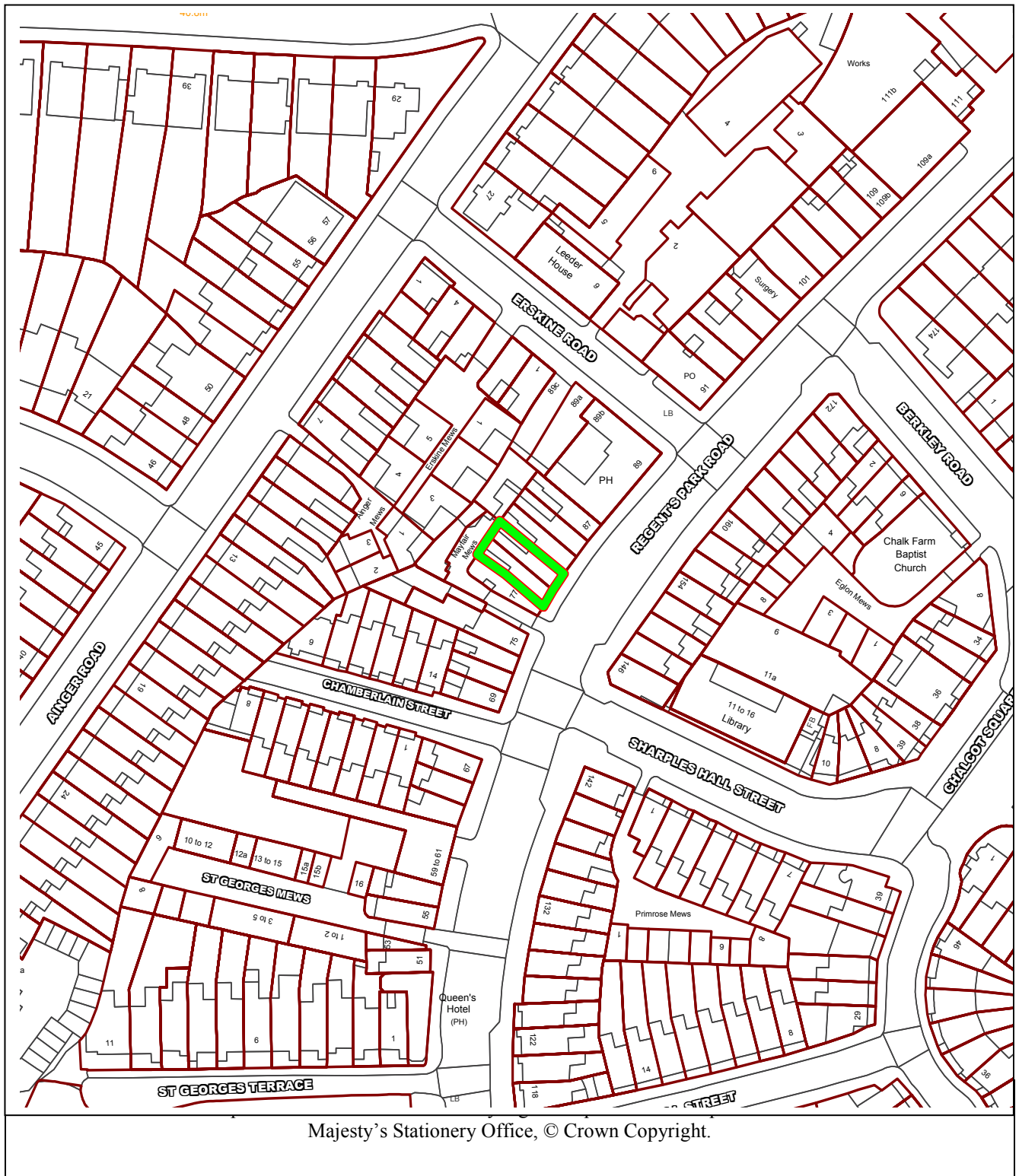


**2014/3444/P - 79-81 Regents Park Road**  
**Site location plan**

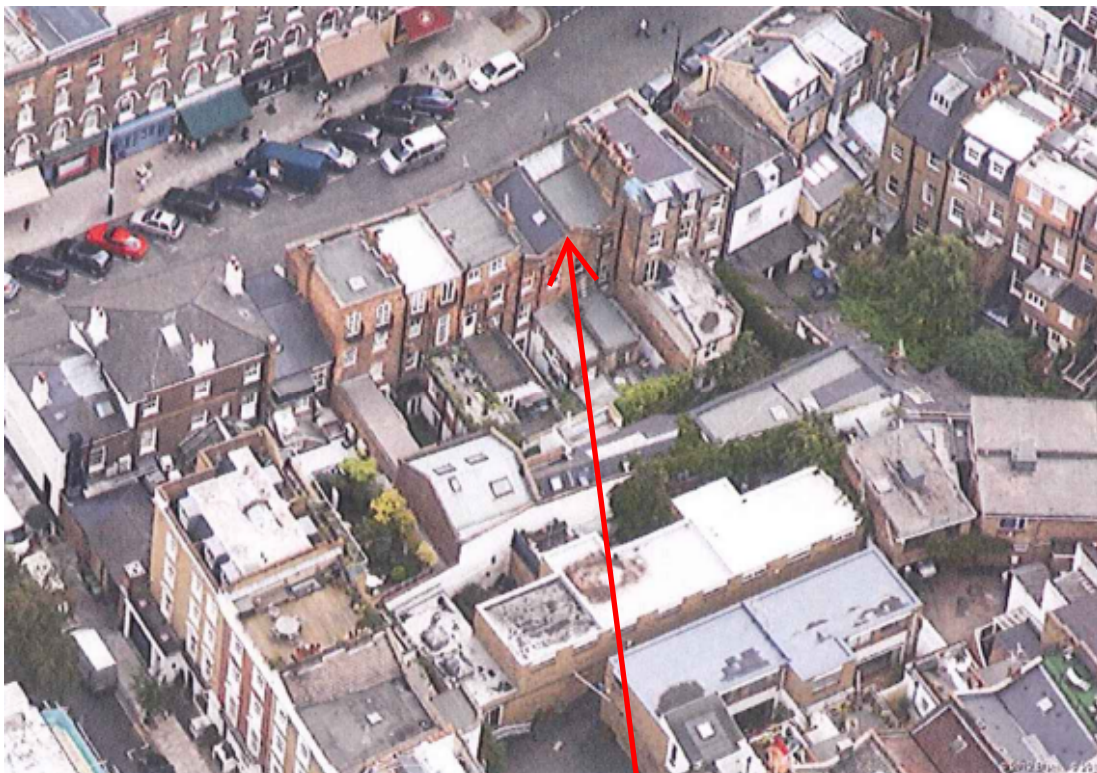


**2014/3444/P - 79-81 Regents Park Road**  
**Photos**

View from Regents Park Road:



Aerial view from the south west:



Application site



Views of the rear elevation from the the frist floor flat roof:





No. 81

<b>Delegated Report</b> <b>(Member's Briefing)</b>		Analysis sheet		Expiry Date:	25/07/2014
		N/A		Consultation Expiry Date:	26/06/2014
Officer			Application Number(s)		
Jenna Litherland			2014/3444/P		
Application Address			Drawing Numbers		
79-81 Regents Park Road London NW1 8UY			Refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of roof extension, glazed roof structure over rear courtyards, alteration to windows at rear, and alterations to shopfront to extend A1 retail use at ground floor and create 3x residential flats (C3) at upper floor levels.					
Recommendation(s):		Grant conditional permission subject to a S106 agreement.			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	15	No. of responses	00	No. of objections	00
			No. Electronic	00		
Summary of consultation responses:	A site notice was displayed from 04/06/2014 until 25/06/2014 and a press notice was advertised in the Ham and High on 05/06/2014 (expired 26/06/2014). Letters were sent to 15 adjoining occupiers.  No representations have been received.					
CAAC comments:	Primrose Hill CAAC: Objection  1. We object to the loss of the rear butterfly profiles to the roof at the rear: they are rare survivals in this group of the original form, and should be preserved as at PH 21. We have no objection to the front dormers. <b>See paragraph 2.4.2 for the case officer's response.</b>  2. We object strongly to the radical reworking of the fenestration at the rear: it is harmful to the character of the buildings within their group within the conservation area. <b>See paragraph 2.4.3 for the case officer's response.</b>  3. We object strongly to the proposed form of shopfront to no. 81. The original pattern of a single door / door space within the frontage is traditional in this group, and should be retained. There are perfectly practical models which allow for the provision of a separate front door to the upper floors. The loss of the pattern is harmful to the group within the conservation area. <b>See paragraph 2.4.5 for the case officer's response.</b>  4. We are concerned about provisions for ventilation at the rear, and its impact on local residential amenity. <b>Case officer's response: The proposed units would have natural ventilation. No mechanical ventilation is proposed.</b>					

