

Delegated Report		Analysis sheet	Expiry Date:	21/08/2023
		N/A / attached	Consultation Expiry Date:	29/07/2023
Officer			Application Number(s)	
Miriam Baptist			2023/2627/P	
Application Address			Drawing Numbers	
5 Hargrave Place London Camden N7 0BP			See Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of an additional storey to provide 2 additional flats (C3).				
Recommendation(s):	Refuse Planning Permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	07	No. of objections	07
Summary of consultation responses:	<p>Site Notices were displayed on 05/07/2023 expiring on the 29/07/2023 outside the following locations:</p> <ul style="list-style-type: none"> - 5 Hargrave Place - Block of flats 1-16 Landleys Fields - 5-7 Brecon Mews - 23 Brecknock Road <p>7 objections were received from neighbouring occupiers on the following grounds:</p> <ol style="list-style-type: none"> 1. This development is not appropriate to its surroundings since it will significantly overtop the buildings behind in Brecon Mews and the adjacent Admiral Mann public house. Hargrave Place has a distinct character and introducing a new building or extensively modifying an existing one could significantly alter this character or potentially be out of sync with the rest of the street. 2. Additional residential units in such close proximity would affect the future viability of the former Admiral Mann public house, a traditional London pub. The proposal does not present any measures to protect the public house next door from noise complaints from future residents of the residential units, contrary to policy D12 agent of change and policy HC7 of the London Plan 2021 which protects public houses. 3. The Admiral Mann has been designated as a Locally Listed Building (ref 477), as such it is deemed to be of heritage significance. For this reason adjacent design and height must be sensitive. 4. For the front elevation, the substantial 4-storey to 2-storey step down with the application proposing a 5 to 2-storey step down. The lack of moderated step-down is significant in relation to the locally listed pub next door. The further increase in height proposed by this application accentuates negatively the host properties' presence on the street and diminishes the stature of the Locally Listed asset. 5. This is considered overdevelopment of an already compact area which doesn't have the infrastructure to support it. It will also impact on the aesthetic of the local area negatively. It is a piecemeal addition which was not envisaged in the original planning application for the block. 6. The proposal will bring more cars into the area and will put greater demand on local services (e.g. waste, doctors, schools) which are already stretched. 7. The proposal will affect the privacy of 5-7 Brecon Mews as the additional storey will overlook the roof skylights to the rear bedrooms 					

and bathrooms in those houses.

8. The proposal may affect sunlight to surrounding properties.
9. It will also present to 1-4 Brecon Mews as a view of a looming, angular block behind the roofline of 5-7 Brecon Mews and will reduce the afternoon and evening daylight/sunlight coming into the Mews.
10. The previous owner of No. 7 was in dispute with the developers some 8 years ago about the lack of adequate foundations to the rear of the development, which is causing some settlement and cracking to the rear of Brecon Mews. Building an additional storey would make matters far worse.
11. Environmental considerations – there is a global emphasis on carbon footprint and greener living - a thorough environmental assessment must be carried out to ensure that this proposal does not inadvertently harm our local environment or contribute excessively to carbon emissions.
12. The construction disturbance will affect neighbouring sites.

Site Description

The application property is a detached four storey brick building located on the southern side of Hargrave Place, a cul-de-sac off Brecknock Road. The building is in mixed use with light industry (use class B1(c)) at ground floor level and six residential units occupying the first, second and third floors.

The site is located between a vacant public house (closed in August 2014), the Admiral Mann, on the corner of the road, and the rear of 23-25 Brecknock Road. Opposite the site is 2/2a Hargrave Place, a four-storey building in residential and live-work use, and Landleys Field a four-storey residential building which forms part of a larger housing estate. To the south of the site is Brecon Mews, a 2.5 storey residential development arranged around a parking area in a gated development, accessed from Brecknock Road and Hargrave Place.

The adjacent pub (No 9), and 9A Hargrave Place to the rear are both separately identified on Camden's Local List. No. 9 is listed under reference 477 for its architectural, historical townscape and social significance. No. 9a is included under reference 478 on the local list for its historical and townscape significance. The Admiral Mann is also an Asset of Community Value (ACV).

