

Mr Toshiya Kogawa  
ARTARCHITECTS  
1 Bedford Road  
London  
N2 9DB

Application Ref: **2017/0899/P**  
Please ask for: **Charlotte Meynell**  
Telephone: 020 7974 **2598**

12 June 2017

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:

**85 Regent's Park Road  
London  
NW1 8UY**

Proposal:

Additions and alterations to include conversion of 1 x 3 bed maisonette into 2 x 1 bed flats at 1st, 2nd and 3rd floor level; erection of rear and side infill conservatory to ground floor shop (A1); erection of two storey ground and 1st floor rear extension; erection of one and a half storey 1st floor rear extension; replacement of 1st and 2nd floor rear windows and doors; extension of existing 2nd floor roof terrace enclosed by new balustrade; installation of 2 x replacement rooflights to front roof slope and 1 x new rooflight to flat roof.

Drawing Nos: 1623\_EX\_100 Rev. A; 1623\_EX\_200 Rev. A; 1623\_EX\_310 Rev. A; 1623\_EX\_320 Rev. B; 1623\_PA\_010 Rev. A; 1623\_PA\_100 Rev. D; 1623\_PA\_200 Rev. D; 1623\_PA\_310 Rev. B; 1623\_PA\_320 Rev. C; Design, Access and Heritage Statement April 2017; Lifetime Homes Statement.

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

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, policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies and policies D1 and D2 of the Camden Local Plan Submission Draft 2016.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans 1623\_EX\_100 Rev. A; 1623\_EX\_200 Rev. A; 1623\_EX\_310 Rev. A; 1623\_EX\_320 Rev. B; 1623\_PA\_010 Rev. A; 1623\_PA\_100 Rev. D; 1623\_PA\_200 Rev. D; 1623\_PA\_310 Rev. B; 1623\_PA\_320 Rev. C; Design, Access and Heritage Statement April 2017; Lifetime Homes Statement.

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

- 4 Only the area specifically shown on the plans hereby approved as an external terrace/balcony shall be used for such purposes; and no other flat roofed areas shall be used as a roof terrace/balcony, and any access out onto these areas shall be for maintenance purposes only.

Reason: In order to prevent any overlooking of the neighbouring occupiers in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy, policy DP26 of the London Borough of Camden Local Development Framework Development Policies, and policies G1 and A1 of the Camden Local Plan Submission Draft 2016.

- 5 Notwithstanding the plans hereby approved, the proposed first floor window in the two storey rear extension facing the rear elevation of the main building shall be opaque glazed and non-openable below 1.7m and maintained thereafter in perpetuity.

Reason: To prevent loss of amenity to the upper floor flats within No. 87 Regent's Park Road in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy, policy DP26 of the London Borough of Camden Local Development Framework Development Policies and policies G1 and A1 of the Camden Local Plan Submission Draft 2016.

- 6 Within 1 month of the removal of the existing greenhouse the replacement greenhouse shall be erected and permanently retained thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 of the London Borough of Camden Local Development Framework Core Strategy, policy DP26 of the London Borough of Camden Local Development Framework Development Policies, and policies G1 and A1 of the Camden Local Plan Submission Draft 2016.

Informative(s):

1 Reasons for granting permission.

The proposal would result in the loss of a 3-bedroom family unit, policy DP5 seeks to retain family sized units. However, the existing property is not considered to provide a good standard of accommodation for a family sized unit, as the two existing third floor bedrooms measure only 5.6sqm each, which falls short of the 9sqm requirement for a single bedroom, and the only amenity space is the hard-standing roof terrace at second floor level. Therefore, on balance the loss of the 3-bedroom unit is considered acceptable in this instance.

The proposal includes the conversion of the existing 3-bedroom maisonette at first, second and third floor levels into 2 x 1-bedroom self-contained flats; one occupying the first floor, and the other at second and third floor level. This would be a net gain of one additional residential unit, which is supported by policies DP2 and CS6 provided they meet the recommended residential development standards. The new units would provide an appropriate standard of accommodation in terms of floorspace (59 & 63sqm), outlook and access to natural light and ventilation. As the new flat would likely generate additional on-street parking demand, a section 106 agreement has been agreed for car-free housing; the applicant is compliant. In accordance with parking standards, one cycle parking space is required for the additional dwelling. No cycle parking would be provided and this is considered acceptable in this instance due to the restrictions of the site.

The proposed single storey conservatory would infill the rear courtyard at ground floor level, and would be of a simple, lightweight design which would not impact on the character and appearance of the host building. The infilling of the rear courtyard is considered acceptable in this instance given the character and pattern of development of the terrace, in which several rear courtyards, including at both Nos. 81 and 83 Regent's Park Road, have previously been infilled.

The proposed two storey rear extension to the ground floor retail unit and first floor rear extension to the proposed first floor flat would be modest in size and would be constructed in brick to match the host building. The fenestration design of both extensions has been amended to incorporate timber-framed windows to match the size and style of the existing upper floor windows. All replacement upper floor windows would be timber framed and of the same detailed design as the existing windows, and the new rooflights would be conservation style.

The existing second floor roof terrace would be enclosed with a 1.1m high black

painted metal railing to match the existing railings at second floor level, and the terrace would not exceed the footprint of the existing terrace to prevent further overlooking.

The proposed extensions would not be visible from the public realm, and overall the proposal would respect and preserve the design and proportions of the original building and the character and appearance of the Primrose Hill Conservation Area.

The proposal would not give rise to any adverse impact on the amenity of neighbouring occupiers in terms of loss of sunlight, daylight, outlook or privacy. The window facing the rear elevation of the main building would be obscure glazed and non-openable to protect the privacy of the occupiers of the neighbouring property No. 87 Regent's Park Road, and a replacement greenhouse is proposed on the site of the existing to ensure that the occupiers of The Gatehouse, Mayfair Mews to the rear do not experience a loss of privacy through overlooking from the second floor roof terrace.

One objection was received prior to making this decision. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

- 2 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies CS5, CS6 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, policies DP2, DP5, DP6, DP17, DP18, DP19, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies, and policies H1, H2, H6, T1, T2, A1, D1 and D2 of the Camden Local Plan Submission Draft 2016. The proposed development also accords with the London Plan 2016; and the National Planning Policy Framework 2012.

- 3 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.
- 4 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)

- 5 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.
- 6 The emerging London Borough of Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ended on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.
- 7 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 8 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall,

Argyle Street, WC1H 8EQ.

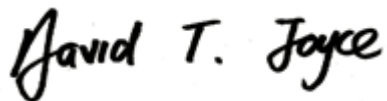
- 9 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 10 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts 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).

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

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce  
Director of Regeneration and Planning