## Site Description

The application site comprises two properties that are located on the northwest side of Regent's Park Road, in a small commercial area of the Borough. The buildings are three storeys, and feature a butterfly roofs. At ground floor level, the properties are occupied by a café at no. 79 and an empty A1 use at no. 81. At first and second floor levels is a residential unit, consisting of a 3 bedroom maisonette at first and second floor level of each property.

It was noted at the time of the site visit that the southwest neighbouring properties at no. 77, and northeast neighbours properties at nos. 83 and 85 have mansard style roof extension, as well as front terraces at first floor level.

## Relevant History

**2013/6976/P:** The conversion of 79 & 81 to form 3 self-contained flats, following the erection of a mansard roof extension with, installation of a new shopfront and the creation of a new residential access door to the ground floor front elevation, erection of a rear first floor extension, and implementation of terrace areas at first and second floor levels to the rear, all in connection with existing mixed used development retail (Class A1) and residential (Class C3). **Application Withdrawn by applicant following discussion over the proposal with officers.**

**2013/2454/P:** The conversion of 79 & 81 to form an office unit, 3 self-contained flats 1x1Bed (first floor) 1x1Bed (2nd floor) and 1x1Bed flat (3rd Floor) following the erection of a mansard roof extension with 2x1 rooflights, Installation of a new shopfront and the creation of a new access door to the ground floor front elevation, installation of new balustrade at first floor front elevation, erection of a rear first floor extension following the lowering of existing window for the provision of a new door, external staircase and balustrade for a roof terrace to the rear elevation all in connection with existing mixed used development retail (Class A1), office (Class B1) and residential (Class C3). **Application Withdrawn by applicant following discussion over the proposal with officers.**

## Relevant policies

### National Planning Policy Framework 2012

### The London Plan 2011

#### LDF Core Strategy and Development Policies

CS1 – Distribution of growth  
CS5 – Managing the impact of growth and development  
CS6 – Providing quality homes  
CS11 – Promoting sustainable and efficient travel  
CS14 – Promoting high quality places and conserving our heritage  
CS18 – Dealing with our waste and encouraging recycling  
CS19 – Delivering and monitoring the Core Strategy

DP2 – Making full use of Camden's capacity for housing  
DP5 – Homes of different sizes  
DP6 – Lifetimes homes and wheelchair homes  
DP16 – The transport implications of development  
DP17 – Walking, cycling and public transport  
DP18 – Parking standards and limiting the availability of car parking  
DP24 – Securing high quality design  
DP25 – Conserving Camden's heritage  
DP26 – Managing the impact of development on occupiers and neighbours  
DP29 – Improving Access

#### Camden Planning Guidance 2013

CPG 1 – Design  
CPG 2 – Housing  
CPG 6 – Amenity

#### Primrose Hill Conservation Area Statement

## Assessment

### 1. Proposal

1.1. The applicant is seeking planning permission to redevelop the property through a number of alterations and extensions, namely a mansard roof extension over both properties, erection of glazed roof structure over rear courtyards, alteration to windows on the rear front elevation and alterations to shopfront to extend A1 retail use at ground floor and to create 3x residential flats (C3) at upper floor levels.

1.2. Full details of the changes are described as follows:

#### 1.3. Ground floor

- New entry to the commercial unit at no. 81. Existing door to be used as separate residential access to flats above;
- Glazing over the rear courtyards to both no. 79 and 81, creating more space at ground floor for each commercial use. A small rear yard would be retained for each unit.

#### 1.4. Upper floor levels

- Redevelopment of the 2 residential units at nos. 79 and 81 into 1x 2 bedroom flat (76.3 sqm in size) and 2x 1 bed flats (52.5 sqm & 46.4 sqm). Each unit would comprise 1 floor of the two combined building which would be accessed by a new central staircase.
- Erection of a roof extension across both nos. 79 and 81 fashioned as a mansard roof extension to the front with centrally positioned dormer windows on the front elevations. The rear of the roof extension would continue flush with the rear elevation. The roof height of the mansard extensions would be staggered, as are others along this terrace.

