

PD13187/PJB/JH

London Borough of Camden
2nd Floor, 5 Pancras Square
C/O Town Hall, Judd Street
London
WC1H 9JE

70 St Mary Axe
London
EC3A 8BE
Tel: +44 (0) 20 7493 4002

FAO Elaine Quigley

11 December 2020

Dear Sir

**38 CHESTER TERRACE, LONDON, NW1 4ND
APPLICATION FOR PLANNING PERMISSION AND LISTED BUILDING CONSENT
TOWN AND COUNTRY PLANNING ACT 1990 & PLANNING (LISTED BUILDING AND
CONSERVATION AREAS) ACT 1990**

On behalf of our Client, Resource Building and Interiors Limited (“the Client” / “the Applicant”), please find enclosed an application for planning permission and listed building consent (“the / this Application”) for internal and external alterations associated with the refurbishment of the existing single family dwellinghouse at 38 Chester Terrace, London, NW1 4ND (“the Site”).

The description of development for these proposals (“the Proposed Development”) is as follows:

“Internal and external alterations associated with the comprehensive refurbishment of the Grade I listed residential property, namely: creation of a plant room and wine cellar within vaults, lowering of floor at lower ground floor level, lowering of the existing slab level to the front lightwell rear terrace; New metal staircase and vestibule entrance to front lightwell; Minor alterations to room layouts at ground, first, second and third floors; Installation of lift within existing shaft; Installation of comfort cooling and new MEP installation throughout along with the additional of external condensers to the rear terrace; and Creation of a roof terrace at existing roof level.”

The proposed scheme has been developed following pre-application advice received from the local planning authority, the London Borough of Camden (LBC), held in late 2020.

Introduction and Background

The Site is located on the east side of Chester Terrace, on the south western edge of Camden. The Site forms part of a grand palace-style terrace of houses, built in 1825 by John Nash. The terrace which faces Regent’s Park to the west is Grade I listed, with no. 38 comprising a mid-terrace property towards the northern end.

No. 38, much like the majority of the terrace comprises four storeys above ground with a lower ground level and is three windows across. The Site backs on to Chester Close North to the rear. The terrace was subject to much bomb damage from WW2 and has been substantially altered and rebuilt behind the main façade.

The surrounding area is a predominantly residential part of Camden, which is characterised by grand domestic properties and terraces which surround Regent’s Park. The majority of the properties in the area are listed and the Site is situated within the Regent’s Park Conservation Area. This property is currently within residential use (Class C3).

A full description of the property is set out within the Design and Access Statement, prepared by Marek Wojciechowski Architects (MWA) and the Heritage Statement, prepared by Bidwells.

The Heritage Statement summarises the building and its appearance both internally and externally and describes its history, ultimately assessing its significance and interest. This is discussed in further detail later.

A full Photographic Survey has been prepared by MWA which provides a record of every existing room within the property.

The relevant planning history of no. 38 Chester Terrace is as follows:

- In 1991, listed building consent was granted for alterations to provide a new glazed screen to the front hall and new dining room door (ref. 9070526);
- On 2 July 2002, listed building consent was granted for alterations to the internal layout, which comprised numerous works to all levels.

As noted above, the Applicant is undertaking pre-application and post-submission discussions with LBC officers on both preliminary investigation works required at the property and the works subject to this Application. The Applicant is committed to entering into a Planning Performance Agreement and will continue discussions with LBC during determination.

Proposed Development

The Proposed Development involves a number of internal and external works of alterations associated with the refurbishment of the building, including the sympathetic restoring of the plan form, circulation and interior décor, following a series of consented refurbishments in the 1990s and early 2000s. The works include:

- creation of plant room and wine cellar within vaults;
- lowering of floor at lower ground floor level;
- lowering of the existing slab level to the front lightwell rear terrace;
- new metal staircase and vestibule entrance to front lightwell;
- minor alterations to room layouts at ground, first, second and third floors;
- installation of lift within existing shaft;
- installation of comfort cooling and new MEP installation throughout along with the additional of external condensers to the rear terrace; and
- creation of a roof terrace at existing roof level.