The site is not situated within a conservation area and is not listed but is within the Kentish Town Neighbourhood Area. The neighbouring properties on Brecknock Road form part of the Brecknock Road/York Way Neighbourhood Centre.

Relevant History

2014/3714/P - *Erection of 4 storey building comprising light industrial unit (Class B1(c)) on ground floor and 6x flats on upper floors following demolition of existing light industrial unit* – Granted on 18/11/2014

2014/7872/P - *Details pursuant to condition 10 (ground investigation report) of planning permission granted on 18/11/14 (reference 2014/3714/P) for erection of 4 storey building comprising light industrial unit on ground floor and 6x flats above following demolition of existing light industrial unit* – Granted on 26/02/2015.

2015/1908/P - *Alterations to front and side ground floor elevations and upper floor windows, and conversion of ground floor servicing and parking yard to internal floorspace in building approved under planning permission 2014/3714/P dated 18/11/14.* – Granted 10/06/2015

2015/7240/P - *Details of photovoltaics and green roof as required by conditions 5 and 6 of planning permission 2014/3714/P dated 18/11/2014* – Granted 16/05/2016

2017/5162/P - *Installation of 2 x external air conditioning condenser units (retrospective)* – Granted 23/02/2018.

Relevant policies

National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

H1 Maximising Housing Supply

H4 Maximising the supply of affordable housing

H6 Housing choice and mix
H7 Large and small homes
T1 Prioritising walking, cycling and public transport
T2 Parking and car-free development
DM1 Delivery and Monitoring

Kentish Town Neighbourhood Plan 2016

D3 Design Principles

Camden Planning Guidance

CPG Amenity (2021)

CPG Design (2021)

CPG Transport (2021)

CPG Housing (2021)

CPG Developer Contribution (2019)

Assessment

1. Assessment

1.1 The proposal is for the erection of an additional storey to an existing 4 storey building to provide 2 additional flats (2x 1-bed) to the mixed-use building.

1.2 The principal planning considerations are considered to be the following:

- Land use
- Design
- Housing
- Neighbour Amenity
- Transport

1.3 Drawing Inaccuracies

1.3.1 It is noted that the drawings are inaccurate and that they show the height of the host building as it was approved, rather than as it has been built. A significant height discrepancy of circa 1 metre can be observed in figures A and B below. Where the existing building should appear less than half a storey higher than the adjacent locally listed public house, it reads as almost a storey higher. For this reason, the proposed additional storey is expected to appear even higher than is shown in the submitted drawings.



Figure A: The host building as originally approved in relation to the height of the public house next door (to the right)



Figure B: The host building as built in relation to the height of the public house next door (to the right)

1.4 Land use

- 1.4.1 Housing is regarded as the priority land use of the Local Plan and therefore the provision of 2 additional self-contained residential units would be welcome in principle in the absence of any other planning concerns. Great weight is given to the provision of additional housing.
- 1.4.2 Policy G1 seeks to deliver growth by securing high quality development and promoting the most efficient use of land and buildings in Camden by a.) supporting development that makes the best use of its site, b.) resisting development that makes inefficient use of its land and c.) expecting the provision of a mix of uses where appropriate, in particular in the most accessible parts of the borough, including an element of self-contained housing.
- 1.4.3 Housing is regarded as the priority land-use of the Local Plan as set out in policy H1 and the Council makes housing its top priority when considering the future of unused and underused land and buildings. Given the existing use of the host building which is light

industrial on the ground floor and residential on the three storeys above, this is considered that this use is already established and therefore it is an appropriate location for additional homes. The proposals would comply with Policy H1 in this regard.

