

Delegated Report	Analysis sheet	Expiry Date:	16/06/2023
	N/A	Consultation Expiry Date:	N/A
Officer		Application Number	
Sarah White		2023/1143/P	
Application Addresses		Drawing Numbers	
2 Swain's Lane London N6 6QS		Please refer to draft decision notice.	
Proposal			
Details of conditions 3(a) (details) and (b) (shopfront) and 4 (water efficiency and flood mitigation) required by planning permission ref. 2019/5783/P dated 03/08/2022 for the demolition of existing buildings and the erection of 3 storey building with retail (Class E) at ground floor and 2x1bed and 1x2bed (Class C3) flats above.			
Recommendation(s):	Refuse Planning Permission		
Application Type:	Approval of details		
Conditions or Reasons for Refusal:	Refer to Draft Decision Notice		
Informatives:			
Site Description			
The application site is located on the southeastern side of side at Swain's Lane at No.2 and comprises a single-storey commercial unit at the front of the with a two-storey site with a two-storey dwelling to the rear. The ground floor of the rear dwelling is in retail use with the upper floor used as a two-bedroom flat. The site is located within the Dartmouth Park Conservation Area and the Dartmouth Park Neighbourhood Plan Area. The immediately surrounding are comprises a mix of commercial and residential uses.			
Relevant History			
2019/5783/P - Demolition of existing buildings. Erection of 3 storey building with retail (Class E) at ground floor and 2x1bed and 1x2bed (Class C3) flats above. Granted 03/08/2022.			
Relevant Policies			
National Planning Policy Framework (2023)			
London Plan (2021)			
Camden Local Plan (2017)			
D1 – Design			
D2 – Heritage			
D3 – Shopfronts			
CC1 – Climate change mitigation			
CC2 – Adapting to climate change			
CC3 – Water and flooding			

Dartmouth Park Neighbourhood Plan (2020)

SD2 Redington Froggnal Conservation Area

BG1 Gardens and Ecology

BG2 Tree Planting and Preservation

Camden Planning Guidance

CPG Design (2021)

CPG Energy efficiency and adaption (2021)

CPG Water and flooding (2019)

Dartmouth Park Conservation Area Appraisal and Management Strategy (2009)

DC1 – Enhancing the sense of place

DC2 – Heritage assets

DC3 – Requirement for good design

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

It is noted that during the consideration of this application, the Applicant was given several opportunities to provide amendments and further information to satisfy the requirements of these pre-commencement conditions. However, the additional information and amendments provided still fell short of the requirements of these conditions as detailed further below.

It is also noted that Officer's visited the site on 21/08/2024 and observed that the construction of the proposal was largely complete. Therefore, this matter has been referred to Council's Enforcement Team to undertake appropriate enforcement action.

Condition 3: Design Details

1.1. Condition 3 reads as follows:

Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

- a) *Details including plans, coloured elevations and sections at 1:10 of all new windows (including jambs, head and cill), doors, balustrades, parapets, and associated elements;*
- b) *Plan, coloured elevation and section drawings, including fascia and glazing panels of the new shopfronts at a scale of 1:10;*
- c) *Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site). Samples of materials to be provided at a suitable size (e.g. 1x1m) and alongside all neighbouring materials;*

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan 2017 and policies DC1, DC2 and DC3 of the Dartmouth Park Neighbourhood Plan (2020).

