

Statement of Case

32A Chalcot Square, London, NW1 8YA

With respect to appeals against the refusal of planning permission and listed building consent
by the London Borough of Camden

for the replacement of window at front of lower ground floor flat with French windows;
removal of internal walls and erection of new partition walls to form new bedroom and bathroom

LPA References 2021/1650/P and 2021/2254/L

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Prepared by

PD Planning UK

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1. Introduction

- 1.1. This document comprises the Appellant's Statement of Case in respect of the refusal of Planning Permission and Listed Building Consent for the for the replacement of window at front of lower ground floor flat with french doors and the removal of internal walls and erection of new partition walls to form new bedroom and bathroom.
- 1.2. The Planning Application for the replacement of window at front of lower ground floor flat with french windows was refused on 7th July 2021 for the following reasons:
 1. *The removal of the sash window in the front elevation and the proposed replacement French windows, by way of their style, design and appearance, would cause material harm to the architectural character of the Listed Building and the character and appearance of the Conservation Area....*
- 1.3. The Listed Building Consent application (which includes the internal alterations) was refused on 7th July 2021 for the following reason:
 1. *The removal of the sash window in the front elevation, the proposed replacement French windows and the removal of part of the original internal spine wall, would result in material harm to the architectural and historic significance of the Listed Building...*
- 1.4. The Appellant contests both decisions and the reasons for refusal.

2. The Site and The Proposal

- 2.1. The appeal site, its surroundings and its historic context and relevance are detailed in the Planning & Heritage Statement and other supporting documentation to the applications. The details of the proposal are also described and shown on the submitted drawings and documents. It is not therefore necessary to repeat all those details here.

3. Relevant Planning History

- 3.1. The relevant planning history to the site is referenced in the Planning & Heritage Statement.

4. The Appellant's Case

- 4.1. As set out in the Planning and Heritage Statement accompanying the applications, the Appellant maintains that both elements of the proposal are acceptable. The Council's reasons for refusal are unjustified.
- 4.2. The proposed works comprise two distinct and independent elements; the replacement of the window with french doors, and the internal alterations. Only the replacement window requires planning permission, although both the replacement window and the internal alterations require Listed Building Consent. The Inspector is therefore at liberty to grant

planning permission for the replacement window and issue a split decision in respect of the Listed Building Consent, if for example the internal alterations cannot be granted.

- 4.3. Fundamental to this proposal is the objective of improving the layout and accommodation of the basement flat to provide an improved standard of living accommodation suitable for the current occupants, in accordance with “lifetime homes” principles. It will secure improvements to the provision of adequate natural light and ventilation within the building, and it will enable a reduction in carbon emissions (and fuel bills) through improved thermal and energy efficiency. Increasing the energy efficiency of historic buildings, whilst sustaining significance in heritage assets is supported by Historic England within their Technical Advice and Guidance Notes, including Advice Note 14 “Energy Efficiency and Traditional Homes” (Historic England, July 2020).

The Replacement Window with French Doors

- 4.4. The Council suggests that the replacement window will result in harm to the Grade II Listed Building and the Conservation Area. However, the Inspector will note on their site visit the existence of many replacement windows within the terrace. There are many subtle differences in fenestration throughout the terrace, and particularly to lower ground floor flats where windows have been replaced with French Doors, including the neighbouring property. Such alterations have been undertaken over the years without causing any harm to the significance of the Listed Building or the Conservation Area.
- 4.5. The Planning and Heritage Statement justifies the Appellant’s argument for the replacement window. The use of conditions on the Planning Permission and Listed Building Consent will ensure that the form and detail of the replacement window will complement the existing fenestration, and that it will be consistent with other windows and doors within the terrace. As such no harm will be caused to the Listed Building or the Conservation Area.
- 4.6. Even if the Inspector considers that “less than significant harm” is caused, that harm is outweighed by the public benefits identified in paragraph 4.3 above.

Internal Alterations

- 4.7. The Appellant has chosen to include the internal alterations as part of the Listed Building application, in the knowledge that other flats within the terrace have undertaken various internal alterations to suit modern living standards and to improve the standard of accommodation.
- 4.8. The Planning and Heritage Statement justifies the Appellant’s argument in respect of the internal alterations, and again, no material harm will be caused to the architectural character of the Listed Building. The internal alterations are not visible from the public domain and will not cause any harm at all to the character and appearance of the Conservation Area.
- 4.9. Even if the Inspector finds that “less than significant harm” is caused, that harm is outweighed by the public benefits identified in paragraph 4.3 above.

5. Conclusion

- 5.1. The Appellant considers both elements of the proposal to be appropriate to the Listed Building and the Conservation Area, particularly in the context of similar developments elsewhere in the terrace. The proposal will not cause any harm to the significance of the designated heritage assets of the Listed Building and the Conservation Area.
- 5.2. The Inspector is at liberty of issuing a split decision should they so wish, and/or by granting both applications with appropriate conditions as may be deemed necessary.
- 5.3. Consequently, the proposal will accord with the 2021 NPPF, the 2021 London Plan, and the 2017 Camden Local Plan.

end.