

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		07/11/2024	
		N/A		<b>Consultation Expiry Date:</b>		12/10/2024	
<b>Officer</b>			<b>Application Number(s)</b>				
Lauren Ford			2024/3892/P				
<b>Application Address</b>			<b>Drawing Numbers</b>				
50 Chalk Farm Road London NW1 8AN			See draft decision notice.				
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Front extension at first and second floor level with rooflight, new windows and doors to the rear at ground, first and second floor levels, roof extension with rooflight and green roof, creation of one additional flat, resulting in 1x 1-bedroom flat and 1x 2-bedroom flat on site and partial change of use at ground floor level from retail (Class E) to residential (Class C3).							
<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	00	No. of responses	00	No. of objections	00	
			No. electronic	00			
<b>Summary of consultation responses:</b>		Site notices were displayed on 18/09/2024 and expired on 12/10/2024. No consultation responses were received.					

### Site Description

The application site comprises a three storied (plus basement) property located on the northern side of Chalk Farm Road. The site comprise a retail unit at ground floor level, and 1x 2-bedroom unit at first and second floor levels. The site has since from suffered fire damage, is currently vacant and in non-habitable state.

The site is not within a conservation area, however the Regent's Canal Conservation Area is directly to the south of the site. No listed buildings are affected. The site is within the Camden Town Local Plan Centre.

## Relevant History

Relevant planning records at the application site:

**2003/3699/P:** *Change of use of shop from Class A1 (retail) to Class A3 (food and drink) involving alterations to the shopfront and the installation of extraction equipment. Refused, 31/03/2004.*

**2005/3658/P:** *Conversion of upper floors from shop (class A1) to a two bedroom self-contained flat (class C3) with associated roof terrace at first floor front elevation. Granted, 21/10/2005.*

**2008/2950/P:** *Retention of UPVC sliding doors and installation of juliette balcony in front of retained doors at rear first floor level. Granted, 07/05/2010.*

## Relevant policies

### National Planning Policy Framework (2021)

#### London Plan (2021)

#### Camden Local Plan (2017)

Policy A1 – Managing the impact of development

Policy D1 – Design

Policy D3 – Shopfronts

Policy H1 – Maximising housing supply

Policy H7 – Large and small homes

Policy H4 – Maximising contribution to affordable housing

Policy H6 – Housing choice and mix

Policy T1 – Prioritising walking, cycling and public transport

Policy T2 – Parking and car-free development

Policy TC2 – Camden's centres and other shopping areas

#### Camden Supplementary Planning Guidance (2021)

CGP - Design

CPG – Home Improvements

CPG - Amenity

CPG – Housing

CPG – Transport

CPG – Developer's Contributions

CPG - Biodiversity

#### 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 which 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 Planning permission is sought for a front extension at first and second floor level with rooflight, new windows and doors to the rear at ground, first and second floor levels, roof extension with rooflight and green roof, the creation of one additional flat, resulting in 1x 1-bedroom flat and 1x 2-bedroom flat on site and a partial change of use at ground floor level from retail (Class E) to residential (Class C3).

## 2. Considerations

2.1 Key planning issues to be considered are as follows:

- Land Use
- Housing
- Design
- Amenity
- Transport
- Biodiversity
- S106/CIL

### 3. Land Use

3.1 The proposal includes a partial change of use (loss of 38.8m<sup>2</sup>) to the rear of the ground floor level from retail (Class E) to residential (Class C3). Policy TC2 seeks to maintain a range of shops in town centres. While the proposal would result in the loss of retail floorspace, the frontage would be retained. Given the relatively small reduction in retail floorspace, it is considered that the reduced floor space would impact its capability of being let successfully operate within the reduced floorspace.

3.2

### 4. Housing

4.1 The application site currently comprises 1x 2-bedroom unit, and the proposal would result in 1x 1-bedroom unit and 1x 2-bedroom unit. While the creation of a new residential unit is welcomed, as housing is the priority land use, as per Policy H1 of the Local Plan, the proposal would result in the creation of one additional 1-bedroom home, which is identified as a lower priority dwelling size by policy H7. When considered in the context of the non-compliance with policy G1, it is considered that the proposal does not meet the priorities set out in the dwelling size priorities table.

4.2 The below table demonstrates that the proposed units would meet the Nationally Described Space Standards (NDSS) for floor areas.

