

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		25/12/2009	
		N/A		<b>Consultation Expiry Date:</b>		02/12/2009	
<b>Officer</b>				<b>Application Number(s)</b>			
Eimear Heavey				2009/4989/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
57 Regents Park Road, London, NW1 8XD				Refer to draft decision notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
		Design surgery					
<b>Proposal(s)</b>							
Alterations to shopfront and installation of an awning to existing restaurant.							
<b>Recommendation(s):</b>		Refuse Planning Permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	07	No. of responses	00	No. of objections	00
				No. electronic	00		
<b>Summary of consultation responses:</b>		A <b>site notice</b> was displayed from 11/11/2009 until 02/12/2009  <b>Adjoining occupiers/owners</b> No reply to date.					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>		<b>Primrose Hill CAAC</b> Strong objection on the grounds that the traditional form of the shopfront should be retained. The proposal would destroy the traditional shopfront and harm the CA.  <b>Local Groups</b> No reply to date.					
<b>Site Description</b>							
The application site comprises an existing 3-storey terraced property located on the west side of Regents Pk. Rd. south west of Chamberlain St & Sharples Hall St. & north of St. Georges Mews. The upper floors of the building appear to be in residential use whilst the ground floor has restaurant use (Class A3).  The property is not listed but is located within Primrose Hill Conservation Area and has been identified in the Conservation Area Statement as being a positive contributor to the Conservation Area. The site is also located within a designated neighbourhood centre.							
<b>Relevant History</b>							
2006/0154/P – Planning permission was <i>granted</i> in March 2006 for the installation of new timber sliding sash window and downlighting lamps to the shopfront of the existing restaurant (Class A3). Associated advertisement consent application (ref:2006/0270/A) granted in March 2006 for externally illuminated fascia and projecting signs in connection with the shopfront alterations.  2004/4609/P - Planning permission was <i>granted</i> in November 2004 for the installation of high-level fume ventilation ducting to the rear of existing hot food takeaway.							

8803528 – Planning permission was *granted* in May 1988 for change of use to hot food takeaway.

#### Application at 71 Regents Park Road

2009/3446/P – Planning permission refused in November 2009 for retention of shopfront, enforcement action to be taken. Reason for refusal:

The installed shopfront by reason of its detailed design fails to preserve or enhance the character and appearance of the Primrose Hill Conservation Area, contrary to the provisions of Policies B4 (Shopfronts) and B7 (Conservation Areas) of the London Borough of Camden Replacement Unitary Development Plan 2006.

The installed shopfront, by reason of its fully openable design would be likely to result in an increase in noise levels audible within adjoining residential premises resulting in a detrimental impact on their amenity, contrary to the provisions of Policy SD6 (Amenity for occupiers and neighbours) of the London Borough of Camden Replacement Unitary Development Plan 2006.

### **Relevant policies**

Set out below are the UDP policies that the proposals have primarily been assessed against. However, it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

#### **London Borough of Camden adopted Unitary Development Plan 2006**

- SD1 Access for all
- SD6 Amenity for occupiers and neighbours
- B1 General Design Principles
- B3 Alterations and Extensions
- B4A Shopfronts
- B7 Conservation Areas

#### **Camden Planning Guidance 2006**

##### **Primrose Hill Conservation Area Statement**

### **Assessment**

#### **Proposal**

This application seeks permission for alterations to existing shopfront and installation of an awning. The unit is currently vacant and has hoarding around the shopfront. It is therefore difficult to see the existing situation on site; however the applicant has stated in the application form that the works have not yet taken place.

#### **Design**

Camden Planning Guidance (2006) states that shopfronts should be designed as part of the whole building and should sensitively relate to the scale, proportions and architectural style of the building and surrounding facades. In addition to this, as the application site is located within the Primrose Conservation Area, the scheme must be consistent with Policy B7 of the UDP which states that Council, will only grant consent for development in a Conservation Area that preserves or enhances the special character or appearance of the area. The Primrose Hill Conservation Area Statement also needs to be considered in this instance, and it states that any shopfronts of historic or architectural interest should be retained and if necessary repaired.

Although it is accepted that the shopfront has not been listed as a shopfront of merit in the Primrose Hill Conservation Area Statement, it does contain key elements of a traditional shopfront including fanlight above entrance doors, stallriser and traditional large sash window. These features add to the parade of traditional shopfronts found along this part of Regent's Park Road which gives the neighbourhood centre its historic character and appearance as part of the wider Primrose Hill Conservation Area.

It is considered that the proposed shopfront does retain some traditional aspects, however it is fully openable which in turn would create a 'void' at ground level. This fails to reinforce the historic character and appearance of the shopfront and results in no stallriser (an architectural feature which is important to retain the historic character of the shopfront).

It is also proposed to install a retractable awning to the front of the shopfront, the awning would be located underneath the fascia and would be olive green. The awning is considered to be acceptable and in accordance

with Planning Guidance.

### **Amenity**

The nearest residential unit is above the restaurant at first floor level and in terms of amenity, it is considered that this unit will not be affected in terms of loss of sunlight/daylight or outlook. However given that the shopfront doors are fully openable this could lead to issues with regards to noise from the unit. The application site benefits from a lawful A3 use by virtue of the fact that it was used as a fish bar for over 10 years and it is noted there are no restrictions on the opening hours at the premises.

Although the applicant has not indicated the preferred opening hours on the application form, it would be possible to serve food until quite late, hence a fully openable shopfront could lead to a major increase in noise levels coming from this premises, contrary to Policy SD6 of the UDP (2006).

With regards to lighting of the shopfront, continuous strip lighting is proposed along the fascia and is considered to be acceptable given that the lighting faces downwards and not into the residential property above, thus complying with Camden Planning Guidance (2006). The applicant has also proposed a hanging sign and fascia sign which are the subject of a separate advertisement application.

### **Conclusion**

Whilst the proposed awning is considered to be acceptable in its own right, the design of the proposed shopfront is not considered to be acceptable and fails to preserve the character and appearance of the conservation area and is therefore contrary to the provisions of Policies B3 and B7 of the UDP (2006) and the guidelines set out in Camden Planning Guidance. Furthermore, the proposed fully openable shopfront could lead to an increase in noise levels from the restaurant therefore resulting in an adverse impact on the adjoining residential properties. The proposal is also considered to be contrary to the provisions of Policy SD6 of the UDP (2006).

**Recommendation:** Refuse planning permission.

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