

Delegated Report		Analysis sheet		Expiry Date:	31/03/2010
		N/A / attached		Consultation Expiry Date:	10/03/2010
Officer			Application Number(s)		
Elizabeth Beaumont			2010/0718/P & 2010/0723/L		
Application Address			Drawing Numbers		
1 Regent Square London WC1H 8HZ			Please refer to decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Planning permission - Erection of a first floor rear extension for ground floor flat and creation of roof terrace, including lowering of the floor level in the rear addition at ground floor level, installation of windows at ground floor level on west elevation and associated alterations (Class C3).					
Listed building consent - External and internal alterations in association with erection of a first floor rear extension for ground floor flat (Class C3), installation of windows at ground floor level on west elevation and associated alterations					
Recommendation(s):		Refuse planning permission Refuse listed building consent			
Application Type:		Full Planning Permission Listed Building Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	15	No. of responses	06	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	<u>Basement Flat 1 Regent's Square</u> – object for the following reasons - Strongly opposed the proposed works as this would seriously affect my light.					
	<u>1st Floor Flat – 1 Regent's Square</u> – two letters received					
	<ul style="list-style-type: none">- Concerns about privacy from the northern end of the proposal, closest to the main building.- Direct views can be gained into the first floor flat between the railings. Possibility of carefully designed permanent translucent screening to the northern side of the terrace/ walkway to the height of the proposed railings.- Concerns over remaining area if used as a terrace as affords very immediate views into the bedroom of the first floor flat. The existing flat roof is accessed for maintenance only and is not used as an amenity space by any of the flats. It would be difficult to prevent inhabitants of the residence treating it as their own space.- The steps from the current flat roof level on the northern side down to the new terrace level are not clearly shown on the proposed plan. Turning them through 90 degrees so that they sit on the eastern side of the lightwell would benefit the privacy of the first floor bedroom within the main building.- If the fire escape route from the main building currently accessing onto the flat roof is a recognised exit for residents of the upper floors of the main building, is this sufficient. How can it be enforced that this route is kept clear and maintained to allow residents to escape to an adequate & safe distance from the main property?- We would be interested to understand more about how equipment and materials (including that for excavation) are to get onto the site via the existing fairly narrow communal hallway in the main building.- We welcome the use of natural slate, stone and lead in the development and agree that the current roofscape is an eye-sore.					
	<u>2nd letter - comments:</u> support/comment the application - The proposal would represent a considerable improvement. Only concern would be for any noise or loss of privacy from the proposed terrace opposite our bedroom window which at present serves only as a fire escape.					
	<i>Officer's comments - It appears that following the initial submission of comments the neighbour and the applicant have been in discussion and the neighbour is happy subject to a condition on the lease to limit the use of the terrace to specific times and the use of a screen to limit views back into the first floor bedroom. .</i>					
	<u>2nd floor flat – supports the application:</u>					
	<ul style="list-style-type: none">- It is my opinion that the proposal will significantly enhance the house at 1 Regent Square, where I am the owner of the second floor flat.- the proposed design is quite small and not over-powering in any way. I have confidence that it will be well constructed, using high quality materials. If built, the view from this and the neighbouring houses will be improved out of all recognition.- I often walk through St George's Gardens and I think that the proposal is quite modest and would not be obtrusive or detract from peoples' enjoyment of the gardens.- We, the new leaseholders, intend to improve the house, and we are hoping to co-ordinate our internal redecorations and take this opportunity to re-route the drainage pipes which look so ugly on the front façade. I just give this as an example of our good intentions to make worthwhile improvements.- The existing extension at the back is also ugly and poorly maintained, and I would like to see it improved.					
	<u>Flat 3, 2 Regents Square</u> – Supports the application – This is a well designed high quality piece of work which the architect has specified to a high quality. It will be an improvement to the existing situation and a credit to the vicinity. It will resolve issues relating to overlooking of and redundant access to the garden of 2 Regent's Square.					
	<u>Flat 6, 1 Regents Square</u> – Supports the application- In agreement with the comments within the plan relating to the general improvement of the building as a result of the works.					

