

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>09/12/2016</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>05/01/2017</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Kate Phillips			1) 2016/5642/P 2) 2016/5735/L	
<b>Application Address</b>			<b>Drawing Numbers</b>	
6 Regent's Park Terrace London NW1 7EE			Refer to Draft Decision Notices	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
<p>1) Double height rear conservatory (lower ground and upper ground floor level, with new upper ground floor level internally); relocation of upper ground floor level external balcony and steps to garden level; alterations to openings; new skylights to main roof</p> <p>2) Double height rear conservatory (lower ground and upper ground floor level, with new upper ground floor level internally); relocation of upper ground floor level external balcony and steps to garden level; alterations to openings; new skylights to main roof; various internal alterations, including installation of underfloor heating</p>				
<b>Recommendation(s):</b>		<p>1) Refuse planning permission 2) Refuse listed building consent</p>		
<b>Application Type:</b>		<p>1) Householder Application 2) Listed building consent</p>		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notices</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	Site Notice	<b>00</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
<b>Summary of consultation responses:</b>	<p><b>1) 2016/5642/P:</b> A site notice was displayed on 26/10/2016 (expiry date 16/11/2016) and a notice was placed in the local press on 27/10/2016 (expiry date 17/11/2016).</p> <p>1 letter of objection has been received from the owner/occupier of No. 69 Gloucester Crescent. The comments are summarised as follows:</p> <ul style="list-style-type: none"> <li>• The rear elevation glass doors are out of keeping with surrounding properties</li> <li>• The new games room and dining room which encroach on the space and light between the houses</li> <li>• Loss of privacy to neighbouring gardens</li> <li>• No consultation to neighbours</li> </ul> <p><b>2) 2016/5735/L:</b> A site notice was displayed on 13/12/2016 (expiry date 03/01/2016) and a notice was placed in the local press on 15/12/2016 (expiry date 05/01/2016).</p> <p>No comments received.</p>					
<b>Primrose Hill CAAC</b>	<p>Strong objection. The proposed double height is self-evidently harmful to the balance of the elevations which are distinguished externally by the fenestration pattern following the floor levels. The argument used at no 7 (apps 2016/0595/P + 2016/1126/L) suggested that other rear conservatories in the terrace provided a precedent, but in our view these were begun before current regulations were in force, and do not provide a sustainable precedent.</p>					

## Site Description

No. 6 Regent's Park Terrace is a mid terrace, four storey plus basement, residential dwelling on the eastern side of the road. Regent's Park Terrace runs parallel to Oval Road, and backs onto Gloucester Crescent.

The application site is within the Primrose Hill Conservation Area and Nos. 1-22 Regent's Park Terrace (consecutive) and the attached railings are Grade II listed.

## Relevant History

**2016/3302/P** - Double height rear conservatory (lower ground and upper ground floor level) with upper ground floor level external balcony and steps to garden level – **Granted 12/08/2016**.

**2016/3393/L** - Double height rear conservatory (lower ground and upper ground floor level) with upper ground floor level external balcony and steps to garden level; internal alterations – **Granted 12/08/2016**.

**2016/1531/P** - Conversion of 2x flats (1x 1-bed & 1x 4-bed) to form 1x single family dwellinghouse (5-bed) – **Granted 08/06/2016**.

**2016/2425/L** - Removal of non-original partition at top of basement stairs in connection with conversion of 2x flats to form 1x single family dwellinghouse – **Granted 08/06/2016**.

## Relevant policies

### National Planning Policy Framework (2012)

### London Plan (2016)

### LDF Core Strategy and Development Policies (2010)

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

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)

CPG8 Planning Obligations (2015)

### Primrose Hill conservation area statement (2000)

## Assessment

### 1. The proposal

1.1. This application seeks planning permission for the following:

- Double height rear conservatory (lower ground and upper ground level) with new upper ground floor level internally to provide a dining room
- Relocation of upper ground floor level balcony and steps to garden
- Alterations to openings
- New skylights to main roof (1x new and 1x re-positioned)

1.2. Listed building consent is sought for the above works, as well as the following internal alterations:

- Extend existing bathroom into adjacent front vault at lower ground floor level
- New WC and boot room at upper ground floor level, at rear
- Alterations to door openings at 1<sup>st</sup> floor
- Revised Master Bedroom and bathroom layout at 2<sup>nd</sup> floor
- Revised bedroom and bathroom layout at 3<sup>rd</sup> floor
- Underfloor heating at lower ground floor level

1.3. The proposed works are the same as those approved under planning references 2016/3302/P and 2016/3393/L, except for the new upper ground floor level internally within the double height rear conservatory (to provide a dining room), and the underfloor heating at lower ground floor level.

### 2. The principle of development

2.1. As noted, the proposed works are the same as those approved under planning references 2016/3302/P and 2016/3393/L, except for the new internal upper ground floor level within the proposed double height rear conservatory, and the underfloor heating at lower ground floor level. On the basis that the other works have already been approved and the permissions remain extant, this assessment only needs to consider the additional works, namely the new internal upper ground floor level within the double height rear conservatory, and the underfloor heating at lower ground floor level.

### 3. Impact on the listed building

3.1. The host building is Grade II listed and the Council has a statutory duty, under Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990, 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.

#### New internal upper ground floor level within double height rear conservatory

3.2. The Historic Building Report which accompanies the application identifies that the special interest of the listed building lies with its external appearance and also the remaining plan form, particularly at ground and first floor levels. The report also notes that the internal layout of the building follows a characteristic late C18th/early C19th plan form.