1.5. The current proposal differs from the previously withdrawn scheme reference: 2013/6976/P in that the previous scheme included a rear roof terrace at second floor level. It was considered that this roof terrace would result in an unacceptable level of overlooking of the properties to the rear at Mayfair Mews. This roof terrace no longer forms part of the proposal.

1.6. The principal considerations material to the determination of this application are summarised as follows:

- Creation of additional residential dwellings;
- Mix of units;
- Quality of the residential units and lifetime homes;
- Design;
- Amenity;
- Transport;
- Refuse; and
- Other matters.

### 2. Considerations

#### 2.1. **Creation of additional residential dwellings**

2.1.1. Housing is regarded as a priority land use in the LDF. The proposed unit would assist the Council to meet the strategic housing target for the Borough. The principle of providing residential accommodation in this location is considered to be appropriate subject to the residential accommodation proposed being of an acceptable standard (see the section below) and it being provided without conflict with other planning policies.

#### 2.2. **Mix of units**

2.2.1. With regard to housing mix, Policy DP5 (Homes of different sizes) seeks to secure a range of unit sizes within developments, including large and small units, in order to address housing need in the Borough. The Dwelling Size Priorities Table states that 2 bedroom market units are a very high priority and 1



bedroom units which are lower. The proposal would result in a 2 bedroom maisonette and a 3 bedroom maisonette being converted into a 2 bedroom flat, and 2x 1 bedroom flats. Given that the priority is to create new units and the higher quality of the proposed units the the loss of a 3x bedroom maisonette would be considered acceptable.

### **2.3. Quality of the residential units and lifetime homes**

- 2.3.1. The Council's residential development standards (CPG2- Housing 2011) provide general guidance on the floorspace and internal arrangements for all housing tenures. The London Plan SPG sets out residential space standards for new dwellings in London. Development should provide high quality housing that provides secure, well-lit accommodation that has well-designed layouts and rooms. With regard to daylight all habitable rooms should have access to natural daylight.
- 2.3.2. The proposed units exceed the minimum spaces standards set out in the London Plan Housing SPG. The new flats would have their own entrance separate from the commercial units which is welcomed. The habitable rooms would each be served by at least one window and would be considered to have sufficient levels of daylight and sunlight as well as sufficient natural ventilation. The internal layout of the new flats is considered acceptable.
- 2.3.3. Lifetime homes - The application is accompanied by a lifetime homes assessment. The development cannot meet all of the criteria owing to the physical constraints of the building and the fact that the new flats would be located above a commercial use. However, the proposed units would meet a number of criteria that the existing units do not meet and this improvement in a constrained building is welcomed. A condition will be includes to ensure that lifetime homes standards that can be met are met.

### **2.4. Design**

- 2.4.1. Roof extension - The front elevation of the proposed roof extension has been designed to match the mansard style roof additions within the terrace. The design and appearance of the mansard would be welcomed given that it would be reuniting the wider terrace and creating a uniform appearance to the roofline. CPG1 Design states that the lower roofslope of the mansard should rise from behind the parapet at a 60-70 degree angle. The proposed front roof slope complies with this guidance as it is set at 70 degree. The position, size and height of the dormer style windows on the front elevation also complied with the guidance in CPG1.
- 2.4.2. The rear of the roof extension would continue flush with the rear elevation. This is to allow an internal staircase that accommodates for the drop in floor levels between the two properties at first floor level. The CAAC has raised concern that the proposal results in the loss of the butterfly roof formation of the rear parapet. This is somewhat regrettable, however, the extension has been designed in this way specifically to accommodate the staircase, and given that the neighbouring buildings roof extension follow the same design and will unify the terrace, on balance this is considered acceptable. On the whole, the proposed roof extension would conserve and enhance the appearance of the host building within the terrace (creating continuity) and the wider conservation area.
- 2.4.3. Alterations to fenestration on the rear elevation – The CAAC has objected to the alterations to the fenestration of the rear elevation on the grounds that it is harmful to the character of the buildings and the conservation area. The general position of windows remains consistent, however some windows have been made larger and some smaller to reflect the use of the rooms behind and the position of the staircase. The windows are not on the primary elevation of the building and are not readily visible from the public realm. The detailed design of the windows and materials would match those elsewhere on the terrace (timber sliding sash windows) and it is considered that the amendment would preserve and enhance the character and appearance of the conservation area.
- 2.4.4. Courtyard - The glazing over the courtyards would be simple in terms of design and would be of light weight construction. The glazing would not impact on the character and appearance of the host building.
- 2.4.5. Shopfront – The proposal also includes alterations to the shopfront at no. 81 including insertion of an

