

Delegated Report		Analysis sheet		Expiry Date:		22/03/2013	
		N/A		Consultation Expiry Date:		28/02/2013	
Officer				Application Number(s)			
Seonaid Carr				2012/6592/P			
Application Address				Drawing Numbers			
Lithos & Carltone House 307 Finchley Road LONDON NW3 6EH				See draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Change of use at second floor level of Carltone House from residential (Class C3) to offices (Class B1), change of use at second and third floor level of Lithos House from offices (Class B1) to residential (Class C3) together with erection of a fourth floor roof extension to create 4 residential units (3x3 bed and 1 studio).							
Recommendation(s):		Refuse planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	36	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		A site notice was displayed on 07 February 2013 until 28 February 2013.					
CAAC/Local groups comments:		N/A					

Site Description

The application site comprises of two buildings, one Lithos House which is a four-storey building currently in office use (Use Class B1). To the front of the building at ground floor level is an off street parking area providing 3 car parking spaces. The building is of red brick construction to the first floor level with glazed and metal cladding to the second and third floor levels.

The second is Carltone House, a four storey property located to the corner of Lithos Road and Finchley Road, the property is in retail use to the ground floor, office to the first and residential to the second and third floors. The property is largely of red brick construction to the upper elevations with ornate detailing, the ground floor level is characterised by rendered arches.

Inbetween the two application properties is No.307 Finchley Road which has been the subject of a number of planning application in recent history and is also owned by the applicant for this current application.

The site is not within a Conservation Area but is within Swiss Cottage/ Finchley Road Town Centre.

Relevant History

Lithos House

2012/1375/P - Change of use of 2nd and 3rd floors from offices (Class B1) to 2 x 2 bed flats (Class C3) and erection of an infill side extension at ground and first floor level, alterations to ground floor level including removal of garage door and creation of ramp. Planning permission approved, S106 to ensure residential units car free.

2012/6487/P - Installation of insulated rendered panel cladding to side elevation of existing offices (Class B1a) (following the removal of existing polycarbonate sheeting) together with the installation of three windows to the northern elevation one to each level from first to third floors. Planning permission approved.

307 Finchley Road

2010/6123/P - Change of use of part of the first, second and third floors from office (Class B1) to six self-contained residential flats (Class C3). Planning permission refused on grounds of land use, substandard accommodation, sustainability and transport issues.

2011/4759/P - Erection of an additional storey and creation of roof terraces at fourth floor level together with extensions and alterations to the existing 3-storey elevation facing Lithos Road associated with the change of use from offices (Class B1) at second and third floor level to create 1 x studio, 2 x 2-bedroom and 1 x 3-bedroom (Class C3). Planning permission approved subject to Section 106 to ensure development car free.

2012/5803/P - Non-Material Amendment to planning permission granted 23/01/2012 (2011/4759/P) for erection of an additional storey and creation of roof terraces at fourth floor level together with extensions and alterations to the existing 3-storey elevation facing Lithos Road associated with the change of use from offices (Class B1) at second and third floor level to create 1 x studio, 2 x 2-bedroom and 1 x 3-bedroom (Class C3) namely, alterations to ground floor level bike store, internal reconfiguration changing mix of units to 2 x 1-bedroom and 2 x 2-bedroom units and alteration to front elevation façade at third and fourth floor level. Application refused as not non-material amendment.

2012/6486/P - Variation of condition 3 (approved plans) of planning permission dated 04/01/12 (Ref: 2011/4759/P) for the erection of an additional storey and creation of roof terraces at fourth floor level together with extensions and alterations to the existing 3-storey elevation facing Lithos Road associated with the change of use from offices (Class B1) at second and third floor level to create 1 x studio, 2 x 2-bedroom and 1 x 3-bedroom (Class C3), namely to change access to units 2 and 4 from Cartone entrance to Lithos House entrance, with associated reduction in communal circulation space.

Application approved subject to Deed of Variation.

2012/6532/P - Amendments to planning permission granted 23/01/12 (Ref: 2011/4759/P) for the erection of an additional storey and creation of roof terraces at fourth floor level together with extensions and alterations to the existing 3-storey elevation facing Lithos Road associated with the change of use from offices (Class B1) at second and third floor level to create 1 x studio, 2 x 2-bedroom and 1 x 3-bedroom (Class C3) as amended by application Ref:2012/6486/P (variation of condition 3), amendment sought is to increase the height of the roof extension by 900mm together with an increase in height of the associated parapet walls. Application refused on design grounds.

