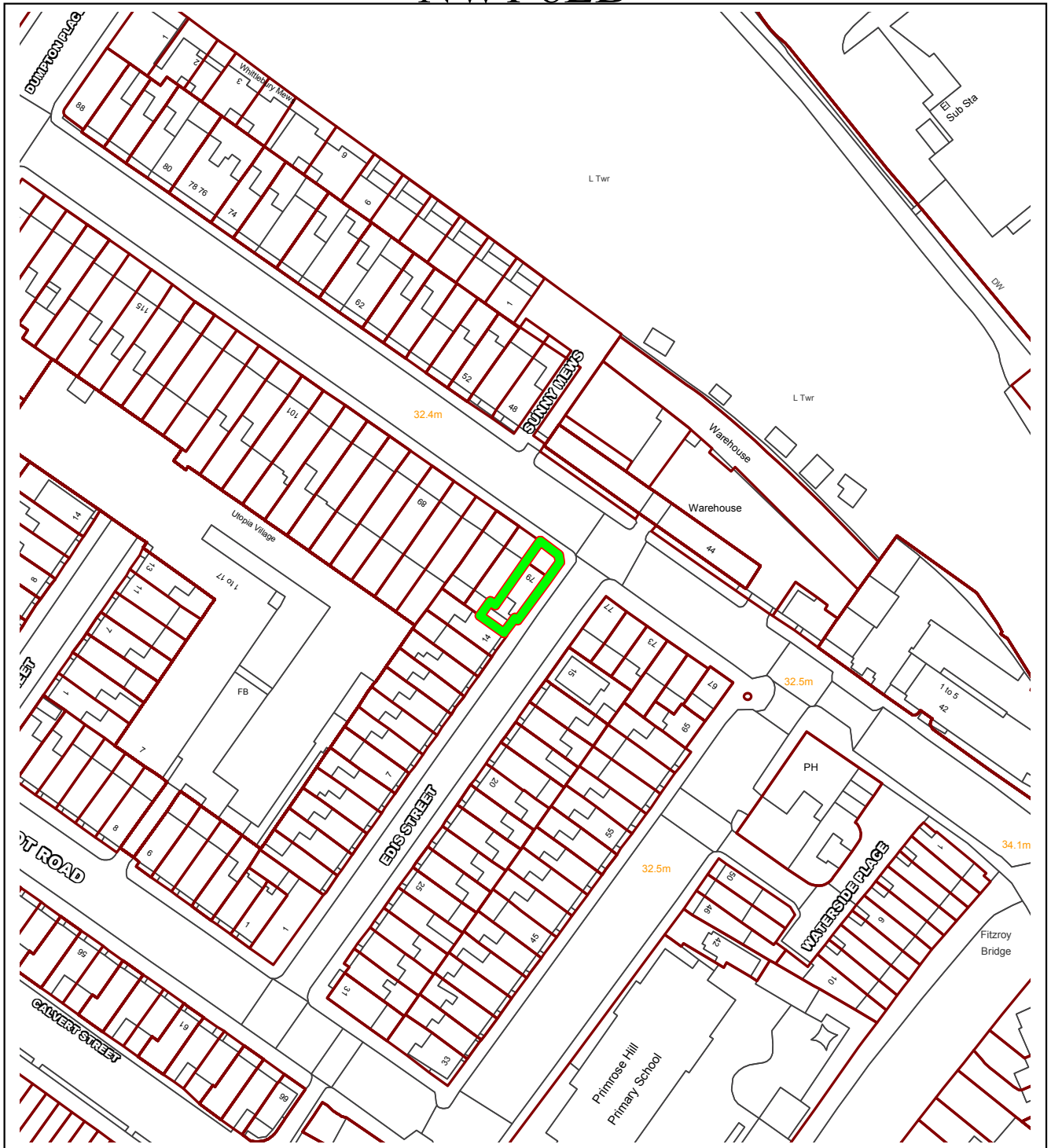


# 2017/2170/P - 79 Gloucester Avenue, NW1 8LB



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**Site photographs**



1) 79 Gloucester Road (prior to hoarding)