additional door and subdivision of the window. The CAAC has objected to this aspect of the proposal on the grounds that the original pattern of a single door / door space within the frontage is traditional in this group, and should be retained as the loss of this pattern is harmful to the group of buildings within the conservation area. However, officers consider that the shopfronts along this stretch of Regents Park Road are not uniform and a number of them include two doorways. As such, the introduction of a second doorway for the residential access is not considered to be out of character in this parade. Furthermore, the proposal results in the subdivision of the shopfront window which creates a more traditional style of shopfront which complements the pattern of other shopfronts in this parade. As such, the alterations to the shopfront are considered acceptable in this location.

- 2.4.6. In conclusion, it is considered that the proposal respects the character and design of the host building, as well as the surrounding conservation area, and the proposal is in general accordance with policies DP24 and DP25 of Camden's Local Development Framework.

## **2.5. Amenity**

- 2.5.1. Policies CS5, DP26 and DP28 are of relevance when assessing the possible detrimental impact to neighbouring properties. Due to the relatively modest nature of the extension it is not considered that the proposal would result in a detrimental impact to the amenity of the neighbouring properties.
- 2.5.2. Therefore the proposal is generally considered to be acceptable as it would not have an adverse impact on the amenity of adjoining occupiers in terms of daylight, sunlight, outlook or sense of enclosure.

## **2.6. Transport**

- 2.6.1. The site has a high level of accessibility to public transport. The site is also within a controlled parking zone. Policy DP18 states that the Council expects all development located within the area to be car free. Therefore any permission would be subject to the units being secured as car free through a Section 106 Agreement.
- 2.6.2. In accordance with the parking standards 1 cycle space should be provided for each residential unit. No cycle parking is provided, this is considered acceptable in this instance given the constraints of the existing building and the location of the new units at upper floor level. The flats all have adequate internal storage space which could be used for storage of a bicycle.

## **2.7. Refuse**

- 2.7.1. CS18 and DP26 seek to ensure that appropriate storage for waste and recyclables is provided in all developments. CPG1 also provides further detailed guidance on this issue and states that development for 6 or fewer dwellings are serviced by kerbside waste and recyclables collection. There is sufficient space within the units for the storage waste and recycling.

## **2.8. Other matters**

- 2.8.1. Given that the proposal would result in the creation of new residential dwellings the development would be liable towards the Mayoral CIL. The CIL contribution is calculated at £50 per sqm. The additional residential floorspace would amount to 63.4sqm. The CIL contribution would therefore be £3,170.

- 2.9. **Recommendation:** Grant conditional permission subject to a s106 agreement to secure the development as car free.

## **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 14th July 2014. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.**

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www.camden.gov.uk/planning

Application Ref: **2014/3444/P**

09 July 2014

Dear Sir/Madam

**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)

**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:

**79-81 Regents Park Road  
London  
NW1 8UY**

Proposal:

Erection of roof extension, glazed roof structure over rear courtyards, alteration to windows at rear, and alterations to shopfront to extend A1 retail use at ground floor and create 3x residential flats (C3) at upper floor levels.

Drawing Nos: 930/X01; 930/X02; 930/X03; 930/X04; 930/X05; 930/X06; 930/X07; 930/X08; 930/OD11-A; 930/OD12-A; 930-OD13A; 930/OD14; 930/OD16; 930/OD17; 930/OD18; 930/OD19; Design and Access Statement Revision B dated 7 May 2014 by Living Architects

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 930/OD11-A; 930/OD12-A; 930-OD13A; 930/OD14; 930/OD16; 930/OD17; 930/OD18; 930/OD19.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement

team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 5 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.



Yours faithfully

Culture and Environment Directorate

**DRAFT**

**DECISION**