3.3. At the time of the previous applications, the proposed internal upper ground floor level within the double height rear conservatory was omitted from the plans during the course of the applications, following advice from the Council's Conservation Officer. This is because it was

noted that the proposed works would internalise the existing rear room at upper ground floor level, which was felt to be unacceptable in listed building terms on the basis that the works would detrimentally affect the hierarchy of spaces within the host building by reducing the importance of the rear room. Furthermore, it was noted that the newly created room would be visible from outside, which would reinforce the fact there is an extra room at upper ground floor level when the property is viewed from the rear.

- 3.4. The Historic Building Report submitted with this application notes that the internalisation of the rear ground floor room is understood to mean the change of the aspect of the room, looking out to another internal space instead of a garden or yard; however, it is more than this. As noted, the internalisation of the room is unacceptable in listed building terms because it would harmfully impact on the hierarchy of spaces within the host building by reducing the importance of the existing rear room, and the proposal would alter the historic plan form of the building, which contributes to the historical and architectural significance of the building.
- 3.5. The applicant has provided other examples from the borough of what they consider to be similar examples; however, it is not possible to make direct comparisons between different buildings and particularly in the case of listed building applications, it is important to assess each case on its merits. It is worth noting that many of the examples provided relate to different types of buildings and different types of extensions.
- 3.6. It is recognised that No. 13 Regent's Park Terrace also has a double height rear conservatory and that it features an upper ground floor level internally (approved pursuant to planning references 2010/1993/P and 2016/1997/L); however, planning policy has changed since 2010 with the introduction of the National Planning Policy Framework (NPPF) and it is not considered that that particular decision should be used as a precedent to allow undue harm to this particular listed building. It is worth noting that Nos. 11 and 18 Regent's Park Terrace also have two storey rear extensions and at both properties the proposal involved the creation of a void within the two storey extension rather than a whole new room at upper ground floor level, which is similar to the approach recently allowed at No. 7 Regent's Park Terrace (the adjacent property).
- 3.7. The application is recommended for refusal based on the harm caused to the special architectural and historic interest of the listed building.

#### Underfloor heating

- 3.8. The listed building consent application proposes the installation of underfloor heating at lower ground floor level; however, despite a request for further details (email dated 28/11/2016) no further details have been provided. Without understanding how the underfloor heating system would be installed and what impact the works may have on historic fabric at the host building, it is not possible to approve the works. The application is also recommended for refusal on this basis.

#### **4. Impact on the character and appearance of the host building and the wider area (including the Primrose Hill Conservation Area)**

- 4.1. The application site is 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, under Section 72 of The Planning (Listed Buildings and Conservation Areas Act) 1990.
- 4.2. A double height rear conservatory with a similar outward appearance was approved pursuant

to planning application reference 2016/3302/P; however, this application differs by way of the proposed internal upper ground floor level within the structure, a glazed balustrade at upper ground floor level and a different opening method for the glazing.

- 4.3. The proposed internal upper ground floor level within the double height rear conservatory would be visible from outside, which would highlight the fact there is an extra room at upper ground floor level within the host property. This would harm the character and appearance of the host property and the group of properties within the same terrace (which were all built to the same design originally), which in turn would cause undue harm to the character and appearance of the Primrose Hill Conservation Area.
- 4.4. Whilst the rear of the host property may not be visible in public views from Gloucester Crescent (the road to the rear), the Primrose Hill Conservation Area Statement (PHCAS) does note that, on Gloucester Crescent, many of the villas are linked at ground and basement levels, with significant gaps retained at upper levels, affording views of mature trees to rear gardens and of the rears of the taller properties on Regent's Park Terrace. This illustrates the importance of maintaining and preserving, as far as possible, the appearance of the rear of the terrace as well as the front.
- 4.5. Furthermore, views from the rears of other properties within the conservation area are also considered to be important in assessing the impact on the character and appearance of the conservation area.
- 4.6. It is recognised that at the time of the previous application the proposed double height rear conservatory would have been split horizontally in the middle in the same way as shown on the current plans; however, the upper level would now feature a glazed balustrade, and the glazing at the upper level would open independently from the glazing at the lower ground floor level (which is different to the arrangement in the previous plans and at the neighbouring property). This would serve to highlight the existence of the new room at upper ground floor level, which would be harmful to the character and appearance of the host building when viewed from the rear, and also the group of buildings in the terrace, which in turn would cause harm to the character and appearance of the conservation area.
- 4.7. The proposed double height rear extension would be much more overtly a two storey rear extension; the new floor level would be expressed externally and would undermine any transparency through to the original rear elevation and consequently the lightweight appearance of the new structure. This would give the proposed extension a differing outward appearance to the recently approved extension at No. 7, and others in the same terrace, to the detriment of the character and appearance of the conservation area.
- 4.8. As noted above (see paragraph 3.6), it is recognised that No. 13 Regent's Park Terrace also has a double height rear conservatory which features an internal upper ground floor level; however, it is not considered that that particular decision should be used as a precedent to allow further harmful development in the street, or to the character and appearance of the conservation area.
- 4.9. The application is recommended for refusal based on the harm caused to the character and appearance of the Primrose Hill Conservation Area.

## **5. Impact on the visual and residential amenities of nearby and neighbouring properties**

- 5.1. Policy DP26 notes that the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity.

5.2. It is not considered that the new internal upper ground floor level within the double height rear conservatory would cause any undue harm to nearby and neighbouring properties sufficient to warrant a refusal of the application. Whilst views towards nearby and neighbouring properties would be available from within the new room, it is not considered that the impact would be significantly worse than the existing situation whereby there are views available from the existing kitchen windows at upper ground floor level and from the existing rear balcony at the property. Furthermore, any views would be generally consistent with what is expected in a built-up, residential environment such as this.

5.3. The proposal is considered to be acceptable in this respect.

**Recommendation:**

- 1) Refuse planning permission
- 2) Refuse listed building consent