

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		15/07/2024	
		N/A		<b>Consultation Expiry Date:</b>		11/07/2021	
<b>Officer</b>				<b>Application Number</b>			
Sarah White				2021/1746/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Flats A and B 21 Swain's Lane London N6 6QX				Please refer to draft decision notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Signature</b>	
<b>Proposal</b>							
Change of use of all upper floors from residential (Class C3) to office (Class E), and roof extension to include enlarged rear dormer and rear rooflights.							
<b>Recommendation(s):</b>		Refuse Planning Permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>00</b>	No. of responses	<b>05</b>	No. of objections	<b>05</b>
<b>Summary of consultation responses:</b> <i>(Officers response in italics)</i>		<p>Seven responses were received comprising all objections raising the following points:</p> <ul style="list-style-type: none"> <li>Increased disturbance to neighbouring properties through intensified use of roof terrace. <i>See paragraph 2.13.</i></li> <li>Loss of privacy for neighbouring properties due to increased use and access to the roof terrace. <i>See paragraph 2.12.</i></li> <li>Office at the upper floors would be out of keeping with the rest of the terrace which has residential uses on the upper floors. <i>See paragraph 2.4.</i></li> <li>The loss of two units would contribute to the housing shortage in the area. <i>See paragraph 2.4.</i></li> <li>Issues relating to the management of waste from the offices. <i>See paragraph 2.18.</i></li> <li>There is only a single toilet to be used by the entire new office space which is not sufficient. <i>See paragraph 2.10.</i></li> <li>The dormer is too large, and the scale is not in keeping with the roof line and adjoining terrace impacting neighbouring privacy and increased noise. <i>See paragraph 2.7.</i></li> <li>Rooflights are out of keeping with the wider terrace. <i>See paragraph 2.7.</i></li> </ul>					

<p><b>Holly Lodge Conservation Area Advisory Committee (CAAC)</b> <i>(Officers response in italics)</i></p>	<ul style="list-style-type: none"> <li>The application is contrary to Policy H1 of the Local Plan which aims to secure sufficient supply of homes to meet the needs of existing and future households. <i>See paragraph 2.4.</i></li> </ul>
<p><b>Dartmouth Park Conservation Area Advisory Committee (CAAC)</b> <i>(Officers response in italics)</i></p>	<ul style="list-style-type: none"> <li>The removal of residential units and replacement with office space is contrary to Policy H1 of the local plan. <i>See paragraph 2.4.</i></li> <li>The loss of two units would contribute to the housing shortage in the area. <i>See paragraph 2.4.</i></li> <li>Adverse impacts on adjoining neighbours due to the use of the terrace. <i>See paragraph 2.13.</i></li> </ul>

### Site Description

The application site is located on the northern side of Swain's Lane at No. 21 and comprises a three-storey mid-terrace property with a commercial unit on the ground floor and two two-bedroom residential units on the upper floors. The application relates to the upper floors only. The site is located within the Holly Lodge Estate Conservation Area and Character Area 5 'Swain's Lane', and within the area covered by the Dartmouth Park Neighbourhood Forum. The immediate surrounding area comprises a mix of commercial and residential land uses.

### Relevant History

**2020/5010/P** - Roof alterations to include enlargement of rear dormer, rooflights on rear slope and planting along the existing terrace boundary, all to existing top floor flat. **Granted** on 31/03/2021.

**2019/4583/P** - Roof extension to include enlarged rear dormer and rear rooflights, to enlarge an existing residential flat (Class C3). **Granted** on 06/02/2020.

**2017/5950/P** - Retention of extract flue and cowl to flat roof in rear courtyard and installation of additional odour mitigation and noise attenuation equipment within rear extension. **Granted** on 10/04/2018.

**2017/4233/P** - Change of use from A1(Retail) to mixed A1/A3 (Retail and Cafe/Restaurant) at ground floor level. **Granted** on 10/04/2018.

**2015/3266/P** - Erection of a single storey rear conservatory following the demolition of existing outbuilding in connection with retail unit (Class A1). **Granted** on 26/08/2015.

**2015/3267/P** - Erection of a new shopfront and awning to retail unit (Class A1). **Granted** on 26/08/2015.

### Relevant Policies

#### National Planning Policy Framework (2023)

#### London Plan (2021)

#### Camden Local Plan (2017)

H1 Maximising housing supply

H3 Protecting existing homes

A1 Managing the impact of development

D1 Design

D2 Heritage

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development

CC5 Waste

### **Dartmouth Park Neighbourhood Plan (2020)**

H1 Meeting housing need

DC2 Heritage assets

DC3 Requirements for good design

DC4 Small residential extensions

CE2 Intensification of Neighbourhood Centres

### **Camden Planning Guidance**

CPG Amenity (2021)

CPG Design (2021)

### **Draft Camden Local Plan**

The council has published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

## **Assessment**

### **1. Proposal**

- 1.1. The planning permission is sought for the change of use of two two-bedroom flats on the upper floors to Class E offices, and an associated loft conversion including an enlarged rear dormer and rear roof lights.

### **2. Assessment**

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

- Principle of Development
- Design and Heritage
- Neighbouring Amenity
- Transport

#### **Principle of Development**

- 2.2. Policy H1 of the Local Plan is clear that self-contained housing is the priority land use of the Local Plan. The Council will aim to secure a sufficient supply of homes to meet the needs of existing and future households by maximising the supply of housing and exceeding the housing targets set within the London Plan. Policy H3 states that Council will aim to ensure that existing housing continues to meet the needs of existing and future households by resisting development that would involve the loss of residential floorspace.
- 2.3. Policy H1 of the Dartmouth Park Neighbour Plan (DPNP) supports and protects a range of housing provision to meet current and future housing needs. Policy CE2 supports the intensification of Neighbourhood Centres through use of upper floors as offices provided there is no loss of existing residential accommodation.
- 2.4. The current proposal would result in the loss of two two-bedroom residential units which is directly contrary to Policies H1 and H3 of the Local Plan and Policy CE2 of the DPNP, and as such the principle of development is not supported.