<p>CAAC/Local groups comments:</p>	<p><u>Bloomsbury CAAC</u> – Object for the following reasons - We are of the opinion that the development would detrimentally harm the setting of the listed building as well as the amenity of St. Georges Gardens and the surrounding area.</p> <p><u>Friends of St. Georges</u> – comment not opposing;</p> <ul style="list-style-type: none"> - Concerns about the risk to the listed boundary wall and would urge a condition of any planning permission that adequate steps are taken to protect it and avoid any further damage to it. - There are a number of developments on two other sides on the northern side of the Gardens in the near future and the cumulative impact on the structural integrity of the wall must be taken into account.
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Site Description

The site is located on the south side of Regent Square close to the junction with Sidmouth Street and backs onto St. Georges Gardens. The site comprises a three storey terraced property subdivided into flats, part of a wider terrace of buildings. The building is grade II listed dating from c1829. The property has been extended in the past with a ground floor rear extension which occupies the whole site leaving no garden space to the rear. The occupiers of the existing flat have access via a door to the garden to the rear of no. 2 Regent's Square. The boundary wall to the rear of the site forms part of the historic perimeter wall of St George's Gardens, and is also listed Grade II in its own right. The building is located within the Bloomsbury Conservation area.

The application relates to the rear ground floor flat.

Relevant History

None relevant

Relevant policies

Replacement Unitary Development Plan 2006

SD6 (Amenity for occupiers and neighbours)

B1 (General Design principles)

B3 (Alterations and extensions)

B6 (Listed buildings)

B7 (Conservation areas)

N3 (Protecting open space designations)

Camden Planning Guidance 2006

Bloomsbury Conservation Area Statement

LDF Core Strategy and Development Policies

CS1 (Distribution of growth)

CS5 (Managing growth and economic impact)

CS14 (Promoting high quality places and conserving our heritage)

CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP31 (Provision of, and improvement to, open space)

As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.

Assessment

Proposal - Permission is sought for the following;

- An extension above the existing ground floor single storey extension in order to create additional residential accommodation (kitchen) and roof terrace.
- The extension would measure approximately 5.2m deep, 3.8m wide and 2.2m high sloping up to 2.6.
- The extension would be adjacent to the boundary wall with no. 55 Sidmouth Street, 1.2m to 2.6m away from the listed boundary wall with St. George's Gardens, 1.3m from the side of the ground floor extension and 1m from the rear of the extension and 3m from the rear elevation of the host building.
- In order to build this additional storey the ground floor level of the existing extension will be lowered by approximately 1m, the existing external walls will be rebuilt in the same position and to the same height.
- The height of the connecting section between the original dwelling and the extension will remain unaltered with steps down to the proposed roof terrace.
- The first floor extension will be constructed from brick with glazing and a hipped slated roof.
- The proposed roof terrace would be covered with slabs, with a planter surround and steel railings along the side. It is proposed to retain the wall and chimney which would act as a balustrade along the rear elevation.

Notification – Additional 14 notification letters were sent out to neighbouring residents in order to amend the proposed description to include the proposed lowering of the ground floor level of the existing ground floor rear extension.

Design – The rear of the existing terrace is predominantly flat backed, with one or two low level garden extensions or closet wing additions. The position, height, scale and form of these extensions generally do not interrupt views of the rear of the terrace from St George's Gardens. At no. 4, to the west of the site, there is a two storey extension within the garden, the ridge line of which is approximately the same as the ridge line of the proposed extension at no. 1. However, the extension at no. 4 has a steeply pitched roof form with side dormer, which appears slightly less bulky than the proposed extension at no. 1 with its hipped roof, and does not directly overlook or interact with St George's Gardens to the rear.

Whilst the position of the proposed extension is away from the rear of the building, its width and its elevated position would begin to obscure the first floor level rear windows and those of the neighbouring buildings when viewed from the Gardens to the rear. The proposed extension at first floor level, although is set down, due to the lowering of the ground floor level is considered to be out of character with the existing building. Policy B3 (Alterations and extensions) states that planning

permission will not be granted for extensions which cause harm to the architectural quality of the existing building, its characteristics and that of the wider conservation area. The proposed roof covering material is not considered to be inappropriate however the hipped roof form appears rather incongruous in the surrounding context of straight parapets and hidden valley roofs.

