

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	24/09/2013
		N/A		<b>Consultation Expiry Date:</b>	29/08/2013
<b>Officer</b>			<b>Application Number(s)</b>		
Sam Fowler			2013/4501/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
10, 11 and 12 Charlotte Place London W1T 1SH			Refer to 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>					
Mansard roof extension to numbers 10, 11, 12 Charlotte Place to create 3 x 1 bed maisonettes and replacement of front elevation casement windows at No 10 to sash windows to residential units (Class C3)					
<b>Recommendation(s):</b>		Refuse planning permission			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	25	No. of responses	02	No. of objections	02
			No. electronic	00		
Summary of consultation responses:	Advertised: 08/08/2013, expiry: 29/08/2013 Site notice: 02/08/2013, expiry: 23/08/2013  The proposal would look out of keeping within the area, cause general disturbance and detrimental impact to the amenity levels experienced by neighbouring properties, and impact on car parking in the area					
CAAC/Local groups comments:	City of Westminster: No objection  Charlotte Street CAAC: Objection It appears that the mansard is too big and tall. CGI's of the proposal, with long street views, would be useful.					

## Site Description

A group of 4 four-storey terraced properties located on the eastern side of Charlotte Place, a pedestrian street located between Goodge Street and Rathbone Street. The upper floors of the properties are currently in residential use, the ground floors are occupied by commercial units. The site is located in Charlotte Street Conservation Area. The buildings are not listed but are nos. 10-12 are identified as positive contributors to the character and appearance of the Conservation Area. The western side of the street is located in the City of Westminster.

## Relevant History

**April 2012:** Planning permission refused for the Erection of mansard roof extension on 10-13 Charlotte Place to provide 2 x 1 bedroom self-contained flats (Class C3), relocation of water tanks to roof, installation of solar panels on roof and extension of kitchen extract on rear elevation of 13 Charlotte Place.

Reasons for refusal:

- The proposed additional floor, due to its scale, location and detailed design would result in a prominent, obtrusive and top-heavy extension, which would fail to respect its setting and context and would harm the character and appearance of the host buildings, the streetscene and the Charlotte Street Conservation Area. This would be contrary to policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.*
- In the absence of justification why the proposed development could not provide a residential unit comprising 2-bedrooms or more, the development would fail to contribute the creation of mixed and inclusive communities by securing a range of self-contained homes of different sizes, contrary to policies CS6 (Providing quality homes) of the London Borough of Camden Local Development Framework Core Strategy and policy DP5 (Homes of different sizes) of the London Borough of Camden Local Development Framework Development Policies.*

3. *The proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to policies CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policy DP18 (Parking standards and the availability of car parking) of the London Borough of Camden Local Development Framework Development Policies.*
4. *The proposed development, in the absence of a legal agreement to secure Level 3 of the Code for Sustainable Homes, including post-construction assessment, would fail to incorporate adequate levels of environmental performance and contribute to the Council's aims of tackling climate change, contrary to policy CS13 (Tackling climate change) of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 (Promoting Sustainable Design and Construction) of the London Borough of Camden Local Development Framework Development Policies.*

This application was later appealed (Appeal Ref: APP/X5210/A/12/2175670), and the appeal was dismissed.

**November 2011:** Planning permission refused for erection of roof extension on 10-13 Charlotte Place to provide 2 x 1 bedroom self-contained flats (Class C3) relocation of water tanks to roof, installation of solar panels on roof and extension of kitchen extract on rear elevation of 13 Charlotte Place, ref. 2011/3962/P.

Reasons for refusal:

1. *The proposed additional floor, due to its scale, location and detailed design would result in a prominent, obtrusive and top-heavy extension, which would fail to respect its setting and context and would harm the character and appearance of the host buildings, the streetscene and the Charlotte Street Conservation Area;*
2. *The proposed additional floor, in the absence of a daylight analysis assessing its impact upon the adjacent residential properties on Rathbone Street and Charlotte Place, would be likely to result in the loss of daylight to these residential properties which would be detrimental to the amenity of occupants;*
3. *In the absence of justification why the proposed development could not provide a residential unit comprising 2-bedrooms or more, the development would fail to contribute the creation of mixed and inclusive communities by securing a range of self-contained homes of different sizes;*
4. *The proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area;*
5. *The proposed development, in the absence of a legal agreement to secure Level 3 of the Code for Sustainable Homes and on-site renewable energy measures, would fail to incorporate adequate levels of environmental performance and contribute to the Council's aims of tackling climate change.*