2) Site and forecourt behind vegetation



3) 79 Gloucester Road in context (existing grille at adjacent no. 77)

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>22/08/2017</b>
<b>(Members Briefing)</b>		N/A		<b>Consultation Expiry Date:</b>	<b>27/07/2017</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Ben Farrant			2017/2170/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
79 Gloucester Avenue London NW1 8LB			Please refer to draft decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Excavation of front light well and associated external alterations					
<b>Recommendation(s):</b>		Grant conditional planning permission			
<b>Application Type:</b>		Full planning application			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>0</b>	No. of responses	<b>0</b>	No. of objections	<b>0</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed on 30/06/2017 (consultation end date 21/07/2018), and a press notice was displayed on 06/07/2017 (consultation end date 27/07/2017).</p> <p>No comments were received following public consultation.</p>					
<b>Primrose Hill Conservation Area Advisory Committee (CAAC)</b>	<p>The Primrose Hill Conservation Area Advisory Committee (CAAC) object to the application on the following grounds:</p> <p>1. We note that this shopfront is formally recognized as a 'Shop front of merit' in the Primrose Hill conservation area statement (p. 26). The whole building is recognized as making a positive contribution to the conservation area (p. 25). The proposal would harm the distinctive character of the shop in its setting, and, further, harm the significance of the shop front itself, which was designed to display goods to potential shoppers who could stand directly in front of the windows. This latter significance is supported by the paving of the forecourt (see our point 6 below).</p> <p>3. We note the formally adopted CPG 1 (2014) set out in Camden Planning Guidance 1 at 7.12 which states that this original form of shopfront/area should be preserved. Camden's policy states: 'Creating open lightwells with railings in front of a shopfront is not generally acceptable as in prevents window shopping and disrupts the buildings relationship to the rhythm of the street. This is also the case if the shopfront has been converted into residential accommodation.'</p> <p>4. We note that this policy, within the PH conservation area, was upheld in the dismissal of the appeal over the proposed area to the shopfront at 21 Princess Road, ref APP/X5210/W/16/3146913 decision letter dated 2 August 2016. The same arguments are relevant: the appeal is a material consideration, relevant to consistency in decision taking.</p> <p>5. We understand the wish to create residential space in the lower ground floor, and the need to allow light and ventilation to that space at the front of the building. We note that a lightwell/area at the front could be excavated and covered with horizontal grilles/loadbearing glazing set within the paving, so maintaining the appearance of the shop-front while allowing light and ventilation to the lower ground floor. We note that load-bearing glazing has been used in the paving in neighbouring property.</p> <p>6. We would wish to see an acceptable proposal for the treatment of the whole forecourt to the property as an enhancement to the conservation area</p>					

and as part of any consent, possibly through an enforceable S. 106 agreement. We note that Edis Street has important surviving York stone paving, restored by LB Camden. The 1870 map suggests that this would have extended across the forecourt of the shop. The 1972 photo shows that the area was still open and paved, although the paving was not by then certainly York stone. We would want to see a proposal which addressed the flank boarding to no. 81, to restore the long view of the terrace. We would accept the retention of some of the trees which have grown in the forecourt since 1972, but would expect to see a proposal which restored the sense of a paved shop forecourt, softened with planting. We would object to the use of the forecourt for car-parking, and note that there is no cross-over in the footway at this point.

We would be happy to discuss this advice if that would help.

**Officer Response:**

- Following receipt of these comments, the plans were amended to form a flush fitting grille rather than a balustrade to overcome the visual and practical difficulties of the proposal
- It would be unreasonable to expect the applicant to repave the forecourt in York stone and planting as a condition/S106 of this application.
- No application is made for forecourt parking or a vehicular crossover; this is in principle contrary to Policy T2 of the London Borough of Camden Local Plan (2017) and any future application is unlikely to be supported

## Site Description

The application site contains a three storey terraced property (with basement) on the corner of Gloucester Avenue and Edis Street, with shop front to the ground floor (though prior approval has been granted for this to become a residential unit (see history section below)). The property is noted as having a 'shop front of merit' within the Primrose Hill Conservation Area Statement, and as being a positive contributor to the conservation area. Whilst the property is sited within the Primrose Hill Conservation Area, there are no nearby Listed Buildings which would be impacted by the proposal.