It is considered that the amount of proposed glazing present on the rear and side elevation of the extension, and the replacement of some of the existing brick wall to the west side with an open railing, would be at odds with the appearance, character and generally solid nature of the rears of these properties. The proximity and amount of glazing and the introduction of railings on the existing west elevation in place of brickwork is also considered to be at odds with the relationship between the listed terrace and the secluded nature of St George's Gardens, to the detriment of its setting and character. The existing side elevation of the top section of the ground floor extension is visible from St. Georges Garden therefore it is considered that the proposed section of metal railings would be visible from and allow direct views into the gardens.

The height and width and the proposed extension, in combination with the inappropriate hipped roof form and modern glazing which does not relate to the host building or wider context, obscures the rear elevation of the building and terrace to an unacceptable degree and introduces alien design elements which do not preserve the special interest of or setting of the Grade II listed building and terrace of which it forms a part, nor the setting of the Grade II registered St George's Gardens. Part A of policy N3 (Protecting open space designations) states that the Council will not grant planning permission for development that it considers would cause harm to the historical features and settings of Parks of Gardens of Special Historic Interest.

It is considered that the proposed extension would have a detrimental impact on the special character of the building, the wider terrace, the setting of the gardens or the character and appearance of the wider conservation area.

Amenity – Camden Planning Guidance 2006 states that terraces would not be introduced where they result in an unreasonable amount of additional overlooking into any habitable rooms of the gardens of neighbouring properties or have an adverse effect on the townscape or character of the building as a result of being visually intrusive. The proposed terrace on the roof of the ground floor extension would be surrounded by a brick boundary wall on the rear elevation and railings on the side elevation. The terrace would extend along the rear and side of the proposed extension. There is currently access from the first floor onto the flat roof which serves as a fire escape. It is proposed to retain this access, but this section of the roof would not be used as part of the proposed roof terrace. If the proposals were considered acceptable a condition would be needed to restrict the use of this part of the roof to be used for a fire exit/maintenance purposes and not as additional amenity space.

It is proposed to construct a planter around the edge of the roof terrace, which would set back the terrace from the edge of the roof. However the proposed windows along the side elevation of the extension and the roof terrace to the side of the roof with metal railings would allow views directly into the garden area of the neighbouring property as well as views back into the windows on the rear elevation of the host dwelling and the neighbouring property. There is a two storey extension to the rear of no. 4 with a dormer window on the side elevation. This is only 12m away and would be overlooked by the proposed terrace and windows. It is considered that a screen could not be proposed in order to mitigate these levels of overlooking as the extent and height of the screen required would have a detrimental impact on the special interest of the host building, the wider terrace and the wider conservation area.

The existing side elevation of the top section of the ground floor extension is visible from St. Georges Garden. It is therefore considered that the proposed section of metal railings would allow direct views onto the gardens. The existing rear wall would serve as a balustrade along the rear of the terrace, on the boundary with St. George's Gardens. Due to the lowering of the ground floor level the height of the wall would be 1.2m above the level of the terrace. Therefore from the gardens it would be possible to view heads above the wall.

There is a terrace on the neighbouring property, no. 55 Sidmouth Street with the entire roof in use as a terrace. Planning permission and listed building consent (2005/5509/P and 2005/5510/L) were approved on 27/01/2006 for 'extensions and modifications to the existing 3-storey residential unit comprising: the erection of a first floor rear extension with new access to existing roof terrace, the installation of a new glazed roof to existing rear projection and alterations to front railings to provide refuse store'. However it appeared that the flat roof was already in use as a terrace prior to the submission of the application and had become lawful overtime. It appears that the entire roof is in use as a terrace contrary to the approved scheme and the Councils Compliance and Enforcement Team have been notified of this possible breach.

It is proposed to inset a number of 'slat windows' in the side elevation at ground floor level. The existing extension has a large window and a glazed door on this elevation which would allow direct views into the lounge and out onto the garden area to the rear of no. 2 It is considered that the proposed slat windows, although would increase to levels of glazing, have been angled in order to limit the levels of overlooking would serve to improve the levels of privacy between the existing garden area and the existing flat in comparison to the existing situation.

Recommendation – Refuse planning permission and listed building consent

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