The full list of proposed works are set out within the Schedule of Proposed Works, prepared by MWA, which is broken down floor by floor. This should be read in conjunction with the Design and Access Statement and the Door and Window Schedule which sets out where doors are to be removed, retained or refurbished.

Planning Legislation and Policy Framework

The Planning (Listed Buildings and Conservation Areas) Act 1990 (hereafter “the 1990 Act”) sets out the legislative duties of the decision maker in this case. The relevant provisions for this application are as follows:

- Section 66(1): “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”; and
- Section 72(1): “With respect to any building or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

The proposals have had regard to the statutory development plan and other material considerations. For this Site, the development plan includes the:

- London Plan 2016 (Consolidated with Alterations since 2011); and
- Camden Local Plan 2017.

The National Planning Policy Framework (NPPF) (2019) and Planning Practice Guidance (PPG) set out the government's national policy and guidance. Material considerations for the development at the Site includes the supporting planning guidance documents produced by the Mayor and LBC, as well as emerging policy and guidance at all levels, including the Draft London Plan.

The Draft London Plan has recently completed Examination in Public and has now reached an advanced stage of the adoption process. As such, it is a material consideration in the determination of planning applications and whilst it can be attracted more weight, it does not hold full weight until formally adopted.

Other material considerations to the determination of an Application include Camden's Design CPG (March 2019) and Amenity (March 2018).

Planning Assessment

The Proposed Development seeks alterations to the listed building as part of its refurbishment. The following section provides an assessment of the Proposed Development against the relevant policy contained within the development plan, as well as other material considerations and guidance. It should be read in conjunction with the Design and Access Statement and the assessment set out within the separate Heritage Statement.

Design and Heritage

The main development policies associated with this development are Policy D1 (Design) which seeks to secure high quality design and Policy D2 (Heritage) which seeks to preserve or enhance the historic environment and heritage assets.

The Design and Access Statement sets out the architect's approach to the design of the physical alterations to the building, which seeks alterations and refurbishment to all floors.

The development plan policy relating to heritage is consistent with Section 16 of the NPPF and the statutory duties of the set out in the 1990 Act. The Heritage Statement sets out in full, the relevant policies and other guidance prepared by the government and Historic England which are relevant to the proposals.

A Heritage Statement has been prepared by Bidwells which demonstrates the significance of the existing building to be within its group value with the wider terrace and the main façade's grand appearance which has decorative, architectural and historic interest. The contribution to the conservation area is similar, making a very high contribution to the overall character and appearance of the conservation area.

With regard to the proposed development, Bidwells considers these to preserve the existing appearance of the main façade and whilst alterations to the roof form are proposed, it is entirely in keeping with the existing character of the terrace and would not impact upon existing views from the street nor impact historic fabric of interest, given that extensive rebuilding works were undertaken in the post-war period.

The proposals open out existing windows to the rear, although these are not considered to impact on the existing contribution to this façade as the rear elevation has considerable variety in fenestration along the terrace and is a façade which has been much altered post-war. The internal proposals will not impact any historic fabric of significance and would restore more symmetrical proportions to the plan form and improved finishes.

In conclusion, the Heritage Statement ascertains that:

- The proposed works to the rear façade and roof are considered to be sympathetic to the existing character and have an overall neutral impact;
- The internal works are, on balance, considered to have an overall neutral impact; and
- The overall impact of the proposals to the heritage assets are considered to be neutral.

The proposed development does not result in any unacceptable loss to historic fabric or harm to the significance of the site, nor to the significance of the Regent's Park Conservation Area.

Impact on Amenity

Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and this includes considerations on privacy, outlook, and daylight and sunlight, for example. Roof terraces are required to be carefully designed so as to avoid overlooking, as set out in the Amenity CPG.

The proposals seek to provide a terrace at roof level, which is not an original part of the building. Neighbouring dwellings have consent to form roof terraces and many of these have been implemented (including the adjacent nos. 37 and 36). The proposals seek a similar roof terrace which would contain an area for sitting out, planting and accommodate the lift overrun. Stairs are required to access the roof and condenser units are proposed to the rear.