## Relevant Planning History

### 79 Gloucester Avenue

**2016/4347/P** – Change of use from office (B1a) to residential use (C3) at ground and lower ground floor levels to provide 1 x 2 bed unit under Class O of the General Permitted Development Order 2015 – **Granted Prior Approval Subject to S106 dated 11/10/2016**

**2016/1713/P** - Use of ground and basement floors as office (Class B1a) – **Certificate of Lawfulness (Existing) Granted 21/06/2016**

### 81 Gloucester Avenue

**2009/0231/P** - Revisions to planning permission was granted on 21/10/08 (2008/4226/P) for change of use from maisonette and basement flat into one single family dwelling house, including replacement of conservatory with two-storey infill extension and alterations to the front lightwell and garden, namely additional excavation at basement level under front garden, alterations to balcony/staircase from rear ground floor level to garden and alterations to windows at rear basement level and within front basement lightwell – **Granted 27/04/2009**

**H10/12/2/1754** - The conversion of the basement of 81, Gloucester Avenue, Camden, to a self-contained flat – **21/04/1966**

## Relevant policies

**National Planning Policy Framework (2012)**

**London Plan (2016)**

**Camden Local Plan (2017)**

A1 Managing the impact of development

A5 Basements

D1 Design

D2 Heritage

**Camden Planning Guidance**

CPG1 Design (2018)

CPG Amenity (2018)

CPG Basements (2018)

**Primrose Hill Conservation Area Statement (2000)**

## Assessment

### 1. The proposal

1.1. This application seeks planning permission for the following works:

- Formation of front lightwell (length 0.8m, depth 1.35m, width 2.1m) with flush fitting safety grille above. The forecourt of the property has a depth of 5.3m meaning the lightwell would consume approximately 15% of the depth of the frontage. The lightwell would adjoin the existing basement providing light to the subterranean habitable accommodation
- Installation of external spiral staircase within rear courtyard area leading from ground floor to basement level

### 2. Revisions

2.1. Amendments were received following comments from the CAAC removing the railings from the lightwell, instead choosing a flush fitting safety grille.

### 3. Basements

3.1. Policy A5 of the London Plan states that basement applications should be supported by a Basement Impact Assessment (BIA), and should cause no harm to neighbouring properties; structural, ground, or water conditions of the area; the character and amenity of the area; the architectural character of the building; and, the significance of heritage assets, as well as further requirements in subsections n) - u). The BIA has been independently audited by Campbell Reith, and has been found to be compliant with this regard.

3.2. Policy A5 continues to state that basement developments should: h) not exceed 50% of each garden within the property; i) be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and, m) avoid the loss of garden space or trees of townscape or amenity value. The proposal made here is of a relatively modest scale, consuming just 15% of the depth of the front curtilage, and being set in from the side boundaries. It would not serve to lose any significant garden space or planting, nor would it prevent the opportunity for planting given the close proximity to the front elevation windows.

3.3. Given the above assessment, the proposal is considered to be generally compliant with Policy A5 of the Local Plan and CPG Basements (2018), and is considered to be acceptable in this regard.

### 4. Conservation and design

4.1. 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 and appearance of that area.

4.2. The proposed alteration is considered to be of a simple siting, scale and design, with the visible external alterations being relatively minor. The lightwell would be appropriately finished with a flush fitting safety grille, with this being the only external alteration publically visible within the conservation area. It is further acknowledged that lightwells are visible throughout most properties within this part of the conservation area, including some of the adjacent commercial units on Gloucester Avenue (which similarly have flush fitting grilles/finishes). It is considered that the proposal would serve to preserve the character, appearance and historic interest of the conservation area.

