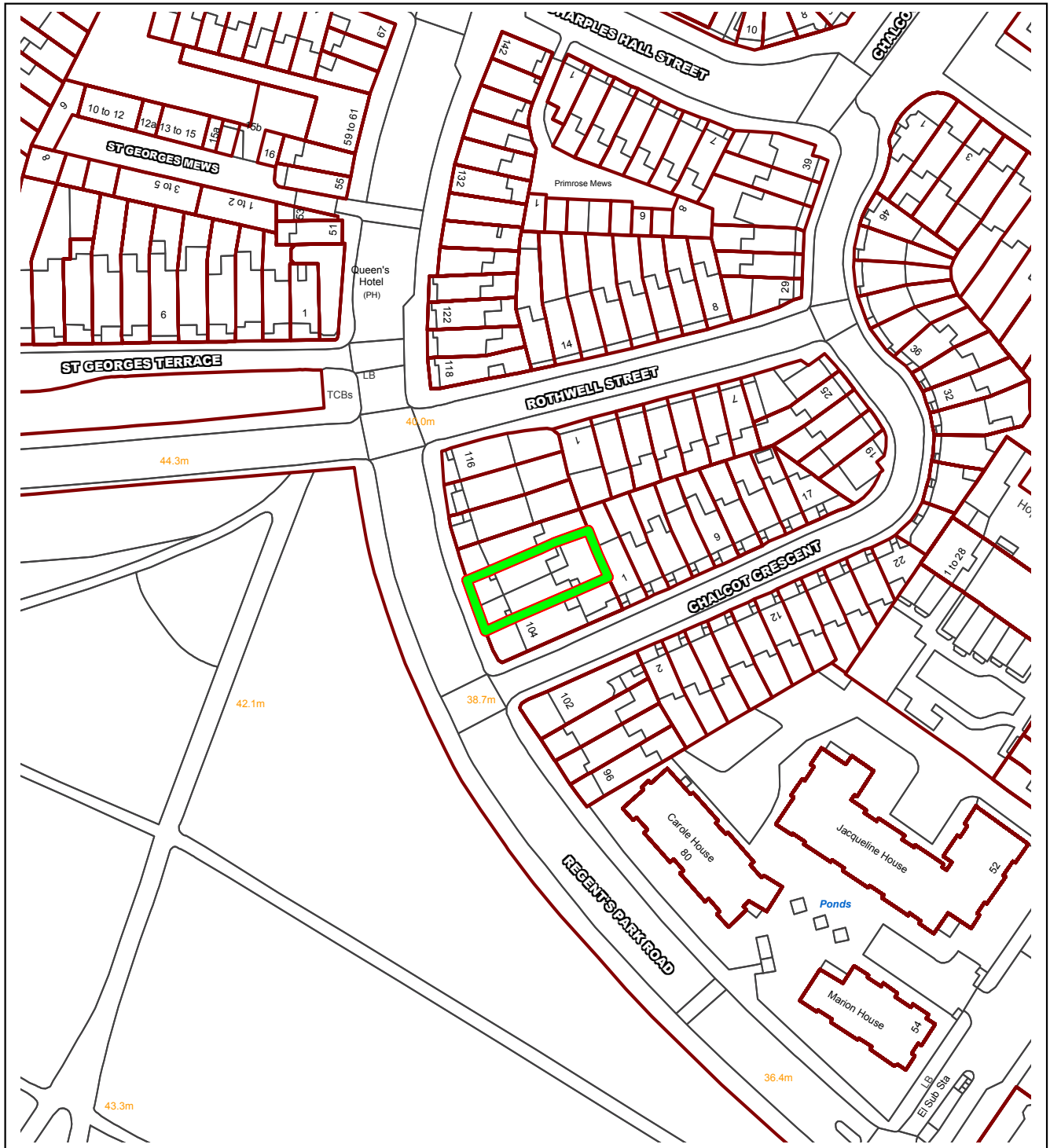


2019/0194/P – 106-108 Regent's Park Road, NW1 8UG



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Photo 1 – View of front elevation



Photo 2 – Lower ground floor level at no.106



Photo 3 – Lower ground floor level at no.108



Photo 4 – View of rear elevation



Photo 5 – View of location of extensions at lower ground floor and ground floor level



Photo 6 – Rear elevation of properties on Rothwell Street showing glazed infill extension at ground floor level



