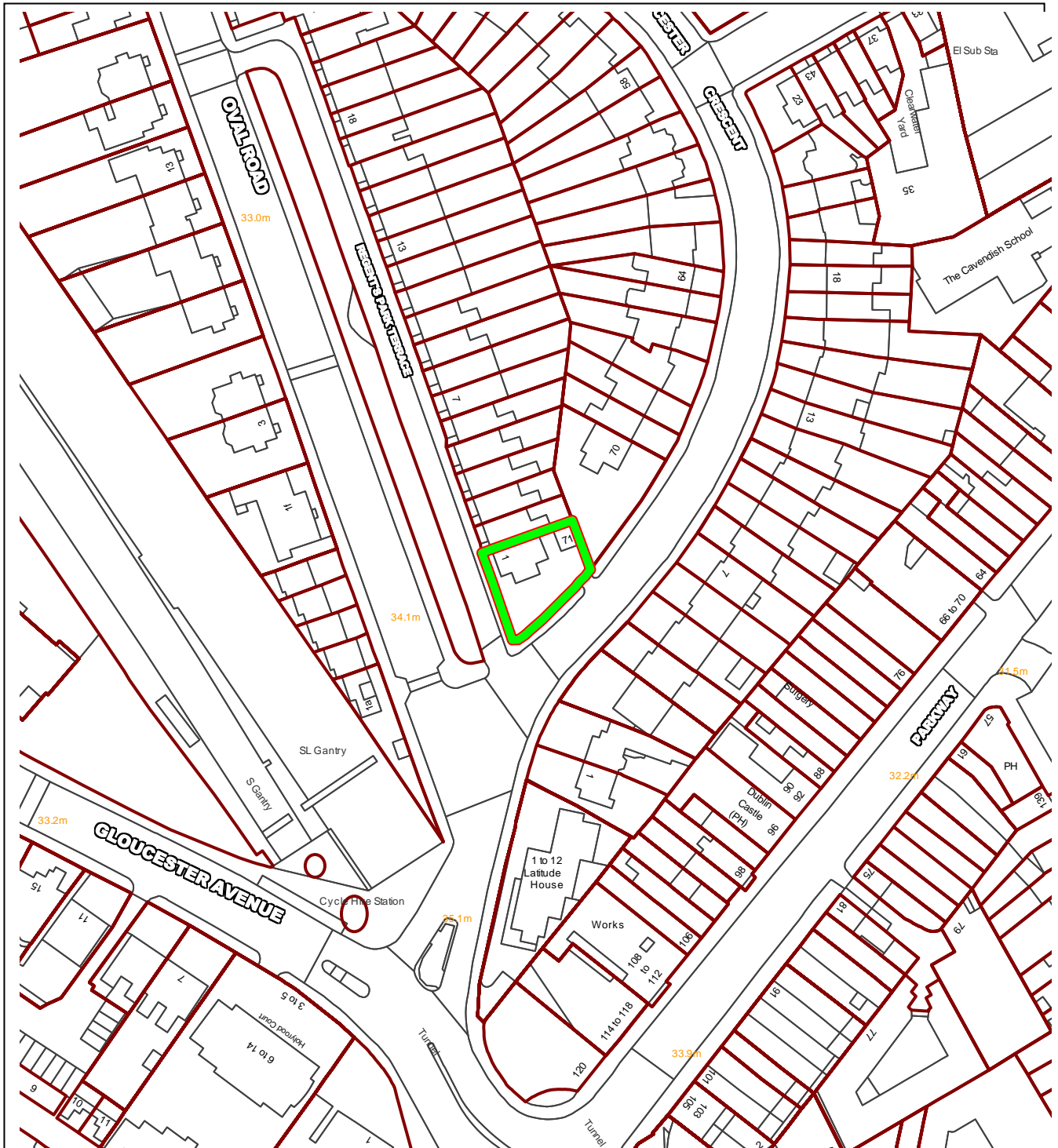


1 Regent's Park Terrace - 2016/1702/P



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Photos



Delegated Report		Analysis sheet		Expiry Date:		16/05/2016	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		28/04/2016	
Officer				Application Number(s)			
Kate Phillips				2016/1702/P			
Application Address				Drawing Numbers			
1 Regent's Park Terrace London NW1 7EE				Refer to Draft Decision Notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Variation of condition 3 (approved plans) of planning permission 2013/7124/P dated 14/01/2014 (for extensions and alterations to existing garage in connection with conversion of garage to ancillary accommodation), namely to allow the insertion of an entrance door on the Gloucester Crescent elevation (retrospective)							
Recommendation(s):		Grant conditional planning permission					
Application Type:		Variation or Removal of Condition(s)					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	9	No. of responses	3	No. of objections	3
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed on 01/04/2016 (consultation end date 22/04/2016) and a notice was displayed in the press on 07/04/2016 (consultation end date 28/04/2016).</p> <p>The owner/occupier of 70 Gloucester Crescent has objected on the following grounds:</p> <ul style="list-style-type: none"> Garage conversion should remain part of 1 Regents Park Terrace. <p>The owner/occupier of The Flat, 70 Gloucester Crescent has objected on the following grounds:</p> <ul style="list-style-type: none"> This application seeks to overturn a fundamental condition of the planning permission granted in 2014, which states that the building must be ancillary accommodation to 1 Regents Park Terrace If the building has its own front door it becomes an independent dwelling. If the building becomes a separate dwelling, it will be sold and an application will be made to make it taller, which would be out of keeping with the street scene. The Council shouldn't overturn previous decisions so quickly. <p>The owner/occupier of 9 Gloucester Crescent has objected on the following grounds:</p> <ul style="list-style-type: none"> This is an attempt, by stealth, to create a separate dwelling. If the building becomes a separate dwelling, it will be sold and an application will be made to make it taller, which would be out of keeping with the street scene. <p>Officer comment</p> <p>Please see paragraphs 1.3 – 1.6 in the Officer's Report below. This application must be judged on its merits. Any future applications (i.e. to make other alterations to the building) would also be judged on their merits.</p>					
