

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>31/07/2013</b>
		N/A	<b>Consultation Expiry Date:</b>	<b>11/07/2013</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Rachel Miller			2011/3579/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Land Adjacent to Pegasus Court 105 St Pancras Way London NW1 0RA			Please see 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>				
The erection of a canal boat with green roof to provide 1 x 2 bedroom residential unit (Class C3) with timber decking and new boundary fence.				
<b>Recommendation(s):</b>		Refuse		
<b>Application Type:</b>		Full Planning Permission		

Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	20	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	Site notice displayed from 14/06/2013 until 05/07/2013 Press notice displayed from 20/06/2013 until 11/07/2013  No responses received					
CAAC/Local groups* comments: *Please Specify	Regents Canal CAAC – “We object to the loss of green open space beside the road which will damage the setting of the canal. There will be a loss of privacy and amenity to the west of the proposal.”					

## Site Description

The site contains a vacant strip of land on the west side of St Pancras Way. To the west of the site is the residential block at Reachview Close and to the north of the site is Pegasus Court (a three-storey residential block). To the south of the site is a tow path along the Regents Canal and the Grays Inn Bridge.

There are a number of mature trees located within the site and on the adjacent pavement. These include four sycamore trees protected by Tree Preservation Orders. A two-way cycle path runs along the pavement near to the site.

The site is not located in a conservation area but is located adjacent to the Regents Canal conservation area.

## Relevant History

PEX0000148 – Erection of a two storey single family dwelling house. Refused on 30/05/2000 for the following reasons:

- 1) The proposed development would result in a loss of existing trees on the site and be likely to threaten the retention of other trees both on and off the site, to the detriment of the visual amenity and character of the Regents Canal Conservation Area.
- 2) The proposed development would result in a loss of open space, which has approval to be converted into communal gardens associated with the approved development of the site to the rear. This would be harmful to the character and appearance of the Regent Canal Conservation Area.

PE9800582/R2 – Erection of a three storey building to accommodate one self-contained three bed dwellinghouse, two self-contained one bedroom maisonettes and one self-contained two bed flat together with associated landscaping works and boundary treatment. Approved on 16<sup>th</sup> March 2000 subject to a S106 legal agreement.

## Relevant policies

### LDF Core Strategy and Development Policies

- CS1 (Distribution and growth)
- CS5 (Managing the impact of growth and development)
- CS6 (Providing quality homes)
- CS11 (Promoting sustainable and efficient travel)
- CS13 (Tackling climate change through promoting higher environmental standards)
- CS14 (Promoting high quality places and conserving our heritage)
- CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity)
- CS19 (Delivering and monitoring the Core Strategy)
  
- DP2 (Making full use of Camden's capacity for housing)
- DP5 (Homes of different sizes)
- DP6 (Lifetime Homes Standards)
- DP18 (Parking standards and limiting the availability of car parking)
- DP19 (Managing the impact of parking)
- DP20 (Movement of goods and materials)
- DP21 (Development connecting to the highway network)
- DP22 (Promoting sustainable design and construction)
- DP23 (Water)
- DP24 (Securing high quality design)
- DP25 (Conserving Camden's heritage)
- DP26 (Managing the impact of development on occupiers and neighbours)
- DP27 (Basements and lightwells)
- DP28 (Noise and Vibration)

Camden Planning Guidance 2011  
CPG 1 Design (chapters 1, 2, 6)  
CPG 2 Housing (chapters 1, 4 and 5)  
CPG3 Sustainability (chapters 1, 3 and 10)  
CPG6 Amenity (chapters 1, 6, 7, 8)  
CPG 7 Transport (chapters 1, 5, 7, 9)

London Plan 2011  
NPPF 2012

## Assessment

### Proposal

Permission is sought for the erection of a canal narrow boat on the site to provide a 2-bed residential unit. The development would be located behind the 2m high boundary fence. It would be constructed of timber and would be part painted with all windows to the residential unit on the east elevation. The roof of the “boat” would have a green roof and the site would be fenced on its eastern boundary with an access gate from St Pancras Way.