2011/0936/P - Erection of an additional storey at fourth floor level together with extensions and alterations to the existing 3-storey elevation facing Lithos Road associated with the change of use from office space at second and third floor levels to create four new residential units on the upper floors (1 x 1-bed, 2 x 2-bed and 1x 3-bed). Planning permission refused on grounds of design, land use, substandard accommodation and transport reasons.

2011/3256/P - Erection of an additional storey at fourth floor level together with extensions and alterations to the existing 3-storey elevation facing Lithos Road associated with the change of use from office space at second and third floor levels to create four new residential units on the upper floors (1 x 1-bed, 2 x 2-bed and 1x 3-bed). Planning permission refused on grounds of design, land use and transport reasons.

Carlton House & 307 Finchley Road

2012/5202/P - Change of use from retail shop (Class A1) to drinking establishment (Class A4). Planning permission refused due to land use and amenity issues. Applications related solely to the ground floor.

Relevant policies

National Planning Policy Framework (2012)

The London Plan (2011)

LDF Core Strategy and Development Policies

CS5 Managing the impact of growth and development

CS6 Providing quality homes

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 & 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 Lifetimes Homes and Wheelchair Housing

DP13 Employment premises and sites

DP16 The Transport implications of development

DP17 Walking, Cycling and public transport

DP18 Parking standards and limiting the availability of car parking

DP19 Managing the impact of parking

DP21 Development Connecting to the Highway Network

DP22 Promoting Sustainable Design and Construction

DP23 Water

DP24 Securing High Quality Design

DP26 Managing the impact of development on occupiers and neighbours

DP31 Provision of, and improvements to, open space and outdoor sport and recreation facilities

Camden Planning Guidance 2011

CPG 1 (Design)
CPG 2 (Housing)
CPG 6 (Amenity)

Assessment

Proposal

Planning permission is sought for the change of use at second floor level of Carltone House from residential (Class C3) to offices (Class B1), change of use at second and third floor level of Lithos House from offices (Class B1) to residential (Class C3) together with erection of a fourth floor roof extension to create 4 residential units (3x3 bed and 1 studio).

Land Use

The key issue with regard to land use is the loss of the existing employment floorspace to Lithos House and the residential unit to Carltone House together with the proposed unit mix.

Loss of employment and residential floorspace

The loss of the employment floorspace to Lithos House and conversion into residential use, has previously been accepted within application 2012/1375/P, given there has not been a change in policy since the previous application, no objection would be raised to the proposed loss of employment floorspace.

The application is also seeking to replace the existing residential unit to the second floor of Carltone House with a new office, providing 52.81sq m of office space. This proposed change of use has not previously been the subject of a planning application. Policy DP2 states that the Council would seek to minimise the loss of housing in the borough, resisting development that would involve the net loss of two or more homes. Although the application would result in one less residential unit in Carltone House this would be re-provided within Lithos House. As such there would not be a net reduction in residential units and as such no objection is raised in this regard.

Mix of units

Policy DP5 seeks to provide a range of unit sizes to meet demand across the borough. In order to define what kind of mix should be provided within residential schemes, Policy DP5 includes a Dwelling Size Priority Table. The Council would expect any housing scheme to meet the priorities outlined in the table, or provide robust justification for not providing a mix in line with the table and the requirements outlined in paragraph 5.5 of the supporting text to the policy. Studios are identified as low priority and three beds as medium in the market sector. The proposal is for one studio and 3 x 3 bed units. It is stated within the supporting text of DP5 that the Council will aim for 40% of market homes to be 2-bedrooms. This application is failing to provide any 2 bed units and have provided no justification as to why they cannot provide any two bed units. It is also important to note that the previous application (Ref: 2012/1375/P) provided 2 x 2 bed units.

Even if this application were considered together with the most recent approval at the adjoining property No.307 (Ref:2012/6486/P) as this building is owned by the same person that owns the application site in total there would be the provision of 2 x studio, 2 x 2 bed and 4 x 3 bed. Resulting in 28.5% of the units being 2 bed, thereby still failing to accord with the Councils policies.

However the supporting text to the policy outlines the Council will be flexible when assessing development and applying the rules outlined above. It then goes on to state where a development involves the re-use of an existing building it may limit the potential to provide a range of dwelling sizes. As such it is considered that given the development would be providing a range in the sense of a studio and 3 bed unit it would not warrant a reason for refusal on failure to provide no 2 bed units.

Design

The proposed works to the upper elevations include raising the parapet wall to the front elevation by 9.2m in line with the parapet at first floor level, with the proposed roof extension rising a further 2m above this parapet. The roof extension would span the full width of the roof. To the front elevation it would incorporate two sets of doors which would lead onto a front terrace. To the rear would be a terrace area to provide external amenity space for one of the units. New windows are to be installed to the western elevation at second and third floor levels. To the ground floor it is proposed to remove the existing roller shutters, retain the glazed covering, install an access ramp. The application is also seeking permission to cover over an existing lightwell between the application property and Jesmond Dene.