The proposed works to the roof, including the creation of a terrace is unlikely to lead to a loss of amenity for neighbouring dwellings with the introduction of a terrace reciprocating other dwellings in the row.

Policy A5 sets out Camden's policies on noise and vibration from developments. An Environmental Noise Report has been prepared by Cundall which assess the background noise levels and provides noise emission limits for new plant equipment that would be associated with the development. By meeting these requirements, an appropriate noise level would be maintained within the residential dwellings.

The development retains the use as a single family dwelling and there would be no impact from noise or other disturbance as a result of this. The scheme will require an element of construction although impacts from construction would be appropriately managed by the contractor using best practice principles.

The scheme would therefore be in accordance with Policy A1 and Policy A5.

Works to Lower Ground Floor Slab

The proposals seek to lower the ground floor slab to match the recent alterations to the adjacent building at no. 36-37 Chester Terrace and lower the existing vaults. The principle of lowering of the ground floor slab by 300mm and installation of damp proofing was considered acceptable in the permissions and consents granted for the adjacent properties, where officers considered that the lowering of the floor was found to "not result in the spatial hierarchy of this level being altered to a point of discernible change."

Jomas Associates has prepared a Desk Study and Basement Screening Assessment for the proposed works. The report has been prepared on the basis of information available on the adjacent scheme, the carrying out of on-site surveys and the undertaking of internal hand pits to the lower ground floor and vaults of no. 38 in November 2020 (by Form Structural Design).

The report also provides a screening and scoping of the proposed works against Camden's basement impact criteria, with the results set out at Table 5.1. The proposed works to the lower ground floor level are minor and an assessment of the potential impacts to relevant parts of the basement requirements is set out within the report, including impact on groundwater flow, land stability and surface flow/flooding.

The report concludes that there are no significant issues of concern regarding stability, groundwater or surface water.

Summary

Special attention should be attached to the desirability of preserving or enhancing the character and appearance of the conservation area and the historical significance of the listed building. This Application demonstrates that the proposed works to the listed building would not result in any unacceptable loss to historic fabric or harm to the significance of the site, nor to the significance of the Regent's Park Conservation Area. Overall, the proposals would be of a high quality and sensitive design and comprises sustainable development.

Application Procedure

The Application has been submitted on the Planning Portal, under reference, PP-09267593. The Application comprises the following documentation:

1. Schedule of Documents, prepared by Montagu Evans LLP;
2. This Covering Letter, prepared by Montagu Evans LLP;
3. Completed Householder Application Form for Planning Permission and Listed Building Consent;
4. Site Location Plan at a scale of 1:1250, prepared by Marek Wojciechowski Architects;
5. Drawing Schedule, prepared by MWA;
6. Application Drawings, prepared by MWA;
7. Design and Access Statement, prepared by MWA;
8. Photographic Room Survey, prepared by MWA;
9. Schedule of Works, prepared by MWA;
10. Door and Window Schedule, prepared by MWA;
11. Heritage Statement, prepared by Bidwells;
12. Geotechnical Desk-Study and Basement Screening Assessment, prepared by Jomas;
13. Environmental Noise Assessment, prepared by Cundall;
14. Community Infrastructure Levy Form.

The Application fee has been calculated in accordance with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) 2012 (as amended). The fee amounting to £206.00 is based upon a householder planning application will be paid via the Planning Portal upon submission (plus the requisite administration charge).

We would be grateful if LBC could confirm that our Application is complete and will be validated shortly. In the meantime, should any further clarification, information or assistance be required, please do not hesitate to contact James Huish (020 7312 7484 / james.huish@montagu-evans.co.uk) or Peter Bovill (020 7312 7456 / peter.bovill@montagu-evans.co.uk) of this office in the first instance.

Yours faithfully,

JAMES HUISH

Associate

DDI: 020 7312 7484

Email: james.huish@montagu-evans.co.uk