

Delegated Report		Analysis sheet		Expiry Date:		25/09/2006	
		N/A / attached		Consultation Expiry Date:		N/A	
Officer				Application Number(s)			
Hugh Miller				2006/3246/P			
Application Address				Drawing Numbers			
230, 232A and 234 Royal College Street London NW1 9NJ				Building Control: Certificate of Completion Letter dated 7 February 2006, letter dated 28 July from applicant.			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		Date:		
Proposal(s)							
Details of construction of basement levels pursuant to condition 9 of planning permission (ref PEX0101048/R2 dated 31 st March 2004) for the erection of new buildings comprising a new public house extension and new 4 storey building to provide residential flats.							
Recommendation(s):		Grant approval of details					
Application Type:		Variation or Removal of Condition(s)					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:		N/A.					
CAAC/Local groups* comments: *Please Specify		N/A.					

Site Description

The site is located at the junction of Royal College Street and St Pancras Way.

The application site comprises a three storey development with lower ground floor and roof terrace on Royal College Street, with additional residential units on the upper floors of 234 Royal College Street (formerly the Falcon Public House), which fronts onto Wilmot Place, opposite College Gardens, a triangular shaped public space to the north.

The application building is in the Jeffrey's Street Conservation Area, and is identified in the CA statement as making a positive contribution to the CA, although in need of repair.

The application site also extends to the rear of the public house where there were formerly extensions and outbuildings in a variety of uses fronting Royal College Street.

Planning permission has recently been granted for a new 4-storey building on this land to provide 7 new residential flats, together with works of conversion to the upper floors of the public house to provide 4 further flats. Works on the 4-storey residential building are completed. The application site abuts the rear gardens of residential properties No.189, 191 (a vicarage) and 193 St Pancras Way to the east; No.232 Royal College Street, a B1 use, to the west; and a small open space area adjacent to Foster Court, Royal College Street to the south.

The Falcon PH forms part of the Jeffrey's Street Conservation Area and the new building to the rear abuts the southern boundary of the CA.

Relevant History

7/12/2001 - planning permission was granted subject to a car-free S106 agreement for the demolition of public house extension, yard and church building, the erection of a new public house extension and formation of No.11 new residential units in total, involving the erection of a 4 storey (including basement) building fronting Royal College Street comprising No.7 units plus roof terrace and private gardens, the conversion of the existing floor space above the public house to form No.4 residential units plus associated raised level communal gardens and staircase to the rear of public house and refuse area (Ref. PEX0100046/R3).

31/3/2004 - planning permission was granted for variations to the above, again subject to a Section 106 car-free agreement. The changes entailed fenestration, building levels, balcony treatment and roof terrace (Reg. No. PEX0101048/R2). This approval was subject to 19 additional conditions, 11 of which require approval of details.

27/01/2005 - approval of samples of Ibstock Arundale Yellow Multi Stock bricks and Natural Slate in part pursuant of additional condition 1 to the permission granted on 31/3/2004. (Ref. 2004/4418/P).

27/5/2005 - approval of details of powder coated aluminium window frame in part pursuant of additional condition 1 of the planning permission dated 31/03/04. (Ref. 2005/0505/P).

19/6/2006 approval of details of hard and soft landscaping pursuant to condition 2 of planning permission dated 31st March 2004 (ref PEX0101048/R2) for new buildings comprising a new public house extension and 11 residential units (2006/1910/P).

19/6/2006 approval of details of entrance gates and security measures pursuant to condition 11 of planning permission dated 31st March 2004 (ref PEX0101048/R2) for new buildings comprising a new public house extension and 11 residential units (2006/1911/P).

19/6/2006 **refusal** of details of trellis pursuant to condition 15 of planning permission dated 31st March 2004 (ref PEX0101048/R2) for new buildings comprising a new public house extension and 11 residential units (2006/1918/P).

14/8/2006 approval of details of external lighting pursuant to condition 12 of planning permission dated 31st March 2004 (ref PEX0101048/R2) for new buildings comprising a new public house extension and 11 residential units (2006/1913/P).

7/9/2006 approval of details of window and lintel pursuant to condition 14B of planning permission dated 31st March 2004 (ref PEX0101048/R2) for new buildings comprising a new public house extension and 11 residential units (2006/1914/P).

5/9/2006 approval of details of trellis pursuant to condition 15 of planning permission dated 31st March 2004 (ref PEX0101048/R2) for new buildings comprising a new public house extension and 11 residential units (2006/3178/P).

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. 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.

Replacement UDP 2006.

SD6 Amenity for occupiers and neighbours

Assessment

Condition 9 states:

Details of the construction of the basement levels and associated measures to ensure protection of those neighbouring properties shall be submitted and approved in writing by the Local Planning Authority before that part of the development commences. The approved details shall be implemented and subsequently maintained throughout the duration of the development.

Reason: To protect the amenities of the area.

The condition relates to the construction of the basement belonging to the new 4 storey building which is strictly speaking is a matter controlled by Building Regulations.

The applicant has retrospectively provided a Building Control Certificate of Completion, which describe the details of work as "Conversion of 1st & 2nd floors to form 4 flats and new development of 6 flats".

Following the site inspection by the Council's Building Control service, (in January 2006) the work was seen to have been completed and the Certificate of Completion was issued dated February 2006, ref.04/1/435/5B//hos. The Certificate states that the building works meet the requirements of the building regulations.

Given that the development in particular the basement of the new 4-storey building has been completed it is considered that on balance the Certificate of Completion document is in this instance acceptable to discharge condition 9.

Recommendation - Discharge condition 9.

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