With regard to the works to the upper elevations, this is considered to be an inappropriate form of development to the application property. At its upper levels the application building appear lightweight due to its materials and low front parapet. It is considered that given the proposals additional height, material and bulk it would not respect the character and proportion of the existing building, thereby failing to accord with Policy DP24.

When considering the proposed works to the upper elevations in the context of the surrounding buildings. Lithos House is of a similar architectural era as No.307 Finchley Road, however it is set back from the front building line of this property by some 4.4m at ground(not including the front car port) and first floor levels sloping further away to the upper levels. Visually it appear subordinate in relation to its adjoining neighbours and separated via the glazed structure which extends above the height of the building. It is considered when originally designed it would have been so to appear more in keeping in terms of height as the remaining properties on Lithos Road. At present Lithos House is set back from the front elevation of the neighbouring building Jesmond Dene at second floor level and above, although it rises above it slightly in terms of height it is considered this is compensated for by the elevational set back, resulting in the building appearing inoffensive to its neighbour. The proposal to increase the height of the parapet wall together with an additional storey would result in an inappropriate and dominating form of development at this elevated height which fails to pay regard to the setting, context and scale of the neighbouring building.

It is acknowledged that the Council have previously given planning permission for works to No.307 which included a roof extension and increased height to the parapet walls. However No.307 is separated from Lithos House via the glazed element which serves a staircase this visually separates the two properties, therefore the permission granted to No.307 would not set a precedent for allowing a development of a similar scale to Lithos House.

No objection is raised to the works to the ground floor level or the covering over of the lightwell between the application property and Jesmond Dene which are largely in accordance with what has previously been approved in application ref: 2012/1375/P.

In light of the above it is considered that the combination of the height, massing and detailed design of the proposed extensions is considered therefore to represent a visually prominent, obtrusive and incongruous alteration which fails to have regard to the design and proportions of the building. The proposal therefore fails to comply with policy DP24 and the detailed design guidance in CPG1 (Design).

Quality of Proposed Accommodation

Policy CS6 aims to make full use of Camden's capacity for housing, which is linked to DP2 which also has the same objective. Policy DP26 seeks to secure development which provides an acceptable standard of accommodation with respect of internal arrangements, rooms sizes and amenity space.

With regard to the space and room sizes of the units, all units would accord with the requirements set out in CPG2 in respect of unit and room sizes. No section has been provided through Lithos House to demonstrate the proposed internal head heights, however an existing section has been provided

which demonstrates that all levels are currently in excess of the internal head heights. Given this was not raised as an issue of concern in the previous application if planning permission were to be approved a condition requiring the section plan would be imposed.

In respect of daylight, sunlight and privacy, it is important to note the applicant has provided no information to demonstrate that the proposed units would receive a sufficient level of daylight and sunlight.

Looking firstly to the studio flat annotated as unit 5 located at second floor level there would be three openings within the one room which forms the studio, the biggest opening would look into an internal staircase thereby limiting the levels of sunlight and daylight into this unit. The two other openings would be in the rear elevation which is north facing and would face into an internal courtyard. Adjacent to these two windows is No.2a Lithos Road which is three storeys in height. It is considered the standard of amenity within this unit would be poor in respect of received insufficient levels of daylight and sunlight together with experiencing poor outlook when standing within this unit as such objection is raised in this regard.

In respect of unit 6 which is also to the second floor level, the openings to the main living area would be within the front elevation which is south facing and would allow for a good level of outlook and this room would likely receive sufficient levels of daylight and sunlight. The three bedrooms within this unit would have openings in the west elevation facing onto a 1.5m wide alleyway between the application site and Jesmond Dene which is four storeys in height. It is considered the outlook from these three windows would be poor and would result in poor levels of daylight and sunlight received into these rooms. Although bedrooms are not considered as important as main living areas, when considering the unit as a whole it is considered the amenity enjoyed would be poor.

To the third and fourth floor levels would be units 7 and 8. To the third floor levels the two bedrooms would have openings to the rear and western elevation, given these openings would be above the building height of No.2a Lithos Road and the window to the western elevation would be set back from Jesmond Dene by 4.8m due to the building line of Jesmond Dene, it is considered they would likely receive sufficient levels of daylight and sunlight and would experience acceptable levels of outlook for bedrooms. To the fourth floor level the bedroom would have two small windows to the rear elevation, given this would be within the proposed extension and higher than No.2a Lithos Road it is considered it would likely receive sufficient levels of daylight and sunlight for a bedroom and whilst the outlook would not be ideal it would likely not warrant a reason for refusal. With regard to the lounge area, this would be serviced by a set of French doors which would be west facing and lead onto the terrace area. Given the elevated height of this terrace in relation to the neighbouring buildings, it is likely this area would likely receive a sufficient level of sunlight and daylight with an acceptable outlook.