Primrose Hill CAAC	No objection.					

Site Description

No. 1 Regents Park Terrace is a 4 storey residential dwelling (plus basement) on the corner of Regent's Park Terrace and Gloucester Crescent. The main entrance to the property is on the side (south) elevation, facing onto Gloucester Crescent. At the rear (east) of the property is a detached, ancillary building (the subject of this application), which was formerly a garage to serve the dwelling, but which was converted to ancillary living accommodation pursuant to planning application reference 2013/7124/P.

No. 1 Regents Park Terrace is Grade II listed and the application site is within the Primrose Hill Conservation Area.

Relevant History

2014/6248/P - Increase of garage parapet wall from 642mm to 745mm approved under planning permission 2013/7124/P dated 14/01/14 for the extensions and alterations to existing garage including installation of new roof, excavation to create additional floor, front extension, new windows and door within flank elevation, all in connection with the conversion of the garage to ancillary accommodation – Granted 19/03/2015

2013/7124/P - Extensions and alterations to existing garage including installation of new roof, excavation to create additional floor, front extension, new windows and door within flank elevation, all in connection with the conversion of the garage to ancillary accommodation - Granted 14/01/2014

2013/7227/L - Extensions and alterations to existing garage including installation of new roof, excavation to create additional floor, front extension, new windows and door within flank elevation, all in connection with the conversion of the garage to ancillary accommodation – Granted 14/01/2014

2013/4459/P - Extensions and alterations to the existing outbuilding to the rear of the existing single family dwelling including installation of new roof, replacement of garage door with timber and glass doors, glass canopy to front, all in connection with the conversion of the garage to a self-contained residential unit (Class C3) – Refused 11/10/2013.