Unit	Proposed Size	NDSS Requirement
Unit 1: Ground and first floor unit 1-bedroom, 2-person	60.82m <sup>2</sup>	58m <sup>2</sup>
Unit 2: Second and third floor unit 2-bedroom, 3-person	71.05m <sup>2</sup>	70m <sup>2</sup>

4.3 The minimum floor to ceiling height of 2.3m for at least 75% of the gross internal area, as set out in the NDSS is met, and both units are dual aspect and would receive sufficient sunlight/daylight throughout the year. Unit 1 would be provided with amenity space via the existing rear courtyard at ground floor level, which the retail unit would also have access to. Both units would also have access to a terrace at first floor level, separated with a privacy screen. Given the constraints on the site, the delivery of private amenity space for both units appears difficult. Given the generous provision of shared amenity space proposed, in this instance the proposed amenity space is considered acceptable.

4.4 Overall, it is considered that the proposal would provide a high quality of living accommodation for future residents and is acceptable in this regard.

4.5 In accordance with policy H4, the proposed development is below the threshold for which an affordable housing contribution would be required.

### 5. Design

**Commented [AB1]:** Add a bit of reasoning here for the inspector as discussed. Eg there is good retail frontage in the parade within which it sits (set out % etc) and some would be retained in this proposal such that it would not compromise viability in accordance with the policy (cite which one and use its words). You will then need to include this as evidence as part of your statement of case.

- 5.1 Local plan policy D1 seeks to achieve high quality design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area.
- 5.2 The CPG (Home Improvements) states roof extensions should consider:
- *The existing roof form*
  - *Roof visibility and prominence*
  - *The pattern of development of neighbouring buildings*
  - *Other roof extensions present at neighbouring buildings*
  - *A successful roof extension would consider the overall roof form of the existing building, adjoining buildings and impact in key views (where relevant) and be proportionate to the roof slope being extended.*
- 5.3 The CPG (Design) states that scheme should consider:
- *The context of a development and its surrounding area*
  - *The design of the building itself*
  - *Opportunities for improving the character and quality of an area*
- 5.4 The surrounding environment includes other three storied buildings located to the west, comprising retail units at ground floor level, with residential units setback and located within the upper floors. The Camden Assembly pub (49 Chalk Farm Road) adjoins the site to the east, which is located on the corner of Chalk Farm Road and Ferdinand Street, and is taller than the surrounding buildings located on this side and area of Chalk Farm Road.
- 5.5 The application site is set in a prominent location, particularly when moving towards the east along Chalk Farm Road.
- 5.6 Officers are supportive of the principle of a roof extension in this location, given the surrounding environment, notably the existing building at 49 Chalk Farm Road. Officers also have no objection to the proposed replacement of windows and doors to the rear elevation, which would match the design of the existing windows.
- 5.7 Concern is raised regarding the proposed pitched roof of the front extension at first floor level, which is uncharacteristic in this area and would disrupt the uniformity of the existing building line. Because of the extension's depth and height, the angle of the roof appears incongruous in this location and fails to be sympathetic to the surrounding area's character. The overall scale and resultant angle of the pitch roof will also create an awkward appearance to the front of the building and most prominent location. This means the adverse impact is maximised and is therefore unacceptable. The proposed fenestration is also not in keeping with the character of the surrounding environment. Glass privacy screens are proposed at first floor level, which are not supported. As per guidance within the CPG (Home Improvements), privacy screens should be made of natural materials and allow plants to grow on them. Overall, the proposal would appear as a bulky and haphazard development that would not provide the level of design or architectural quality that would be expected in a prominent town centre location such as this.
- 5.8 Overall, the proposed design has not sufficiently considered or responded to the context of the site or surrounding area, and is not of high quality design or architecture quality.
- 5.9 The proposal would be contrary to policy D1 (Design) of the Camden Local Plan 2017 due to the level architectural quality, design and scale proposed, and its failure to preserve the character and appearance of the site and surrounding area.