Photo 7 - View of rear elevation from Chalcot Street

Delegated Report (Members' Briefing)		Analysis sheet	Expiry Date:	11/03/2019
		N/A	Consultation Expiry Date:	10/03/2019
Officer			Application Number(s)	
Kristina Smith			2019/0194/P	
Application Address			Drawing Numbers	
106 - 108 Regent's Park Road LONDON NW1 8UG			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of rear extensions at lower ground, ground and first floor levels; partial front infill extension at lower ground floor level; lowering of floor level throughout; and other external changes including fenestration alterations and reinstatement of garden wall in association with reconfiguration of building into single dwelling house (5-bed) and two self-contained units (1x1-bed; 1x2-bed) (C3)				
Recommendation(s):		Grant Conditional Planning Permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	04	No. of objections	04
Summary of consultation responses:	<ul style="list-style-type: none">Two site notices were displayed (1 outside side; 1 on Chalcot Crescent) from 11/02/2019 (expiry 07/03/2019)A press advert was published on 14/02/2019 <p><u>Objections / comments were received from 4 surrounding occupiers on the following grounds:</u></p> <ul style="list-style-type: none">Request to understand whether the Magnolia tree to the front has a TPO. <p><i>Officer response: the Magnolia tree does not have a TPO. The tree has consent to be felled under a separate section 211 application.</i></p> <ul style="list-style-type: none">Request to forward on the Basement Impact reportConcerned about over-development, endangering stability of houses but aggravate existing problems with the water tableConcerned no Basement Impact Assessment carried outExcavation is not justified and would cause considerably more disruption and damage to existing structureThe Application includes a substantial scheme of basement development but does not contain a BIA contrary to policy A5 of the Camden Local Plan. <p><i>Officer response: Whilst a Basement Impact Assessment did not originally form part of the application, it was later submitted following advice from Campbell Reith. This has been satisfactorily audited and the final audit report is available to view online. Please see 'basement considerations' section of report for more information.</i></p>			
CAAC comments:	<p><u>Primrose Hill Conservation Area Advisory Committee objected on the following grounds:</u></p> <ul style="list-style-type: none">Object to extent of demolition - not sustainable development as required by NPPFLowering lower ground floor by 0.5m would impact the original footings to the houses, the common structural patternCumulative impact is complex and required a basement impact assessment as precautionary measureThe work makes no provision for the protection of the tree and the contribution it makes to the conservation area.Proposed rear additions are contrary to planning policy, namely Primrose Hill CAAMSProposals do not demonstrate a high standard of appropriate designProposals would not preserve character and appearance of the Primrose Hill Conservation Area, they would harm it and the setting of the neighbouring Listed Buildings. No public benefit to outweigh harm. <p><i>Officer Response: please refer to Design and Heritage section of report</i></p>			

Site Description

The application site refers to three properties – two lower ground floor flats and a three storey maisonette – on the eastern side of Regent's Park Road between the junctions with Rothwell Street and Chalcot Crescent. The properties overlook Primrose Hill Open Space and occupy a prominent position in the streetscene, being visible in a wide range of public views.

The site was originally built as two single homes in the mid 19th century but the ground floor through to the third floor have since been laterally converted to create a large single property (5-bed). Two self-contained flats (1x1-bed; 1x2-bed) are currently located on the lower ground floor of each address.

The properties have access to a shared garden, and a single garage which is accessed from Chalcot Crescent.

The properties are not listed; however, they are situated in the Primrose Hill Conservation Area and identified as positive contributors in the Conservation Area statement.

Relevant History

2003/2042/P - Application for Certificate of Lawfulness for the existing use of the property as two self contained units, namely a self contained basement flat and a self contained maisonette on the ground, first, second and third floors. – **Granted 29/10/2003**

2008/2687/P - A change of use from a single dwelling house at No. 106 to a self contained flat at basement level and the amalgamation of the upper levels of No. 106 and upper maisonette of No. 108 to form a single larger maisonette (with the retention of the existing basement flat at No. 108) **Granted 07/10/2008**

2009/0284/P - Alterations to front façade including new windows, balustrading at first floor level and repainting of render, erection of glazed extension on rear elevation at first floor level and new staircases from ground floor to garden at the rear. **Granted 31/03/2009**

