

6 Albert Terrace, London, NW1 7SU (2020/2193/P)



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Site photos



Photo 1: Rear elevation of the dwelling house



Photo 2: View of rear elevation of dwelling from Regent's Park Road

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		28/09/2020	
		N/A / attached		Consultation Expiry Date:		30/08/2020	
Officer				Application Number(s)			
Elaine Quigley				2020/2193/P			
Application Address				Drawing Numbers			
6 Albert Terrace London NW1 7SU				See draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
<p>Installation of a terminal guard to a balanced flue at raised ground floor level to the side elevation of the two storey side extension of the single family dwelling.</p>							
Recommendation(s):		Grant conditional planning permission					
Application Type:		Householder Application					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:		A site notice was displayed on 05/08/2020 and expired on 29/08/2020 and a press notice was advertised on 06/08/2020 and expired on 30/08/2020. No consultation responses were received during the statutory consultation period.					
Primrose Hill CAAC		<p>Primrose Hill CAAC – objects</p> <p>The application suggests there is no need for consent for the flue which is obtrusive but only for the guard. Object to the flue which is large and the location very visible from the public street. The proposal would neither preserve nor enhance the character and appearance of the conservation area. A lower position on the wall would be an improvement</p> <p><i>Officer's response: See 3.3 in the design and conservation section</i></p>					

Site Description

The site is located on the eastern side of Albert Terrace on a prominent corner site at the junction of Albert Terrace to the east and Regent's Park Road to the north. The site is visible and is a focal point of view from the slopes of Primrose Hill. Albert Terrace Mews lies to the east. The site comprises a semi-detached five-storey Italianate villa property (including a basement floor level) that is occupied as a single family dwelling (Class C3 use). The building was previously sub-divided into 6 self-contained flats however planning permission was granted for the building to be reinstated back into a single family dwelling in 2003. The application site and 6 Albert Terrace Mews to the rear are within the same ownership; however they are not physically linked. The front of the building is primarily hard-surfaced and is formed of a private driveway and lightwell. The rear of the site is formed of a garden with soft landscaping.

The site is located in the Primrose Hill Conservation Area. The building is not listed but is identified as making a positive contribution to the character and appearance of the conservation area for its group value (nos. 1-6 Albert Terrace). The group of houses conforms to the prevailing character of the conservation area though with far less uniformity. The three pairs of houses forming the terrace are particularly varied, each being very individual in style though related by common architectural features.

Relevant History

There have been a number of recent planning permissions for works to the main house and the mews building to the rear in 2019 and 2020. The works are mainly refurbishment works with separate permissions to construct basements under both buildings. Permission has also been granted to repair sections of the boundary wall along Regent's Park Road that are cracked.

Relevant policies

National Planning Policy Framework 2019

The London Plan March 2016, consolidated with alterations since 2011
Intend to Publish London Plan 2019

Camden Local Plan 2017

A1 Managing the impact of development
D1 Design
D2 Heritage

Camden Planning Guidance

Design CPG 2019
Amenity CPG 2018
Altering and extending your home CPG 2019

Primrose Hill Conservation Area Statement (CAS) adopted 2000

Assessment

1.0 PROPOSAL

1.1 Permission is sought for the installation of a terminal guard to a balanced flue at raised ground floor level to the side elevation of the two storey side extension of the single family dwelling. The flue would measure 0.79m in height by 0.2m in width and 0.19m in depth. It would be positioned 3.1m above the rear garden level.

2.0 LEGISLATION

2.1 Under Class G of the General Permitted Development Order (GPDO) it states that the installation, alteration, or replacement of a chimney, flue or soil and vent pipe on a dwelling house would be permitted development unless any of the following criteria apply:

- Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of the schedule (change of use) – DOES NOT APPLY
- The height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1m or more; or - DOES NOT APPLY
- In the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which –
 - (i) Fronts a highway, **and** - APPLICABLE
 - (ii) Forms either the principal elevation or a side elevation of the dwellinghouse - APPLICABLE

2.2 Due to the nature of the site it fronts onto two roads – Albert Terrace and Regent’s Park Road. The flue would be located on the side elevation of the two storey side extension that fronts Regent’s Park Road. Therefore planning permission is required for the flue and the protection guard.

3.0 ASSESSMENT

3.1 The main issues to be considered as part of the proposal are:

- Impact on the character and appearance of the building and surrounding conservation area
- Amenity

Design and conservation

3.1 Local Plan Policy D1 states that the Council will seek to secure high quality design in development. The Council will require that development: a. respects local context and character; b. preserves or enhances the historic environment and heritage assets in accordance with policy D2 (Heritage).

3.2 Local Plan Policy D2 states that the Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.

3.3 The proposed flue and guard would be located on the side elevation of the two storey side extension of the dwelling at the upper ground floor level. This elevation is between 2.58m to 4.8m from Regent’s Park Road. The flue serves a domestic stove and is required to dispel hot air from the room which needs to be able to escape the flue as quickly as possible to reduce additional heat build-up in the room. It is not possible to relocate the flue at a lower level on the side elevation of the extension as the flue termination needs to be a set vertical distance above the stove to meet building regulations. The flue size and design meets a standard requirement and cannot be reduced. It is important that the flue and protector blends in as well as possible on this comparatively prominent façade. The applicant has confirmed that the flue and guard would be painted the same colour as the rendered wall of the side extension. A condition would be attached to ensure that this is the carried out.

3.4 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.

3.5 As such, the proposed development is in general accordance with policies D1 and D2 of the London Borough of Camden Local Plan 2017.

3.6 Impact on Neighbour Amenity

3.7 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.

3.8 Given the siting, scale and nature of the proposed flue and associated guard, they are not considered to result in any harm to the residential amenities of neighbouring properties.

3.9 Given the above, the proposal is not considered to result in undue harm to neighbouring amenity in compliance with policy A1 of the Local Plan.

4.0 RECOMMENDATION

4.1 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 14th September 2020, 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: 2020/2193/P
Contact: Elaine Quigley
Tel: 020 7974 5101
Email: Elaine.Quigley@camden.gov.uk
Date: 9 September 2020

Development Management
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DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
6 Albert Terrace
London
NW1 7SU

Proposal:

Installation of a terminal guard to a balanced flue at raised ground floor level to the side elevation of the two storey side extension of the single family dwelling

Drawing Nos: 181(S).1250.L; 181(S).100.E1; 181(S).100.P1; 181(T).100.P2; Design and Access Statement prepared by Humphrey Kelsey dated May 2020.

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 181(S).1250.L; 181(S).100.E1; 181(S).100.P1; 181(T).100.P2; Design and Access Statement prepared by Humphrey Kelsey dated May 2020.

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

- 4 The proposed flue and associated protection guard hereby approved shall be painted to match the rendered side elevation of the two storey side extension to the main dwellinghouse.

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.

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 Economy, Regeneration and Investment

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DECISION