## **6. Amenity**

- 6.1 Local Plan Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development on their amenity is fully considered. It seeks 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. Relevant to the application are overlooking, privacy, sunlight, daylight, overshadowing and outlook consideration.
- 6.2 A daylight and sunlight report has been provided which demonstrates that the proposed development would have a relatively low impact on the light receivable by neighbouring properties. Non-compliance with the BRE recommendations is limited to the daylight tests in respect of one potentially habitable window (89) which serves 1-3 Ferdinand Street. The vertical sky component for this window would be 6.8% following the proposed development, being a 75% loss (0.25). This suggests that daylight received to this window may be adversely affected.
- 6.3 Other non-habitable windows also result in a non-compliance with the BRE recommendations including window 88 (bathroom at 1-3 Ferdinand Street), window 90 (staircase at 49 Chalk Farm Road) and window 91 (W/C at 49 Chalk Farm Road).
- 6.4 The report states that this window 89 is likely to serve a staircase or bedroom, however this has not been confirmed. There are also no room layouts and confirmation of the use of rooms which may be considered to mitigate any impacts. The proposal would result in a significant loss of light to a potentially habitable room (window 89), therefore it is considered that the proposal result in an unacceptable impact on daylight received to 1-3 Ferdinand Street.
- 6.5 Given the design of the proposed development, including location of windows, it is not considered that the proposal would cause any adverse impacts on the amenity of residential occupiers in terms of privacy or overlooking. Due to the location of the proposed terrace, which is set down below the level of that at 51 Chalk Farm Road, it is not considered that there would be any unacceptable privacy or overlooking related effects. Privacy screening is also proposed.
- 6.6 Overall, the proposal has failed to demonstrate that the impact on 1-3 Ferdinand Street is acceptable and is therefore contrary to policy A1 of the Camden Local Plan 2017.

## **7. Transport**

- 7.1 Policy T1 requires cycle parking to be provided in accordance with the London Plan standards, which requires 4 spaces in this instance. The proposed plans show what appears to be 4 vertical cycle racks beneath the stairs at ground floor level, however it is unclear whether such provision is acceptable from a Building Regulations fire safety perspective. Given the lack of space available at ground floor level to provide acceptable cycle storage, the proposal is considered contrary to policy T1 of the Local Plan.
- 7.2 In accordance with policy T2, both residential units should be secure as Residents parking permit (car) free vis S06 legal agreement. It is considered appropriate to secure both units are car free in this instance, as the former residential unit is uninhabitable, with no returning residents.
- 7.3 Given the extent of proposed building works and proximity of the site to the adjacent eastbound cycle lane and pelican crossing, a construction management plan and associated implementation support contribution of £4,194 and impact bond of £8,000 would be secured by means of the S106 agreement. This would ensure that the proposed development is carried out without unduly impacting the operation of the local highway network, or neighbouring amenity, in accordance with policy A1 of the Local Plan.

7.4 A highways contribution is not considered necessary in this instance as any damage that occurs to the adjacent footway during the construction works will be covered by the bond that is secured as part of the scaffold licencing process.

## **8. Biodiversity**

8.1 A sedum covered green flat roof and a planting trough within the lower first floor flat roof/terrace is proposed which is a positive. Details of the green roof would be secured via AOD condition.

8.2 A biodiversity net gain statement has been provided, however it is noted that the proposal is exempt from BNG legislation in this instance as the baseline is 0.

## **9. Section 106/CIL**

9.1 If the proposals were supported, the following heads of terms would need to be secured by S106 Legal Agreement.

- Car free development
- Construction management plan and associated implementation support contribution of £4,194 and impact bond of £8,000

## **10. Recommendation**

5.1 It is recommended to Refuse planning permission for the following reasons:

- The proposed roof extension, front extension and privacy screen, due to the inappropriate site and design, excessive scale and massing, would fail to preserve the character and appearance of the site and surrounding area, contrary to policy D1 (Design) of the Camden Local Plan 2017.
- The proposed development would result in a significant loss of light to a potentially habitable window at 1-3 Ferdinand Street, contrary to policy A1 (Managing the impact of development) of the Camden Local Plan 2017.
- The 1x 1-bedroom flat and 1x 2-bedroom flat, in the absence of a legal agreement to secure the development as car free, are likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and car parking), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.
- The proposed development would fail to secure adequate provision for on-site cycle parking, contrary to policy T1 (Prioritising walking, cycling and public transport) of the Camden Local Plan 2017.
- The proposed development, in the absence of a legal agreement securing a construction management plan and associated implementation support contribution and impact bond, would be detrimental to the amenity of neighbouring occupiers contrary to policies A1 (managing the impact of development) of the Camden Local Plan 2017.