2016/3091/P - Conversion of the existing property from 3 x self-contained units (1 x 1Bed, 1 x 2Bed & 1 x 6bed), to 1 x 4Bed house, 1 x 4Bed maisonette and 1 x 2Bed flat. **Granted 12/08/2016**

2017/5031/P - Conversion from 2 self-contained units to a single dwelling house (Class C3). **Refused Certificate of Lawfulness (proposed) 09/11/2017** on the grounds that *'it is considered that the conversion constitutes a material change of use and therefore is considered to fall within the "meaning of development" requiring planning permission as defined by the Town and Country Planning Act 1990'*

2018/0478/P - Erection of rear extensions at lower ground and ground floor levels and other external alterations including reinstatement of garden wall in association with reconfiguration of building into single dwelling house (5-bed) and two self-contained units (1x1-bed; 1x2-bed) (C3) **Granted 30/04/2018**

2018/4760/P - Enlargement of rear conservatory at first floor level and alterations to front and rear fenestration including replacement of single glazed windows with double glazed fittings. **Granted 23/11/2018**

Relevant policies

National Planning Policy Framework (2019)

The London Plan (2016)

Draft London Plan (2019)

Camden Local Plan (2017)

G1 Delivery and location of growth

A1 - Managing the impact of development

A5 - Basement

D1 - Design

D2 – Heritage
H6 - Housing choice and mix
H7 - Large and small homes

Camden Planning Guidance

CPG 1 Design (2015)
CPG 2 Housing (2018)
CPG Amenity (2018)
CPG 7 Transport (2011)
CPG 8 Planning obligations (2018)

Primrose Hill Conservation Area Appraisal and Management Strategy (2000)

Assessment

1. Background / Proposal

1.1. Planning permission was granted on 30th April 2018 (under ref. 2018/0478/P) and on 23rd November 2018 (under ref. 2018/4760/P) for the majority of works proposed by this application. This application seeks to consolidate and effectively renew the permission for the works contained in the previous extant permissions, in addition to seeking permission for lower ground floor level excavation and a front infill extension at lower ground floor level.

1.2. Overall, the applicant seeks permission for the following works:

- Reconfiguration of existing dwellings from (1x6-bed; 1x2-bed and 1x1-bed) to (1x5-bed; 1x2-bed; and 1x1-bed)
- Lowering of lower ground floor level by 680mm – 1332mm across site
- Rear extensions at lower ground floor and ground floor levels
- Front extension at lower ground floor level to no.108 only
- Alterations to front elevation involving reinstatement of original detailing
- Erection of garden wall of 1.5m height

1.3. During the course of the application, the following revisions were made:

- Increase in excavation depths. The total depth was previously 0.5m to avoid triggering the need for a Basement Impact Assessment (BIA). When it was advised that a BIA was required, the applicant increased the depth.

2. Assessment

2.1. The planning considerations material to the determination of this application are as follows:

- Land use
- Standard of residential accommodation
- Design and Heritage
- Amenity
- Basement considerations
- Transport considerations
- Trees and Landscaping

Land use

2.2. The application site currently comprises three units across 106-108 Regent's Park Road. The proposal is to reconfigure the properties, largely through internal alterations, which would retain three units with a different layout. The proposal would therefore not involve the loss of any units and is compliant with

Policy H3 which resists development involving a net loss of residential floorspace. The proposal would result in a single 5 storey dwelling house at no.106 and two self-contained flats at no.108. At no.108, the existing lower ground flat would remain as it is currently, with a four storey maisonette above.

- 2.3. The existing dwelling size mix will remain largely similar overall with a 6-bed being replaced by a 5-bed unit albeit in a different layout. The proposed mix is considered to be acceptable.

Standard of residential accommodation

- 2.4. All units would be compliant with Nationally Described space standards, would be dual aspect with acceptable levels of daylight and outlook. All flats would have access to amenity space with no.106 benefitting from a private rear garden whilst the two flats at no.108 would share a rear garden.

Design

- 2.5. The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 states that all development should consider the character, setting, context and the form and scale of neighbouring buildings whilst Policy D2 'Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.