There would be a private decked amenity space on each end of the residential unit which would each measure 6sqm. Pre-application advice was given to the applicant in December 2010 that the proposals were unlikely to be considered favourably by the council.

It is considered that the principle issues relating to the proposal include

- 1) Design and the impact on the character and appearance of the Conservation Area,
- 2) Standards of the residential accommodation
- 3) Impact on the amenity of the occupiers of neighbouring properties,
- 4) Impact on the trees
- 5) Sustainability
- 6) Transport implications

It must be noted that there is disparity between the red line on the site plan and the floor plans submitted. The siteplan shows that the proposed development would use some of the private amenity space adjacent to the ground floor flat at Pegasus Court however the floorplans do not show the development extending that far to the north.

### 1) Design and impact on the character and appearance of the Conservation Area

LDF policy DP24 (Securing high quality design) states “The Council will require all developments, to be of the highest standard of design and will expect developments to consider:

- character, setting, context and the form and scale of neighbouring buildings;
- the character and proportions of the existing building, where alterations and extensions are proposed;”

Although the proposal is not within the Conservation Area it is positioned immediately adjacent to the Regents Canal Conservation Area therefore any new buildings should positively address the canal side, whilst striking a balance with its established historic character.

The existing site contains mature trees and is an area of greenery adjacent to the canal. Whilst the Applicant has highlighted that the site is used for flytipping, the site contains a small area of openness adjacent to the 1990’s development of Reachview Close. Whilst the proposal would be single storey only, it is considered that the proposal would be out of character with the surrounding buildings and

streetscene. The design of the proposed development as a canal boat in relation to the immediate neighbouring buildings would appear incongruous and would be harmful to the character and appearance of the streetscene. It would also harm the appearance of the adjacent Regents Canal conservation area and would be contrary to policies DP24 and DP25 of the LDF.

## 2) Standard of residential accommodation

The Council's residential development standards within CPG2- Housing 2011 give general guidance on the floorspace and internal arrangements for all housing tenures. In addition, homes should meet lifetime standards in accordance with Policy DP6 and the section of CPG2 on Lifetime homes and wheelchair housing. Development should provide high quality housing that provides secure, well-lit accommodation that has well-designed layouts and rooms. Within the London Plan SPG (paragraph 0.1.1), the Mayor's view is that "providing good homes for Londoners is not just about numbers. The quality and design of homes, and the facilities provided for those living in them, are vital to ensuring good liveable neighbourhoods".

Within CPG2, the Council's minimum residential development standards specify that for a two bedroom (three-person) unit, the minimum standard is 61sqm. The Council expects bedrooms to meet or exceed 11sqm for the first bedroom and 6.5sqm for a single bedroom. The application is for a two-bedroom residential unit (one double room and one single room). The bedrooms would measure 7.2sqm and 5sqm and the overall floor area for the unit would be 42sqm. The proposals would not meet the minimum floorspace for residential units and therefore it is considered would provide an unacceptable standard of accommodation.

The Applicant has provided a Lifetime Homes statement that indicates how the new dwelling would meet the relevant criteria. The statement says that "it is considered unreasonable to expect it to meet the same standards as a development of a number of permanent/traditional dwellings." The proposals do not meet all the criteria as specified in CS6 and DP6 and within guidance in CPG2.

As such, the proposals would not provide an acceptable level of amenity for future occupiers therefore would not comply with policies CS5, CS6, DP6 and DP26 of the LDF and Camden Planning Guidance.

## 3) Impact on the occupiers of neighbouring properties

Development Policy DP26 and CPG6 (Amenity) requires all developments to provide adequate standard of amenity for neighbours and future occupiers.

The proposed residential unit would be located adjacent to the east corner of 45-60 Reachview Close which is a 4-storey block. The flank elevation of the existing residential block has 2 windows at ground floor level. These appear to be habitable rooms however the units also get light and outlook from the rear and front facades. As the proposed development would be single storey and due east of the residential flats at Reachview Close, it is considered that it would not cause significant harm to the daylight and sunlight of the occupiers of the ground floor flat at 45-60 Reachview Close.