#### **Design and Heritage**

- 2.5. The Council's policies on design aim to achieve the highest standard of design in all

developments. Policy D1 requires that development considers the local context, setting, and character and for development to integrate with the form and scale of surrounding buildings. This is reflected in the Camden Planning Guidance (CPG) on Design. Policy D2 states that the Council will only permit development within conservation areas where it preserves or enhances the character and appearance of the heritage assets.

- 2.6. The application property, as well as the others within the terraced row, has the rear part of the roof paved and used as a terrace. Access to the terrace is available through a small dormer which opens at the same level as the terrace. The proposal would widen the dormer to provide improved access internally and externally and to provide additional loft space to accommodate more office space.
- 2.7. The dormer would have large double glazed timber doors which would allow additional light into the loft space. The dormer would have a small area of brick wall to match existing roof parapets and a lead flat roof. Two rooflights are proposed to replace the existing one, which would be proportionate to the roof slope. Overall, the proposed roof extension, due to its scale, projection, and detailed design, would appear subservient to the roof slope being extended. It would preserve the existing character of roof alterations along the terraced row of buildings and the character and appearance of the conservation area. The proposal also includes planting along the border of the terrace, which would improve the biodiversity of the site and wider amenity, which is considered acceptable.
- 2.8. It is noted that a very similar development has been granted permission under ref no. 2020/5010/P dated 31/03/2021. The current proposal includes a slightly wider dormer extension than previously approved (by 0.23m).
- 2.9. 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.
- 2.10. In terms of the internal design of the office space, it was noted by an objector that only one toilet would be provided to serve all the offices which is insufficient. There does appear to be space at first floor level to provide an additional toilet (in the unlabelled room to the rear), and had the proposal been otherwise acceptable, the applicant would have been asked to provide further details of whether this internal layout option would be achievable.

### **Neighbouring Amenity**

- 2.11. Local Plan Policies A1 and A4 seek to protect the amenity of Camden's residents by ensuring that the impact of development is fully considered. They aim to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes loss of privacy through overlooking, loss of outlook, and implications on daylight, sunlight, and noise. CPG 'Amenity' provides specific guidance with regards to these factors.
- 2.12. In terms of impact on neighbouring amenity, due to the location and projection of the proposed roof extension, there would be no significant harm to the occupiers in terms of loss of light, outlook, or privacy.
- 2.13. In relation to the terrace, this is existing, and the existing level of mutual overlooking is accepted. However, several objectors raised concern over the potential intensified use of the terrace by the office tenants and the impacts that this would have in terms of increased noise and disturbance. Had the proposal been otherwise acceptable, the applicant would have been required to submit a management plan for the use of the terrace which clearly outlines

who has access to the terrace at what times, and how the management of complaints associated with the use of the terrace would be dealt with.

## **Transport**

- 2.14. 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 cycle networks and facilities, and improving links with public transport. In line with Policy T1, it is expected that all developments provide cycle parking in accordance with the standards set out in the London Plan. For offices it is expected that 1 cycle parking space will be provided per 75sqm of floor space. Therefore, the proposal would be required to provide a minimum of 2.4 cycle parking spaces for the commercial unit.
- 2.15. The proposal includes two cycle parking spaces on the first floor and two on the second floor, therefore meeting the required quantum of cycle parking spaces. However, the location of the cycle spaces up narrow staircases and through multiple doors does not comply with the London Cycling Design Standards (LCDS) as required by London Plan Policy T5. The LCDS require that cycle parking within workplaces is secure and conveniently located, with step-free access from outside to inside. Given that the proposed cycle storage would not be accessible and would require people to carry their bikes up several sets of stairs and around tight corners, through multiple doorways, it is unlikely that this storage would be used.
- 2.16. There is no other feasible option to provide on-site cycle parking which is step-free and accessible due to limited space at ground floor level. Therefore, in line with the guidance set out in the CPG for transport, where it has been demonstrated to the Council's satisfaction that it is not possible to provide long stay cycle parking within a small development, the Council may consider a financial contribution in lieu of long stay parking. Had the proposal been otherwise acceptable, this contribution would have been secured via a Section 106 legal agreement.
- 2.17. Policy T2 limits the availability of parking in the borough and requires all new developments in the borough to be car free. The current proposal does not include any off-street car parking which is supported.
- 2.18. Policy CC5 expects all developments to include facilities for the storage and collection of waste and recycling. The Design and Access Statement outlines that provision will be made for refuse and recycling storage within the offices and refuse and recycling would be collected from Swain's Lane as it currently is. Several objectors raised concern about how waste was currently managed at this site, noting that waste was often left on the street without any external storage area. Had the proposal otherwise been acceptable, further details on how waste would be managed at the site would have been sought to ensure that it would not unduly impact the amenity of adjoining neighbours or the wider street scene.

## **3. Recommendation**

- 3.1. The current proposal would result in the loss of two two-bedroom residential units which is directly contrary to Policies H1 and H3 of the Local Plan and Policy CE2 of the DPNP, and as such the principle of development is not supported.
- 3.2. It is therefore recommended that planning permission is refused on this basis.