1.5 Design

- 1.5.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area. Camden's Local Plan policies are supported by the 'Design' CPG.
- 1.5.2 Policy D2 Heritage seeks to preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings including conservation areas, listed buildings and *locally listed buildings*" (emphasis added).
- 1.5.3 Policy D3 of the Kentish Town Neighbourhood Plan states that applications for the development of new and the redevelopment of existing buildings (which may include demolition, alteration, extension or refurbishment) will be supported where they meet the following criteria:
- a) Proposals must be based on a comprehensive understanding of the site and its context*
 - b) Proposals must be well integrated into their surroundings and reinforce and enhance local character, in line with paragraph 64 of the NPPF*
 - c) Proposals must identify and draw upon key aspects of character, or design cues from the surrounding area. Appropriate design cues include grain, building form (shape), scale, height and massing, alignment, modulation, architectural detailing, materials, public realm and boundary treatments*
 - d) Design innovation will be encouraged and supported where appropriate e) Design proposals must be of the highest quality and sustainable, using materials that complement the existing palette of materials in the surrounding buildings*
 - f) Proposals must enhance accessibility in buildings by taking into account barriers experienced by different user groups.*
- 1.5.4 The Design CPG emphasises the need for development to understand and respond to context by ensuring integration with surroundings in terms of scale, positively integrating with and enhancing the character, history and nature of existing the existing built environment. The CPG also states that the '*development form and layout must also be appropriately designed to respond sensitively to the surrounding area with regard to density, scale and massing*'. In terms of materials, they should be '*contextual, durable and sustainable*'.
- 1.5.5 The surrounding buildings are predominantly 3 or 4 storeys although Brecon Mews immediately to the rear (south), and the vacant public house immediately adjacent are 2 and 3-storeys respectively. There are a number of buildings of substantial mass in the vicinity, such as Landleys Field diagonally opposite, and Torriano Estate to the rear to which there is an unhindered view from the end of the street. Both are 4-storey brick buildings with significant mass and a horizontal emphasis.
- 1.5.6 Hargrave Place is accessible from Brecknock Road. The established perceived scale of the properties on Brecknock Road is 3-storey and 3-storey plus mansard properties. The Brecknock Road properties do actually have a lower ground floor as well as 3 storeys and a mansard level above but from the main elevation they are read clearly as a ground level

shop with 2-storeys plus mansard above.

- 1.5.7 The neighbouring Admiral Mann Public House is locally listed. It is noted that the approved height of the application building is significant, not only in the context of the wider surrounding townscape, but also specifically in terms of not dominating or dwarfing the locally listed public house, and to a lesser extent No 9A to the rear. The mid-19th century Admiral Mann Public House is noted as a remnant (along with 9a and a much altered no.2 Hargrave place opposite) of an enclave of small scale workers housing that was demolished in the early-mid 20th century and replaced by the Long Meadow Estate. The public house is identified on Camden's Local List (January 2015) for architectural, historical, townscape and social significance within the Kentish Town ward. The additional storey would lead to an overbearing height difference between the two neighbours and completely dominate the public house building.
- 1.5.8 No 2 Hargrave Place directly opposite the application site is 4 storeys plus an additional mansard, which is what is proposed at the application site, however it is very slim in profile and its side elevation (and therefore its mass) is not exposed when seen from the approach from Brecknock Road and therefore it is not unduly noticeable or dominant. In contrast, an additional storey on the application site would be highly visible from the surrounding public realm as the depth of the flank wall is exposed rather than blocked by a neighbouring building to the east. As it would be so visible it is likely to appear as a fifth storey rather than a more subtle mansard 'half' storey.
- 1.5.9 It is noted that there was a revision to the roof form as part of the original application, instead of an initially proposed pitched roof, a flat roof was negotiated, reducing the height of the building by 350mm and providing a more cohesive appearance according to the officer's report.
- 1.5.10 In addition to this, the design, which will follow the footprint of the storey below, is likely to appear ill-conceived in light of the two-storey central set back and mansard-style side projections on either side which accentuate this central cut out section of the facade. It is noted that there is no objection to the material palette put forward.
- 1.5.11 In context of the building as a whole, the surrounding prevailing building scale, and in reference to the adjacent locally listed public house, the additional height that would result from the proposed new storey is considered to make the building unduly dominant. The existing building (original planning ref 2014/3714/P) is considered to be the appropriate mass and scale for the site considering the predominant height of the surrounding townscape.
- 1.5.12 For these reasons, the new storey is considered likely to appear incongruous by reason of its size, bulk, location and detailed design. It would be a dominant addition which would appear conspicuous and misaligned with the scale of the surrounding townscape and the adjacent locally listed public house. As such, the development is considered contrary to the aims of policies D1 and D2 of the Camden Local Plan as well as policy D3 of the Kentish Town Neighbourhood Plan.