There would be no windows on the west elevation of the proposed development however the raised decked amenity areas would give rise to a loss of privacy. Occupiers of the proposed canal boat would be able to overlook into the windows of the ground floor flat at 45-60 Reachview Close as well as being able to overlook the southern ground floor living room window and private amenity space for the ground floor flat at Pegasus Court. This would be contrary to policies CS5 and DP26 and guidance within CPG6.

## 4) Trees and green roof

Policy DP24 requires all developments to consider existing natural features such as trees. Paragraph 24.21 states that development will not be permitted which fails to preserve or is likely to damage trees on a site which make a significant contribution to the character and amenity of an area.

The presence of mature trees on the site improves the appearance of the streetscene and the proposed development would have significant implications for the protected sycamore trees. The Applicant has submitted a Tree Survey and Tree Survey Plan as well as notes from an Arboricultural Consultant. The Applicant acknowledges that the presence of the mature trees limits any development with deep foundations on the site therefore the proposal has been designed so that the narrow boat is assembled onsite with no substantial grounds works in order to minimise the impact on the surrounding TPO trees.

The information submitted states that the TPO trees would be maintained and proposal includes extensive planting in order to encourage planting. The submission states that the fencing to the Eastern boundary needs to be designed with gaps where tree stems encroach across the boundary in order allow the trees to grow. It is suggested that the existing levels within the site must be preserved and soil undisturbed with topsoil being added and the proposed development being built on a suspended slab to float it above the tree root system.

The Council's tree officer has commented on the proposals and considers that insufficient information has been submitted in relation to how the trees would be affected by the proposals. The Council would require an Arboricultural Implications Assessment and Tree Protection Plan and method statements i.e. for foundation construction to be submitted with the application. Without this information, the Council has concerns that the existing trees would be adversely affected by the proposals. The existing trees are considered to be of high visual amenity and to make an important contribution to the character of the streetscape therefore the loss of the trees would harm the streetscape and be contrary to policies CS14, CS15 and DP24.

The proposed building is to incorporate a living roof, which if designed well would help enhance the ecological value of the site. The proposed green roof and wall are welcomed as they have been shown to be beneficial to local biodiversity and effectively help regulate the temperature of the building reducing costs/carbon footprint. The details of the green roof are considered to be insufficient to demonstrate a sustainable scheme however were the proposals to be acceptable, this could be required by condition.

#### 5) Sustainability

Policies CS13 and DP22, and guidance in CPG3, require new build housing to meet Code for Sustainable Homes Level 4, with a minimum of score of 68%. The Applicant has submitted a sustainability statement that says that the unit is intended to meet level 4 of the Code for Sustainable Homes and will meet or exceed 2013 Building Regulations however no Code for Sustainable Homes pre-assessment has been submitted. This is contrary to policies CS13 and DP22 and guidance within CPG3.

#### 6) Transport implications

The site has a Public Transport Accessibility Level of Level 6a and there is no vehicular access for the site. Policy DP19 seeks to ensure that the creation of additional off-street parking will not have a negative impact on on-street parking, highways or the environment. Development of off-street parking will be resisted where it would cause unacceptable parking pressure. Camden Planning Guidance 7: Transport defines highly accessible areas as those which have a PTAL score of 4 and above. As the site has a high PTAL and is highly accessible, were the proposals to be considered acceptable the Council would seek to enter into a S106 legal agreement with the Applicant in order that the

development is car-free for the new residential units i.e. the occupier of the residential unit could not apply for car parking permits.

The application makes no mention of cycle parking. In order to comply with policies DP17 and DP18, the Council would seek to secure at least 1 covered, secure and fully enclosed cycle parking space for a residential development with 1 or 2 bedrooms. It is appreciated that space is likely to be limited however it is considered that a small bicycle shed could be accommodated within the site boundary.

No details have been submitted as to how the development would be constructed. Access from St Pancras Way would be very difficult due to the two-way segregated cycle track located adjacent to the site and no direct vehicular access. If the proposals were considered acceptable then a Construction Management Plan would be secured via Section 106 agreement as well as contributions towards reinstating the pedestrian footpath and cycle paths following construction would be sought.

#### 7) Recommendation

It is recommended that this application is refused for the reasons listed above.