

Delegated Report		Analysis sheet		Expiry Date:	(1) & (2) 28/11/2012
		N/A		Consultation Expiry Date:	(1) 08/11/2012
Officer			Application Number(s)		
Angela Ryan			(1) 2012/4328/P (2) 2012/4337/A		
Application Address			Drawing Numbers		
48 Rosslyn Hill London NW3 1NH			Refer to decision notices		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
<p>(1) Demolition of single storey toilet block and conservatory at rear ground floor level and replacement with a single storey extension, opening up of an existing rear wall, installation of 2x air conditioning units at ground and first floor levels, a chiller unit at rear first floor level, replacement of existing ductwork and alterations to shopfront in connection with existing use as a public house (Class A4)</p> <p>(2) Display of externally illuminated fascia sign, two internally illuminated menu box signs, and non-illuminated branded awning.</p>					
Recommendation(s):		(1) Refuse Planning Permission (2) Refuse Advertisement consent			
Application Type:		(1) Full Planning Permission (2) Advertisement consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notices					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	25	No. of responses	3	No. of objections	3
			No. Electronic	1		
Summary of consultation responses:	<p>A site notice was displayed on 12/10/2012, expiring on 02/11/2012 and a public notice displayed in the local press on 18/10/2012, expiring on 08/11/2012. Three letters of objection has been received from the occupiers of nos. 54A & 54B Rosslyn Hill, and Ms De Souza. A summary of the objections are as follows:-</p> <p>Planning application: <u>Design:</u> - Loss of the beautiful horse-shoe shaped bar counter (Officer's response: Internal works are not subject to planning permission)</p> <p><u>Amenity</u> -potential noise nuisance at unsociable hours -Potential loss of privacy - Traffic and parking issues</p>					
CAAC/Local groups* comments: *Please Specify	<p>Hampstead CAAC: commented on the planning application. They dislike the apparently superfluous (screening) barrier on top of the north wall, adjacent to the chapel access, which would therefore be highly visible to the general public. (Officer's response: The timber trellis has since been omitted from the north wall at the application site)</p>					

Site Description

The site comprises a three-storey end of terrace building located on the north-side of Rosslyn Hill. It lies within a group of buildings with commercial uses located on the ground floors with residential/office uses located on the upper floors.

The site is not listed (although it is adjacent to the grade II* listed church Unitarian Chapel) but lies within the Hampstead Conservation Area and is identified as making a positive contribution to the conservation area.

Relevant History

Planning history:

19/10/1989- Permission **granted** for external alterations to the rear at ground floor level to create a bar area with rooflight conservatory(Ref: 8905463)

03/07/2001- Permission **granted** for a new vent grille above ground floor of rear elevation.(Ref: PWX0103177)

2008- Permission **granted** for 3 Tables 9 chairs and 1 barrier Monday to Saturday 12:00 23:00pm and Sundays 12:00pm until 22:30pm (Ref: 2009/1650/C)

13/07/2009- Permission **granted** for 3 Tables 9 chairs and 1 Barrier 12pm -11pm Mon-Saturday, 12pm-10:30 Sunday
Renewal (Ref: 2009/2423/TC)

04/0/2010 – Permission **granted** for 3 Tables 9 chairs and 1 Barrier 12pm -11pm Mon-Saturday 12pm-10:30 Sunday Renewal (Ref: 2012/3384/TC)

25/11/2011- Permission **granted** for 3 Tables, 9 chairs and 1 Barrier Monday to Saturday: 12:00 to 23:00 Sunday: 2:00 to 22:30 Renewal application (Ref: 2011/3889/TC)

There is no relevant history in respect of advertisement consents.

Relevant policies

LDF Core Strategy and Development Policies

Core strategy:

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality design and conserving our heritage)

Development policies:

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP30 (shopfronts)

Planning application

Camden Planning Guidance 2011:

CPG1- Design; Chapters 1, 2, 3, 4 and 7

CPG6-Amenity: Chapter 7

Hampstead Conservation Area Statement 2001

London Plan 2011

National Planning Policy Framework 2012

Advertisement consent application

CPG1: Design- chapter 8

CPG6: Amenity- chapter 9

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Camden Planning Guidance 2011 (as amended)

Assessment

Planning application:

Proposal:

The applicant proposes to demolish an existing single storey toilet block and conservatory located at rear ground floor level. It is also proposed to open up the existing rear wall at rear ground floor level and create a single storey rear extension at ground floor level by covering over the existing open yard area (beer garden) located to the rear of the site. The proposals will also include the installation of 1x chiller unit to be located on the flat roof of the new ground floor rear extension. Alterations are also proposed to the existing shopfront.

During the course of the application the scheme has been amended to:

- Omit the proposed timber trellis from the north facing wall at the rear of the site
- Introduction of a fixed shut roof light on the flat roof of the new ground floor extension (previously proposed an openable roof light)

The key issues to consider are:

- The impact on the character and appearance of the host building, setting of the adjacent grade II* listed building and the character and appearance of the conservation area; and
- The impact on amenity

2.0 Impact on the character and appearance of the host building, setting of the adjacent grade II* listed building and the character and appearance of the conservation area

Front elevation

The existing doors are to be slightly amended to provide more glazing, by virtue of lowering the cill of the central window and reducing the height of the stallrisers on each of the doors located either side of the application site located either side of the application site. The doors will then be made good, re-glazed and redecorated to match the existing. The shopfront will also be re-painted. No design issues are raised in respect of this element of the proposed works.