1.6 Housing

- 1.6.1 The extension would contain 2 x 1-bed 1 person apartments, an uplift of 2 residential units. Policy H7 seeks to provide a range of unit sizes to meet demand across the Borough. For market units, the policy considers 1 bedroom/studios and 4-beds (or more) to have a lower priority, and 2 and 3 bedroom units to be of high priority. The proposal puts forward 2 lower priority units.
- 1.6.2 Policy H6 of the Local Plan notes that the Council will attach equal weight to the quality and quantity of new homes proposed in the borough and will not sacrifice housing quality in order to maximise overall housing supply. Both proposed residential units would meet the Government's nationally described space standard, and it is considered that all the units

would provide an acceptable standard of living accommodation in terms of self-containment, layout, ceiling heights and room sizes, natural light and ventilation, outlook, storage space etc. A suitable condition would be attached to ensure that noise levels do not exceed specified limits.

- 1.6.3 The application proposes two dual aspect flats with windows to both the north and south elevations. The fenestration on these two elevations is identical to the flats below which have large windows. It is also acknowledged that floors higher up the building are by nature less effected by the presence of nearby buildings and structures blocking light. It is therefore considered that the new units would enjoy adequate provision of natural light in all habitable rooms. Unfortunately, there would not be any external amenity space for the new units, but overall the development would provide an acceptable standard of accommodation for future occupants.
- 1.6.4 Policy H4 of the Local Plan expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more. In this case, the proposal provides 2 additional homes and 102sqm additional floorspace and therefore, if granted, a legal agreement would secure a payment-in-lieu towards affordable housing in the borough. A target of 2% applies, which would equate to a financial contribution of £10,200. This payment would be secured through a section 106 legal agreement if the proposals were considered acceptable in all other regards. The failure to grant planning permission and therefore enter into a section 106 legal agreement to secure payment in lieu of affordable housing also forms a reason for refusal.

1.7 Neighbour Amenity

- 1.7.1 The proposed additional two storeys would be added to the existing flat roof of the two flats. Because of the set back the extension would have a footprint marginally smaller than the existing building.
- 1.7.2 A Daylight and Sunlight study has been submitted to support the application. Nearby rooflights of 5-7 Brecon Mews have not been assessed as they are generally secondary sources of light to rooms are mainly lit by large windows facing south. Where they are not secondary windows, they serve non-sensitive uses. The report assesses the following nearby sites:
- Hargrave Place
 - 2a Hargrave Place
 - Hargrave Place
 - 9a Hargrave Place
 - 1-16 Landleys Field
 - 21 Brecknock Road
 - 23-25 Brecknock Road
 - 27 Brecknock Road
- 1.7.3 CPG Amenity guides that interior and exterior spaces which lack privacy can affect the quality of life of occupants; new development should be designed to avoid overlooking; gardens and habitable rooms such as residential living rooms, bedrooms and kitchens are considered the most sensitive. In terms of overlooking, the benchmark distance outlined by the council's CPG Amenity guidance as good practice between habitable rooms (either non-residential or residential and assuming a level topography) is 18m.
- 1.7.4 The proposal is also considered likely to cause material harm to nearby dwellings in terms of overlooking. To the rear there are a series of rooflights, both horizontal and at a 45-degree angle, on the part pitched, part flat roof of Brecon Mews upon which the rear windows of the proposed extension would look down into. The rooflights are set at two different angles which increases the chance of direct overlooking into the rooms below.