Rear extensions

- 2.6. It is proposed to extend the two buildings at lower ground and ground floor levels. The lower ground floor extension would be full-width but stepped in form, respecting the existing plan form of a recessed central element with projecting closet wings at either side. The extension would increase the depth of the closet wings by approx.1.5m and the centre of the building by approx. 2.1m providing an additional 25 sqm of residential floorspace at this level. Given the location at lower ground floor level, the stepped nature of the massing, and the fact the extension would be contained within existing high boundary walls, they would not appear as bulky additions and are acceptable.
- 2.7. The ground floor extension would partly infill the area between the two closet wings by a depth of approx. 1.3m providing an additional 7sqm of floorspace at this level. It would have a slightly sloping roof and would be entirely glazed with doors in the style of those proposed at lower ground floor level. A small terrace area of 0.9m depth would be provided on the roof of the lower ground floor level which would be completed with a black metal balustrade. The extension would be prominent mainly in private views from the rear windows of properties on Rothwell Street and Chalcot Crescent, with the top of its roof likely to be visible in limited views from the street on Chalcot Crescent. A similar scale glazed extension at ground floor level is evident on a property on Rothwell Street (included in photos) and so the proposal is not disruptive to the local style of development.
- 2.8. The ground floor extension would involve the loss of two distinctive original windows; however, as they are positioned on the part of the building recessed behind the closet wings, they are not considered to make a significant contribution to the character of the building or this part of the Primrose Hill Conservation Area. Their loss is therefore accepted.
- 2.9. The extensions are considered to be subordinate additions to the property that would respect the form of the rear elevation. By virtue of their location at lower ground floor level and ground floor level between the closet wings, they would have very little prominence in public views. This element of the proposal is therefore considered to preserve the character and appearance of the Primrose Hill Conservation Area.

Front extension at lower ground floor level

- 2.10. It is proposed to further infill the lightwell at no.108 to match that of no.106. There is already an existing external storage area which would be extended still leaving a smaller lightwell area which would be enclosure with black metal railings. From the street, the extension would appear as a raised front garden area and would be consistent with no.106. This area would be landscaped to improve its appearance and

also soften the appearance in the absence of the existing Magnolia tree (see Trees and Landscaping section) with details secured by condition.

Front elevation refurbishment

- 2.11. It is proposed to restore original detailing to the front elevation including the corning around the front door and windows. The works would be carried out in matching materials to the existing detailing. This element of the proposal is welcomed by the Council as they would improve the appearance of the front elevation of the property which is important to this part of the Primrose Hill Conservation Area.

Boundary wall

- 2.12. A boundary wall of 1.5m would be erected in the rear garden in order to delineate the distinct properties. This is supported as it would reinstate the original layout of the dwellings. The wall would be built in matching brickwork to the existing boundary walls which is acceptable.
- 2.13. Overall, the proposed works are considered to be sensitive and subordinate additions that would preserve the appearance of the Primrose Hill Conservation Area. 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 Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. Officers are of the opinion that the proposal would improve the appearance of the building and subsequently enhance the character and appearance of this part of the Primrose Hill Conservation Area.

Amenity

- 2.14. By virtue of the scale and location of the extensions and roof terrace at ground floor level, and the distance away from neighbouring properties, there would be no impact on the amenity of surrounding occupiers in terms of loss of daylight/sunlight, outlook or loss of privacy.

Basement considerations

- 2.15. The property comprises an existing lower ground floor level. It is proposed to lower the entire floor level across the whole site with varying depths of excavation between 680mm – 1332mm in the rear garden. The intention is to achieve improved headroom at lower ground floor level and bring the existing storage areas into use as habitable floorspace.
- 2.16. A Basement Impact Assessment has been submitted which has been reviewed by Campbell Reith. The following conclusions have been made:
- The BIA authors hold suitable qualifications.
 - Site specific ground investigations indicate the presence of shallow Made Ground over London Clay
The proposed development will not impact upon the wider hydrogeological environment.
 - Structural and geotechnical information has been clarified, as detailed in Section 4.
 - Ground movements and consequential damage impacts have been confirmed as being a maximum of Category 1 (Very Slight).
 - A monitoring strategy is outlined, including targets locations and trigger values. The monitoring strategy should be adopted and agreed under the party Wall Act.
 - The proposed works will not impact the wider hydrological environment. A final drainage design should be agreed with LBC and Thames Water.
 - A Flood Risk Assessment has been undertaken and the site is classified as being at low risk of flooding. Standard flood risk mitigation measures should be adopted within the final design.
 - An outline construction programme has been presented.