2013/5263/L - Extensions and alterations to the existing outbuilding to the rear of the existing single family dwelling including installation of new roof, replacement of garage door with timber and glass doors, glass canopy to front, all in connection with the conversion of the garage to a self-contained residential unit (Class C3) – Refused 11/10/2013.

2011/1078/P - External alterations including new roof covers, relocation of door and window at basement level and any associated refurbishment to dwelling (Class C3) – Granted 28/04/2011.

2011/0940/L - External and internal alterations including new layout, re-instatement of original features, new roof covers, relocation of door and window at basement level and any associated refurbishment to dwelling (Class C3) – Granted 28/04/2011.

LEX0100951 - Remove existing timber gates and replace with new wrought iron automated access gates – Granted 04/02/2002

PEX0100950 - Remove existing timber gates and replace with new wrought iron automated access gates – Granted 04/02/2002.

LE9900383 - Alterations to rear basement window to provide French doors, as shown on: Unnumbered existing and proposed floor plans; window as existing; detail of kitchen door; rear elevations as proposed and existing and cross section of proposed and existing (rear elevation) – Granted 22/11/1999.

Relevant policies

National Planning Policy Framework (2012)

London Plan 2016

LDF Core Strategy and Development Policies 2010

CS1 Distribution of growth

CS5 Managing the impact of growth and development

CS11 Promoting Sustainable and efficient travel

CS14 Promoting high quality places and conserving our heritage

DP19 Managing the impact of parking

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance

CPG1 Design (2015)

CPG6 Amenity (2011)

Primrose Hill Conservation Area Statement (December 2000)

Assessment

Proposal:

- 1.1 This application seeks planning permission to vary condition 3 (approved plans) of planning permission 2013/7124/P, dated 14/01/2014. The original application was for the following: “Extensions and alterations to existing garage including installation of new roof, excavation to create additional floor, front extension, new windows and door within flank elevation, all in connection with the conversion of the garage to ancillary accommodation.”
- 1.2 The proposal was not implemented in accordance with the approved plans and this application essentially seeks retrospective permission to install a door on the front (south) elevation of the former garage building, facing onto Gloucester Crescent. Internally, the door would open onto the landing of the staircase which links the lower and upper ground floor levels of the building. The door which has been installed can only be opened from inside (and the entrance serves as a means of escape from the building).

The principle of development

- 1.3 Condition 4 of planning permission reference 2013/7124/P (dated 14/01/2014) stated the following:

“The ancillary accommodation hereby approved shall only be used for purposes incidental to the residential use of 1 Regent's Park Terrace and shall not be used as a separate independent Class C3 dwelling or Class B1 business unit.

Reason: To ensure that the future occupation of the outbuilding does not adversely affect the amenity of adjoining residential premises/immediate area by reason of noise, traffic congestion and excessive on-street parking and is not used for unauthorised purposes, in accordance with policies CS5 (Managing the impact of growth and development), CS8 (Promoting a successful and inclusive Camden economy) and CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policies DP19 (Managing the impact of parking), DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.”

- 1.4 The applicant must still comply with the above condition (unless a separate planning application is approved to remove the above condition) and therefore the proposal to allow the installation of an entrance door on the front elevation (to allow access to the building without needing to travel through the main dwelling, No. 1 Regent's Park Terrace) would not mean the building could be used independently from the main dwelling.
- 1.5 Currently, the door in question only opens from the inside and a suitable planning condition could ensure this remains the case in the future. As noted above, this would allow occupiers of the building to use the entrance as a means of escape. It would also allow for refuse etc. to be brought out through this door rather than through the main house. However, in general, anyone using the building would need to access it by going through the main building (or by being let in by someone already in the building).
- 1.6 The principle of development is considered to be acceptable, subject to the detailed considerations below.