## **Relevant policies**

### **National Planning Policy Framework 2012**

### **The London Plan 2011**

### **LDF Core Strategy and Development Policies**

#### Core Strategy

CS5 Managing the Impact of growth and development

CS8 Promoting a successful and inclusive Camden economy

CS11 Promoting sustainable and efficient travel  
CS14 Promoting high quality places and conserving our heritage  
CS15 Protecting and improving our parks and open spaces and encouraging biodiversity

#### Development Policies

DP16 The Transport Implications of Development  
DP17 Walking, Cycling and Public Transport  
DP18 Parking standards and Limiting the Availability of Car Parking  
DP21 Development Connecting to the Highway Network  
DP22 Promoting Sustainable Design and Construction  
DP24 Securing high quality design  
DP25 Conserving Camden's heritage  
DP26 Managing the impact of development on occupiers and neighbours

#### **Camden Planning Guidance 2011**

#### **Charlotte Street Conservation Area Character Appraisal and Management Plan 2008**

### **Assessment**

#### **Proposal**

The applicant is seeking planning permission for the construction of a mansard roof extension to numbers 10, 11, 12 Charlotte Place to create 3 x 1 bed maisonettes and replacement of front elevation casement windows at No 10 to sash windows to residential units (Class C3).

The principal considerations material to the determination of this application are:

- Principle of the development;
- The impact on the appearance of the buildings and the character and appearance of the Conservation Area; and
- The impact on neighbour amenity.
- Transport

#### Background

In the planning history above, it is noted that two previous applications for the site have been submitted, both of which were refused. The noticeable difference between those applications and this one is that the proposal now relates to no's 10 to 12, rather than no's 10 to 13. In addition, the detailed design of the proposal has been altered, with the chimney breasts and pots extended, and the height of the mansard roof reduced. In addition, the space created will be used in conjunction with existing flats thereby turning them into maisonettes, and not to create new units.

#### **Assessment**

##### Principle of the development

As stated above, the proposal follows on from the previous refusal of mansard roof extensions to the three subject properties, and the neighbouring property at no. 13. The second application was refused on principle, and later was subject to an appeal (Appeal Ref: APP/X5210/A/12/2175670). At the time of the appeal, the Planning Inspector stated the following, under point 12:

*"The supplementary planning document 'Camden Planning Guidance' in relation to design states that mansard roofs are often the most appropriate form of extension for a Georgian or Victorian dwelling. However, paragraph 5.14 qualifies this advice by stating mansard roof is acceptable where it is the established roof form in a group of buildings or townscape. The majority of the group of terrace buildings on both sides of Charlotte Place, which include the buildings that make a positive contribution to the Conservation Area and have their own distinct character, have not been extended*

*in this manner. As a consequence, the SPD does not support a mansard roof extension in this situation. A number of mansard roof extensions along Colville Place and Charlotte Street have been referred to. However, these properties do not form part of the street scene of Charlotte Place and so do not alter my assessment of the appeal proposal."*

This indicates that the Inspector agreed with the Council that any mansard roof extension to these properties would be contrary to Council's policies, and the construction of a mansard to these properties would not be acceptable in principle. For this reason the application should be refused.

#### The impact on the appearance of the building and the character and appearance of the Conservation Area

##### *Policy Background*

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions to existing buildings are proposed. The following considerations contained within policy DP24 are relevant to the application:

- development should consider the character, setting, context and the form and scale of neighbouring buildings;
- development should consider the character and proportions of the existing building, where extensions and alterations are proposed;
- developments should consider the quality of materials to be used.

Policy DP25 'Conserving Camden's Heritage' states that within Conservation Areas, the Council will only grant permission for development that preserves or enhances the character and appearance of the Conservation Area.

This is supplemented by Charlotte Street Conservation Area Character Appraisal and Management Plan which deals with the character and appearance in the Conservation Area.

The paragraphs on Charlotte Place and Colville Street, both pedestrian streets, point to the *"notable degree of consistency along these streets in terms of materials, height and repeated fenestration"* (para 6.35).

The following general comment on design is contained in the Appraisal and Management Plan:

*"High quality design and high quality execution will be required of all new development, which will be expected to respect the existing character, scale and mix of uses. It is important that applications contain sufficient information to assess the proposals"* (para. 13.16);

And, with regard to roof extensions, the Appraisal and Management Plan advises against:

*"Inappropriate roof level extensions – especially where these interrupt the consistency of a terrace or the prevailing scale and character of a block, are overtly prominent in the street"* (para. 12.3).