Rear Elevation:

The opening up of the rear wall would not have any adverse impact on the character and appearance of the host building as it is located on a minor façade and will not be seen from the wider public realm given that it is enclosed on all sides and would not be visible. The extension would be created by covering over the existing rear yard area which appears to have been used as a beer garden in connection with the use of the building for a public house.

It is proposed to set the proposed roof light 2.1m from the building's edge (west side) and 3.5m from the rear building line (north elevation) facing the listed church) and is to be installed on the flat roof of the proposed extension. The rooflights are proposed to be timber framed and double glazed and will be fixed shut.

No information has been provided in respect of the materials for the roof covering and therefore it is not possible to do detailed assessment in terms of the impact that this element may have on the character and appearance of the host building, the conservation area or the setting of the grade II* listed church located adjacent to the application site. It is recommended that this issue is dealt with by attaching an appropriate informative on the decision notice. This information would have been covered by a condition if the application was acceptable in all other respects.

Amenity

Objections have been raised in respect of noise nuisance at unsociable hours. The existing use of the

site as a public house is not proposed to be changed. Although the covered area may result in intensifying the use, it is considered that noise levels would not increase to a level over and above that which currently exists at the site. The noise will be controlled by virtue of the covering over of the existing beer garden at the rear that will contain noise levels. The general comings and goings of patrons at the site is an existing situation and it not envisaged that this would be worsened as a result of the proposal.

In terms of the acoustic report that has been submitted in support of the scheme, it is confirmed that the minimum background noise level measured is 30.4 L_{A90} . At the time that BS4142 was written it stipulated that noise standards should not be applied for background noise measuring below 35dBA. Given the above, the consultant has suggested a limit of 35dB(A) as the measured background noise level should be set. However given that the background noise level is at 30.4 it is considered that the noise level should have been set 5dB(A) below this at 25dB(A) in order to ensure that the Council's noise standards could be met. Given the sensitive nature of the area and the nearby residential premises it is considered that the standard should be strictly applied in accordance with policy DP28 (Table E), which requires noise level to be 5dB(A) lower than lowest background noise level. As such it has not been clearly demonstrated that the Council's noise criteria will be met, and that there will be no noise disturbance and loss of amenity to residential/office neighbours, therefore the proposal does not comply with the Council's policies. In addition to the above details are also required in respect to the proposed extract system, to include information on how the level of attenuation will be achieved. An additional report is also required detailing the measures that will be implemented to control odour and smoke. As such it is considered that the application should be refused on the basis of the insufficient information that has been submitted.

Objections have been received in respect of the loss of privacy. Given the site location, the position of the surrounding buildings and nature of the works proposed it is considered that the proposal would not give rise to any issues of overlooking.

Objections have been raised in respect of potential traffic and parking issues. The site is within a controlled parking zone operating from 09:00 to 20:00 and has a PTAL rating of 3 which indicates that the site benefits from moderate access to the public transportation network. It is not envisaged that car use would increase as a result of the proposal and therefore it is considered that the proposal would not result in having a detrimental affect on existing parking conditions in the locality.

Advertisement application:

Proposal:

Advertisements:

The application relates to the display of 1x externally illuminated fascia sign², 1x non- illuminated branded awning and 2 internally illuminated menu boards.

The fascia sign will be located approximately 4.3m above ground level. The proposed and will measure approximately 1.1 x 1m. It will comprise hand painted lettering on a white background. The fascia is proposed to be externally illuminated by black dimmable halogen uplighters/spotlights

The branded awning will be 3.4m above ground level (2.4m when open) and will measure 0.5m x 7.5.9m x 2.5.1m, with a 1.8m projection and be of a white canvas material.

The two illuminated menu boards will be 1.2m above ground floor level and will measure approximately 0. 3m x 0. 7mx 0.5m and will be statically illuminated.

The Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to only consider amenity and public safety matters in determining advertisement consent applications.

Amenity

The signs do not obscure any architectural features of the building and are considered acceptable in terms of proportions and design as they are characteristic of this part of Gray's Inn Road.

It is not considered that the signs would not be unduly obtrusive in the street scene or disturb residents or occupiers.

The street scene has many commercial premises with a mix of similar types of fascia and a few internally illuminated projecting signs. Overall the proposal is considered to be minor in nature with little or no detrimental impact on host building, its frontage, or the wider area in general, and therefore no amenity issues are raised in respect of the advertisement signs.

Public Safety

The location of the signage is not considered harmful to either pedestrian or vehicle traffic. The proposal therefore raises no public safety concerns.

Branded awning:

Paragraph 7.20 in CPG1-Design-chapter 7 stipulates that awnings should not:

- obscure or damage the fascia and other important features of the shopfront and buildings;
- have discordant and over-dominant shapes, but be appropriate in position, design and materials to the character and scale of the shopfront, building and locality. The building is considered to be of architectural merit and is identified as making a positive contribution to the character and appearance of the conservation area. The proposed retractable branded awning to be located under the existing fascia is considered to be unacceptable as it will be positioned along the length of the fascia which would result in obscuring existing architectural features, therefore detracting from the architectural composition of the host building. As such this element of the proposal does not comply with policies CS14, DP24 and DP25 of Camden's LDF and therefore it is considered that the application should be refused on this basis.

Recommendation:

(1) Refuse planning permission

(2) Refuse advertisement consent

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