4.3. It is additionally noted that a rear external staircase is proposed; this would not be immediately visible within views of the conservation area and similarly would serve to preserve its character, appearance and historic interest. It would be of a simple design, leading from ground to basement level and is considered to be of an acceptable siting, scale and design.

4.4. Given the above assessment, the proposal would preserve the character and appearance of the Conservation Area and is considered to be acceptable in terms of design in accordance with Policies D1 and D2 of the London Borough of Camden Local Plan (2017).

## **5. Quality of Accommodation**

5.1. The newly formed room would form secondary habitable accommodation (a bedroom), and whilst it would have only a limited outlook, it would receive access to daylight and ventilation. It is further acknowledged that the remainder of the dwelling would provide a good quality of amenity. On this basis, the proposal is considered to represent a good quality of accommodation for future occupiers.

## **6. Impact on Neighbour Amenity**

6.1. Policy A1 of the Local Plan seeks to protect the quality of life of neighbouring occupiers. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; noise and vibration.

6.2. Given the subterranean nature of the proposed works, they are considered not to result in undue harm to the residential amenities of neighbouring properties. The proposal is compliant with Policy A1 of the London Borough of Camden Local Plan (2017) and CPG Amenity (2018).

## **7. Transport**

7.1. Given the relatively minor scale of the addition, the proposal in this instance would not require the implementation of a Construction Management Plan (CMP).

## **Recommendation:**

Grant conditional planning permission

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Tuesday 29<sup>th</sup> May 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***



Application ref: 2017/2170/P  
Contact: Ben Farrant  
Tel: 020 7974 6253  
Date: 1 May 2018

**Development Management**  
Regeneration and Planning  
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Town Hall  
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WC1H 9JE

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The Leather Market  
Weston Street  
London  
SE1 3ER

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**79 Gloucester Avenue**  
**London**  
**NW1 8LB**

# DECISION

Proposal:

Excavation of front light well and associated external alterations

Drawing Nos: 1611.B3.G10.P00Rev.B, 1611.B3.G20.E00Rev.A, 1611.B3.G20.E02Rev.A,  
1611.B3.G20.P00Rev.B, 1611.B3.G20.P01Rev.B, 1611.B3.G20.S00Rev.B,  
1611.B5.G20.E00Rev.B, 1611.B5.G20.E01Rev.A, 1611.B5.G20.E02Rev.B,  
1611.B5.G20.P00Rev.B, 1611.B5.G20.P01Rev.A, 1611.B5.G20.P02Rev.A,  
1611.B5.G20.S00Rev.B, Basement Impact Assessment Audit 12727-56Rev.D1 by Cambell  
Reith dated April 2018 & Screening Report 17072/JE/JL by Osborne Edwards dated June  
2017

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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 1611.B3.G10.P00Rev.B, 1611.B3.G20.E00Rev.A, 1611.B3.G20.E02Rev.A, 1611.B3.G20.P00Rev.B, 1611.B3.G20.P01Rev.B, 1611.B3.G20.S00Rev.B, 1611.B5.G20.E00Rev.B, 1611.B5.G20.E01Rev.A, 1611.B5.G20.E02Rev.B, 1611.B5.G20.P00Rev.B, 1611.B5.G20.P01Rev.A, 1611.B5.G20.P02Rev.A, 1611.B5.G20.S00Rev.B, Basement Impact Assessment Audit 12727-56Rev.D1 by Cambell Reith dated April 2018 & Screening Report 17072/JE/JL by Osborne Edwards dated June 2017

Reason:

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

- 4 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 5 The basement shall be constructed in accordance with the details, recommendations, methodologies and mitigation measures in the Basement Impact Assessment by LMB Geosolutions Ltd and its supporting documents hereby approved.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

**DRAFT**

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

David Joyce  
Director of Regeneration and Planning

**DECISION**