Camden's Planning Guidance with regard to roof extensions states that such extensions should be of an appropriate scale and should not be excessively prominent. It states that the Council will consider the effect of an additional floor on the architectural style of the application buildings and the established townscape. The detailed design including materials and window design should be sympathetic to the character and appearance of the original building and the surrounding area.

##### *Site and Surroundings*

The eastern side of Charlotte Place comprises a terrace of 6 properties, numbers 10-15, as well as 2 end-of-terrace properties facing Goodge Street and Rathbone Street respectively.

Numbers 10-12, the application buildings, are at the southern end of this short terrace. They are four storeys in height. Number 13 is also four storeys in height, matching the properties at numbers 10 to 12.

Numbers 14-15, at the northern end of the terrace, are three storeys in height, with additional mansard roofs, comprising 4 levels of accommodation in total.

The end-of-terrace buildings contrast to the buildings within the terrace in terms of design and appearance: the building on the corner with Rathbone Street (to the south) is a substantial Victorian building comprising 3 storeys with a mansard storey; the building on the corner with Goodge Street (to the north) is 4 storeys in height and appears to date from the 1950s.

On the western side of Charlotte Place the buildings are 3 storeys in height, with the corner properties rising to 4 storeys.

### *Discussion*

All three properties have been identified as positive contributors within the Conservation Area. The existing height of the buildings within Charlotte Place responds to the narrowness of the street and is in keeping with its character as a side-street of modest proportions, subordinate in scale to the nearby Goodge Street, Rathbone Street and Charlotte Street. On the east side of Charlotte Place the buildings are 4 levels (4 storey or 3 storey plus mansard), and on the western side are 3 levels. The buildings would rise in height from 4 levels to 5 levels (4 storey plus mansard). The application buildings would become significantly taller than the other buildings within the street, matching the height of the adjacent corner building on Rathbone Street which fronts onto a grander street.

It is noted that the proposed mansard roof has been reduced in overall height from the previous application. However the roofline of the application buildings would still be visible over long distances from within both Goodge Street and Rathbone Street. The proposed extension would occupy the entire roof of the buildings, and it is considered that due to its size and location it would be a prominent and obtrusive new feature which would fail to relate subordinately to the modest application buildings and the scale of the street, causing harm to the character of the buildings and the streetscape. In particular, when seen from street level within Goodge Street to the north, the proposed extension would be a visually dominant and abrupt feature, where the northern flank of the extension would intrude into the current view of the roofscape.

The proposed development is therefore considered to be unacceptable both in principle, and in character and design. It would be contrary to the policies above, as it would have a harmful impact on the architectural quality of both the application buildings and the character and appearance of the wider Conservation Area. Therefore for these reasons it should be refused.

### The impact on neighbour amenity

There would be no loss of privacy to neighbours as a result of the proposal as views from windows of the proposed roof extension into neighbouring properties would replicate existing established views without opening up any new views.

The previous application was accompanied by a Daylight and Sunlight Study by Rights of Light Consulting (dated 3 February 2012). This addresses BRE guidance 'Site Layout planning for daylight and sunlight; a guide to good practice' (2011), which is currently still used and assesses the impact of the development on sunlight and daylight to all affected properties, the properties to either side and those on the opposite side of Charlotte Place

The Study indicates that the impact of the proposal on access to daylight of neighbouring properties would be limited and that none of the windows surveyed would experience a loss of 20% of daylight or more compared to existing conditions – the greatest loss of daylight would amount to 13.1% which is well below the 20% which BRE guidance describes a noticeable.

Given that the proposal would now be reduced in terms of height and overall bulk, and policies have not changed, then the report is still considered to be applicable to this proposal. The Report indicates that there would be no significant impact on the access to sunlight of any neighbouring properties. Due to the location and form of the additional mansard floor, tilting away from the front elevation, it would have very limited potential to cast shadows on the pedestrian street below and would not have a significant effect in terms of darkening the street.

The extension would not be intrusive or unsightly to views from adjoining property such as to be harmful to their visual amenities.

The proposal is acceptable in terms of its impact on neighbouring amenity.

#### Transport

At the time of the previous application, the proposal was considered contrary to Camden's transport policies, specifically CS11 and DP17. However this proposal seeks to add an additional floor to existing flats, rather than create new residential units. As no new units are being created, then a section 106 to secure car free units is no longer required, nor is a requirement to secure cycle parking within the buildings. The proposal therefore now complies with Camden's policies and guidance, insofar as they relate to transport.

**Recommendation:** Refuse Planning Permission.