With regard to unit 8, given there would be large openings to the south elevation at both third and fourth floors with the third floor servicing the bedroom and fourth the lounge and study it is considered these areas would receive a sufficient level of daylight and sunlight and would experience good outlook. Two of the bedrooms would have their sole openings within the western elevation facing onto Jesmond Dene providing receipt of prohibited levels of daylight and sunlight together with poor outlook. However given there are a good level of opening to the fourth floor and the communal hall in the third floor it is considered overall the standard of accommodation would be acceptable.

In light of the above concern is raised in regards to the standard of accommodation experienced within units 5 and 6. in respect of units 7 and 8 although some rooms would suffer from poor amenity when considering the units as whole they are considered to provide a satisfactory level of accommodation in regard to daylight, sunlight and outlook.

With regard to outdoor amenity space, two of the three bed units would be afford external amenity space in the form of terrace areas, one to the front elevation and one to the rear. Both of these areas would be accessed via the main living space of the unit. Although the terrace to the front elevation would be less than 1.5m in depth it would be some 7.2m wide and as such would provide a suitably

sized terrace.

Neighbour Amenity

The proposed windows serving habitable rooms within the building will not result in a loss of privacy to the occupiers of neighbouring dwellings and future tenants of the proposed units. In addition, the increase in height of the building as a result of the residential conversion will not harm residential amenity through a loss of daylight/sunlight or outlook.

With regard to the proposed balconies, the balcony sited to the front elevation is not considered to cause harm to the amenity enjoyed by neighbouring residents as this would largely be set behind the parapet and would be a sufficient distance from the neighbours on the opposing side of Lithos Road as not to harm their privacy. In regard to the rear terrace, it is unlikely this would raise concern in respect of neighbour amenity, however should planning permission be granted a condition could be imposed to secure privacy screening to surround the terrace. In light of the above, the application therefore complies with the guidance set out in CPG 6 and policy DP26 of the LDF.

Transport

Policy DP16 seeks to ensure that development is properly integrated with the transport network. The application site has a Public Transport Accessibility Level of 6a (excellent) and is highly accessible by public transport and is located with Control parking zone CAR. There is currently the provision of three off street car parking spaces to the front of Lithos House.

With regard to cycle parking, the applicant is proposing space on the ground floor level for the provision of 8 cycle spaces. DP18 seeks to ensure the provision of one cycle space per residential unit with up to two bedrooms. For units with three bedrooms or more bedrooms, a minimum of two cycle storage spaces is required per dwelling. The proposal is for four residential units, three of which have three bedrooms; therefore a minimum of seven cycle storage/parking spaces is required. The applicant has included a space at the groundfloor for eight spaces, secured and in a covered location. However, the applicant has not proposed any information regarding dimensions, style of storage and drawings showing that there is actually space for eight vehicles.

The cycle provision at this site is acceptable to Transport on the condition that more details about the type and dimensions are provided by the applicant prior to any works taking place at the site.

In respect of car parking, The London Plan 2011 and Policy DP18 identify that car-free and car-capped should not only be sought for housing but also for developments in general and should be ensured by Boroughs in areas of high public transport accessibility. Therefore, the additional office space and residential units should be made car-free through a Section 106 planning obligation as the site is within a area well serviced by public transport and the development would increase demand for no-street parking within the CPZ which is also highly stressed. As such if planning permission were to be granted the development would be car-free and car-capped.

Policy DP21 seeks to protect the safety and operation of the highway network. For some development this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP) secured via S106.

Given Finchley Road is a Transport for London Road they have requested that during construction and maintenance of the development, the carriageway and footway of the TLRN (the A41 Finchley Road) must not be blocked. Any temporary obstructions should be kept to a minimum and should not obstruct the flow of traffic or encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic. All vehicles associated with the development of the site must stop only in the places and at the times permitted by the existing on street restrictions. No skips or construction materials shall be kept on the footway or carriageway of the A41 Finchley Road at all times. If the development were to be given planning permission such details would be secured via a

Construction Management Plan secured by Section 106.

CIL

The proposal will be liable for the Mayor of London's CIL as the development provides four units of residential accommodation. Within Camden this is charged at £50 per square metre. If planning permission were to be granted this will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, or and indexation in line with the construction costs index.

Recommendation: Refuse planning permission

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