Impact on the character and appearance of the wider area (including the setting of the adjacent Grade II listed building Primrose Hill Conservation Area)

- 1.7 No. 1 Regent's Park Terrace is Grade II listed and the Council has a statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Furthermore, the application site is located

within the Primrose Hill Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

- 1.8 As part of the approved scheme, the existing garage doors would be adjusted and relocated, but the building would still appear like a garage when viewed from the front (from Gloucester Crescent) because it would retain the large opening with garage-style doors within. The subservient character of the building was considered to be appropriate to the setting of the listed building and the Primrose Hill Conservation Area.
- 1.9 This application seeks to amend the front elevation of the former garage building to incorporate an entrance door; however, the building would still retain the appearance of a garage when viewed from the street, particularly because the door only opens from the inside and there are no handles on the outside of the building to suggest the presence of an entrance. On this basis, it is not considered that the proposal would cause any harm to the character and appearance of the Primrose Hill Conservation Area and neither is it considered that the proposal would cause any undue harm to the setting of the adjacent listed building. The proposal is therefore considered to be acceptable in this respect.

Impact on nearby properties

- 1.10 Allowing this application should not alter the way in which the building itself is used. The applicant already has permission (pursuant to planning permission reference 2013/7124/P) to use the accommodation for purposes incidental to the residential use of No. 1 Regents Park Terrace; for example, they can allow family members / friends etc. to stay in the studio accommodation as and when required, in a similar way that one might allow friends /family members to stay in a spare room in a house. On this basis, it is not considered that the proposal to install the entrance door would cause any undue harm to the visual and residential amenities of the occupiers of nearby and neighbouring residential properties. The proposal is therefore considered to be acceptable in this respect.

Recommendation: Grant conditional planning permission.

DISCLAIMER: Decision route to be decided by nominated members on *Monday 9th May 2016*. For further information please go to www.camden.gov.uk and search for 'members briefing'.

Milton S Miltiadou
Milton S Miltiadou
27 Wyatt Road
Highbury
London N5 2JU

Application Ref: **2016/1702/P**
Please ask for: **Kate Phillips**
Telephone: 020 7974 **2521**

3 May 2016

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
1 Regent's Park Terrace
London
NW1 7EE

DECISION

Proposal:

Variation of condition 3 (approved plans) of planning permission 2013/7124/P dated 14/01/2014 (for extensions and alterations to existing garage in connection with conversion of garage to ancillary accommodation), namely to allow the insertion of an entrance door on the Gloucester Crescent elevation (retrospective)

Drawing Nos: 1107-OS-001 Rev b; 1107-S13-01 Rev e; 1107-S13-02 Rev f; 1107-S13-03 Rev g; 1107-S13-11 Rev e; 1107-S13-13 Rev e; 1107-S13-20 Rev f; 1107-S13-21 Rev f; 1107-S13-22 Rev g; 1107-S13-24 Rev g; 1107-S13-120 Rev f; 1107-X-07 Rev e.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 For the purposes of this decision, condition no.3 of planning permission 2013/7124/P shall be replaced with the following condition:

Director of Supporting Communities



REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans: 1107-OS-001 Rev b; 1107-S13-01 Rev e; 1107-S13-02 Rev f; 1107-S13-03 Rev g; 1107-S13-11 Rev e; 1107-S13-13 Rev e; 1107-S13-20 Rev f; 1107-S13-21 Rev f; 1107-S13-22 Rev g; 1107-S13-24 Rev g; 1107-S13-120 Rev f; 1107-X-07 Rev e.

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

- 2 The upper ground floor entrance door hereby permitted shall only be capable of being opened from inside the building and no door handle shall be installed on the outside of the building.

Reason: To ensure that the entrance is used primarily as a means of escape rather than as an independent access, which would have an adverse impact on the amenity of the immediate area and adjoining residential premises, in accordance with policies CS1, CS5, CS11 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP19, DP24, DP25 and DP26 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 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Supporting Communities

Director of Supporting Communities