- 1.2. To discharge this condition, the Applicant submitted the following information:
 - Proposed Shopfront Detail (219/03 DWG 12)
 - Window and Sliding Door References and Profiles Plan
 - Window Sections - Heads (IDS65-A-05B)
 - Window Sections – Jambs (IDS65-A-06A)
 - Window Sections – Sills (IDS65-A-08B)
 - Sliding Door Sections – Sills (A02 Rev B)
 - Sliding Door Sections – Head (A04 Rev B)
 - Sliding Door Section – Jamb (A06 Rev B)
- 1.3. Part (a) of condition 3 requires the submission of detailed plans including coloured elevations and sections at 1:10 of all new windows (including jambs, head and cill), doors, balustrades, parapets, and associated elements.
- 1.4. These details have been reviewed by Council's Conservation Officer who has advised that the details provided are sufficient to discharge part (a) of condition 3.
- 1.5. Part (b) of condition 3 requires the submission of plan, coloured elevation and section drawings, including fascia and glazing panels of the new shopfronts at a scale of 1:10.
- 1.6. The applicant has submitted an elevation drawing of the shopfront; however, the elevation is not coloured. Whilst section plans of windows and doors have been submitted as listed above, it is unclear which of these relates to the shopfront and which relates to the upper floors. The applicant should provide further clarity in relation to this, in addition to a coloured shopfront elevation drawing which clearly shows all proposed materials to be used on the shopfront.
- 1.7. As such, had the application been otherwise acceptable, the details submitted are sufficient to discharge part (a) of condition 3, however insufficient details have been submitted to discharge part (b) of condition 3.
- 1.8. For completeness it is noted that details relating part (c) of condition 3 have not been included as part of this application and therefore this part of the condition has not been assessed.

Condition 4: Water efficiency and flood mitigation

- 1.9. Condition 4 reads as follows:

Prior to commencement of the development, full details of the following shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Measures to provide:

- *Internal water efficiency to target a consumption of no more than 105 litres per person per day*
- *water recycling equipment*
- *sustainable drainage systems; and*

b) Demonstration that the proposal will provide:

- *internal measures to ensure the development has been designed to cope with*

potential flooding

- *external measures to reduce the risk of flooding*

The development shall thereafter proceed in accordance with the details thus approved.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress and will pose no additional strain on adjoining sites or the existing drainage infrastructure in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 1.10. To discharge this condition, the Applicant submitted the following information:
 - Flood Mitigation Statement (prepared by Peter Brown, dated 18 April 2023)
 - Flood Mitigation Statement – Part 2 (prepared by Peter Brown, dated 02 June 2023)
 - Environment Agency Flood Mapping expert
 - Proposed Drop Down Flood Barrier (2019/15)
- 1.11. These details have been reviewed by Council's Sustainability Officer who advised that whilst the proposed flood mitigation and water efficiency measure are largely acceptable, further details are required to meet the requirements of condition 4 (parts a and b).
- 1.12. Specifically, further details of the blue roof system, specifications of the proposed greywater harvesting system, location and specification of water butts and further details and calculations regarding the runoff rates. These details were requested from the Applicant; however, they have not been provided at the date of this decision.
- 1.13. Additionally, the Applicant was advised that the proposed flood barrier (drop down flood barrier) was not supported. These temporary barriers are not always effective during flash flooding events as there is not necessarily always time to deploy the flood barrier. The Applicant was advised that the Council encourages thresholds and other potential water ingress points (e.g. vents) to be raised 300mm above a maximum predicted flood level to protect the property in a permanent manner.
- 1.14. With regard to water efficiency, the Applicant has confirmed that the units would be fitted with water efficiency appliances to achieve a consumption of no more than 110 litres per person per day. However, it is noted that the condition requires a target a consumption of no more than 105 litres per person per day, therefore further clarity regarding water efficiency calculations is required.
- 1.15. In light of the comments above, insufficient details have been submitted to discharge parts (a) and (b) of condition 4.

Recommendation

- 1.16. The information submitted in relation to condition 3 (a) is sufficient, however insufficient details have been submitted to discharge part (b) of condition 3. As such, Council cannot be satisfied that the development would not have an adverse impact on the appearance of the premises and the character of the immediate area.
- 1.17. Additionally, insufficient details have been submitted to discharge parts (a) and (b) of condition 4, and therefore Council cannot be satisfied that the development will not have an adverse impact on the capacity of water infrastructure in an area of water stress and would not result in additional strain on adjoining sites or the existing drainage infrastructure.
- 1.18. As such, it is recommended that this application is refused.