- 2.17. A condition will be attached requiring details of a suitably qualified engineer prior to the commencement of works as well as a condition stipulating that works are carried out in accordance with the submitted information which has been satisfactorily audited.

Transport Considerations

- 2.18. The application does not propose any new units or any additional bedrooms. Also, the reconfiguration of the units could be carried out without planning permission. It is therefore considered that car-free agreement would not be expedient in this instance.
- 2.19. As the application does not involve the creation of one or more new units, there is no requirement to provide cycle parking.
- 2.20. The excavation work is not considered sufficient to require a Construction Management Plan; nor is it expected that the works will bring about damage to the highway that should be addressed through a Highways Contribution.

Trees and Landscaping

- 2.21. There is an existing Magnolia tree in the front garden of no.106. Permission has been granted to fell this tree under a section 211 application. A Tree Protection Order could not have been justified in this instance. The Council's tree officer was convinced that the works could not be undertaken without the tree being felled.
- 2.22. Given the works happening to the front of the property, a condition requiring details of hard and soft landscaping of the raised front gardens shall be attached. An additional condition will be added that ensures any planting that dies or becomes diseased within five years is replaced prior to the end of the next planting season.

Conclusion

- 2.23. 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 Monday 11th November, 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 and search for 'Members Briefing'.

Application ref: 2019/0194/P
Contact: Kristina Smith
Tel: 020 7974 4986
Date: 7 November 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

MRPP
21 Buckingham Street
London
WC2N 6EF

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

106-108

Regents Park Road

London

NW1 8UG

DECISION

Proposal:

Erection of rear extensions at lower ground, ground and first floor levels; partial front infill extension at lower ground floor level; lowering of floor level throughout; and other external changes including fenestration alterations and reinstatement of garden wall in association with reconfiguration of building into single dwelling house (5-bed) and two self-contained units (1x1-bed; 1x2-bed) (C3)

Drawing Nos: 1939 E- 001; 1939 E- 101; 1939 E- 102; 1939 E- 103; 1939 E- 104; 1939 E- 111; 1939 E- 111; 1939 E- 122; 1939 P- 201 (rev A); 1939 P- 202 (Rev A); 1939 P- 203; 1939 P- 204; 1939 P- 211 (Rev A); 1939 P- 221 (Rev A); 1939 P- 222 (Rev A); 1939 P- 223 (Rev A); 1939 P- 224 (Rev A); 1939 P- 225 (Rev A); Basement Impact Assessment Report (BIA) by TWS, ref. 9439_SL_GB_BIA rev. 1.0, 14th June 2019; Addendum to Basement Impact Assessment Report (BIA) by TWS, ref. 9439_SL_GB_ADDENDUM_BIA rev. 1.0, 26th September June 2019 Cover Letter (dated 14/01/2019); Planning, design and access statement (dated January 2019)

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: 1939 E- 001; 1939 E- 101; 1939 E- 102; 1939 E- 103; 1939 E- 104; 1939 E- 111; 1939 E- 111; 1939 E- 122; 1939 P- 201 (rev A); 1939 P- 202 (Rev A); 1939 P- 203; 1939 P- 204; 1939 P- 211 (Rev A); 1939 P- 221 (Rev A); 1939 P- 222 (Rev A); 1939 P- 223 (Rev A); 1939 P- 224 (Rev A); 1939 P- 225 (Rev A); Basement Impact Assessment Report (BIA) by TWS, ref. 9439_SL_GB_BIA rev. 1.0, 14th June 2019; Addendum to Basement Impact Assessment Report (BIA) by TWS, ref. 9439_SL_GB_ADDENDUM_BIA rev. 1.0, 26th September June 2019 Cover Letter (dated 14/01/2019); Planning, design and access statement (dated January 2019)

Reason:

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

- 4 No development shall take place until full details of hard and soft landscaping of the front garden areas at no's 106 and 108 have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details prior to the occupation for the permitted use of the development. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 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.

- 7 The development hereby approved shall be carried out strictly in accordance with the Basement Impact Assessment compiled by TWS ref. 9439_SL_GB_BIA rev. 1.0, 14th June 2019 and addendum by TWS, ref. 9439_SL_GB_ADDENDUM_BIA rev. 1.0, 26th September June 2019.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy A5 of the 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 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully

Director of Regeneration and Planning

DRAFT

DECISION