front principal rooms.

- 3.12. The pre-existing internal staircase was of painted timber newel posts, hardwood handrail, and black metal decorative balustrades. The original handrail is thought to be mahogany colour. The recent works involved painting the timber newel posts and balustrade brown. The treads and risers were also painted brown.
- 3.13. The proposal would strip paint from the balustrade, stain/varnish to match the original mahogany colour as existing between the ground floor landing and cloakroom. The paint would be stripped from the treads and risers and sealed using natural oils/waxes. A painted timber stringer would detail would be fitted to the right hand side of the stair flight between ground floor and stair hallway and landing outside cloakroom.
- 3.14. The previously existing wardrobe joinery was limited to the infilling of the alcoves of the chimney breast in bedrooms 2 and 3. Consented drawings in the 2000 consent also show fitted joinery limited to the chimney breast alcoves in both bedroom 2 and 3.
- 3.15. The recent works involve fitted wardrobe joinery which has been installed along the chimney walls in bedrooms 2 and 3, infilling the chimney breast alcoves and running across the front chimney breasts with dressing table. The fitted joinery is not full height and the profile of the chimney breast and alcoves, as well as ceiling cornice, are clearly visible, allowing the original proportions of the room to be expressed. In bedroom 2 the fitted joinery is full height, concealing the chimney breast and alcoves and the cornice is run along the front of the joinery unit.
- 3.16. The fitted joinery would be retained in bedroom 3 but in bedroom 2 would be stripped out and replaced with wardrobes as per the 2000 consent, this would better reveal the chimney breast. At second floor, bedroom 2, the ceiling cornice would run along the chimney breast. These works would largely reinstate what was existing prior to recent works, and is therefore welcomed in heritage terms.
- 3.17. The works would reinstate features of the listed building prior the recent unauthorised works. Some aspects of the recent works that are not harmful to the significance of the listed building would be retained. The Councils Conservation officer has reviewed the schedule of works and confirms the implementation of the proposal would regularise the recent unauthorised works and therefore remove the harm caused to the designated heritage asset.
- 3.18. Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act [ERR] 2013.

4. Residential Amenity

- 4.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, sense of enclosure and implications to natural light.
- 4.2. The proposal involves internal and external minor alterations which would not have an impact on neighbouring residential amenity.

5. Breach of Planning Control

- 5.1 The following works must be carried out in order to rectify the breach in planning regulations:

- The replacement of uPVC double glazed windows with single glazed timber casement sash windows;
- The removal of external security grilles to front, rear and side elevation;
- The Removal of metal railings to front boundary wall;
- The removal of the quartz treads and risers to external steps to be replaced with marble treads and risers;
- The removal of one CCTV Camera to side elevation and replacement of 3x CCTV cameras with micro dome cameras;
- The removal of terracotta pavers to driveway and replacement with stone pavers;
- Alterations to staircase,
- Installation of fitted wardrobes at second floor and alterations to joinery

Recommendation 1

Enforcement notice:

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

The notice shall allege the following breaches of planning control:

Without planning permission:

1. The installation of uPVC double glazed windows and French doors on the front elevation
2. The installation of external security grilles to front, rear and side elevation;
3. The installation of metal railings to front boundary wall;
4. The installation of quartz treads and risers to external steps
5. The installation of 1 x CCTV Camera to side elevation and 3 x CCTV cameras to front elevation
6. The installation of terracotta pavers to driveway;

WHAT ARE YOU REQUIRED TO DO:

1. Completely remove the uPVC double glazed windows and French Doors and replace with the single glazed timber casement sash windows shown on planning permission ref. 2019/3780/P drawing no.GA037-PL-rev-1;
2. Completely remove the external security grilles to front, rear and side elevation and make good any resulting damage;
3. Completely remove the metal railings to front boundary wall and make good any resulting damage;
4. Completely remove the quartz treads and risers to external steps and replace with the marble treads and risers shown on planning permission 2019/3780/P drawing no.GA920-PL-rev1;
5. Completely remove all CCTV Cameras on the building and make good any resulting damage.
6. Completely remove the terracotta pavers to driveway and replace with stone pavers as shown on planning permission 2019/3780/P drawing no. GA031-PL-rev1

PERIOD OF COMPLIANCE: 6 Month

REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE:

The unauthorised additions and alterations to the host building, which is listed, have a detrimental impact on the character and appearance of the host building and the wider Primrose Hill conservation area contrary to policies D1 and D2 of the Camden Local Plan 2017.

Recommendation 2:

Listed building notice: That the Director, Culture and Environment instruct the Head of Legal Services to issue a Listed Building Enforcement Notice Under Section 38 of the Planning (Listed Building and Conservation Area) Act 1990 as amended, and Officers be authorised in the event of non-compliance, to prosecute under Section 43 or other appropriate power and/or take direct action in order to secure the cessation of the breaches of planning control.

The notice shall allege the following breaches:

1. The installation of uPVC double glazed windows and French doors on the front elevation
2. The installation of external security grilles to front, rear and side elevation;
3. The installation of metal railings to front boundary wall;
4. The installation of quartz treads and risers to external steps
5. The installation of 1 x CCTV Camera to side elevation and 3 x CCTV cameras
6. The installation of terracotta pavers to driveway
7. Alterations to staircase,
8. Installation of fitted wardrobes at second floor

WHAT ARE YOU REQUIRED TO DO:

1. Completely remove the uPVC double glazed windows and replace with the single glazed timber casement sash windows shown on planning permission ref. 2019/4028/L drawing no. GA037-PL-rev-1;
2. Completely remove the external security grilles to front, rear and side elevation and make good any resulting damage;
3. Completely remove the metal railings to front boundary wall and make good any resulting damage;
4. Completely remove the quartz treads and risers to external steps and replace with the marble treads and risers shown on planning permission ref. 2019/4028/L drawing no. GA920-PL-rev1;
5. Completely remove all CCTV Cameras on the building and make good any resulting damage.
6. Completely remove the terracotta pavers to driveway and replace with stone pavers as shown on planning permission ref. 2019/4028/L drawing no. GA031-PL-rev1;
7. Strip paint from the balustrade between the ground floor landing and cloakroom and stain/varnish to match the previously mahogany colour. Strip paint from the treads and risers and seal using natural oils/waxes.
8. Remove fitted wardrobes at second floor replace with joinery to match bedroom 3, run ceiling cornice would along the chimney breast as shown on planning permission ref. 2019/4028/L drawing no. GA033-PL-rev1;

PERIOD OF COMPLIANCE: 3 Months**REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE:**

The unauthorised additions and alterations to the building, by reason of the loss of historical fabric, scale, design and materials, have a detrimental impact on the special architectural and historic character of this listed building, and that, if allowed, would be harmful and set an unwelcome precedent for alterations to listed building contrary to policies D1 and D2.