While it could be argued that the horizontal/flat rooflights are set at an oblique angle to the rear windows on the proposed new storey, the rooflights on the pitched roof are likely to receive direct views from the new windows of the extension. The angled rooflights are a storey lower and would be approximately 10m away from the new rear elevation windows.

- 1.7.5 For this reason, this relationship is considered likely to have a materially harmful impact on the neighbouring residents. The applicant has suggested that the bottom half of the windows to the proposed storey could be conditioned to be obscurely glazed but this is not considered to mitigate the issue. While obscure glazing to the bottom half of the window may provide some privacy for residents of the 2 new units at the application site, it is not considered to provide any privacy, or change the line of sight, from the top half of the windows (where eye level would be) to the habitable rooms of Brecon Mews below.
- 1.7.6 To the front of the property, a new storey is not considered to materially change the level of mutual overlooking that already exists between the host building and closest residential windows opposite of Nos 2 and 2a Hargrave Place.
- 1.7.7 The proposal poses harm in terms of overlooking to the rooflights of Brecon Mews to the rear which is considered unacceptable. For these reasons the scheme is considered harmful in terms of neighbour amenity and therefore contrary to the Amenity CPG and Camden Local Plan policy A1.

1.8 Transport

- 1.8.1 Policy T1 aims to promote sustainable transport by prioritising walking cycling and public transport. This is achieved by improving pedestrian friendly public realm, road safety and crossings, contributing to the cycle networks and facilities and finally improving links with public transport. All these measures are in place to ensure the Council meets their zero carbon targets. The proposal would include two cycle parking spaces which would be safe and secure and in accordance with Policy T1 and CPG Transport and the London Plan.
- 1.8.2 As part of the original planning permission for the current building 2014/3714/P, cycle storage was provided at ground level with 5 two tier racks for 10 cycle spaces, which was 3 spaces over the policy requirement at that time. However, as the original development has been completed for a while and residents have moved in, not providing 2 additional cycle spaces for the 2 new apartments would mean taking away existing cycle spaces from the existing residents. For this reason, it is proposed that 2 additional cycle spaces would be provided at ground floor level within the existing communal area, located under the stairs in the form of 2 Sheffield stands. The space under the stairs is not currently utilised and has sufficient space. This would be secured by condition were planning permission granted.
- 1.8.3 Policy T2 requires all new residential developments in the borough to be car-free. Parking is only considered for new residential development where it can be demonstrated that the parking to be provided is essential to the use or operation of the development (e.g. disabled parking). It should be noted that Policy T2 is wide ranging and is not merely about addressing parking stress or traffic congestion. It is more specifically aimed at improving health and wellbeing, encouraging and promoting active lifestyles, encouraging and promoting trips by sustainable modes of transport (walking, cycling and public transport), and addressing problems associated with poor air quality in the borough. For this reason, car-free housing is required in the borough, regardless of any parking stress that may or may not locally exist.
- 1.8.4 The new units would be secured as car free by a section 106 legal agreement if planning permission were to be granted and would prevent future occupiers from obtaining on-street parking permits. In the absence of a Section 106 legal agreement, the lack of a car free agreement shall form a reason for refusal.

2. Recommendation

2.1 Refuse planning permission for the following reasons:

2.2 The proposed development, by virtue of its design and impact on the height and massing of the host building, would result in an overly dominant building that would detract from both the host building, the character and appearance of surrounding area and the adjacent locally listed public house contrary to policies D1 and D2 of the Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2016.

2.3 The proposed development, owing to the introduction of new windows in close proximity to the existing rooflights of properties at 5-7 Brecon Mews, would lead to overlooking and a harmful impact on neighbouring amenity, contrary to Camden Local Plan policy A1.

2.4 The proposed development, in the absence of a legal agreement securing an affordable housing contribution, would fail to maximise the supply of affordable housing to meet the needs of households unable to access market housing, contrary to Policy H4 and DM1 of the Camden Local Plan 2017.

2.5 The proposed development, in the absence of a legal agreement securing car-free housing, would contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to Policies T2 and DM1 of the Camden Local Plan 2017.