

Delegated Report (MAJOR APPLICATION)		Analysis sheet		Expiry Date:		27/02/2013	
		N/A / attached		Consultation Expiry Date:		3.1.13	
Officer				Application Number(s)			
Charles Thuairé				2012/5566/P			
Application Address				Drawing Numbers			
159-167 Prince of Wales Road London				See decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s) Erection of new terraced building comprising basement, ground, first, second and mansard floors plus single storey rear extensions to comprise 19 self contained flats (Class C3), plus separate cycle store off Craddock Street and cycle and refuse stores plus access ramps on main frontage.							
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	33	No. of responses	02	No. of objections	02
				No. electronic	01		
Summary of consultation responses:		Plus site notice displayed, ending 28.12.13, and press advert published, ending 3.1.13. Objection from neighbour at 157a- noise and vibration and damage from construction works to property which has only been recently refurbished. Objection from local resident- concern at affordable housing toolkit and its Existing Use Value used which is not available for viewing on web - an overpayment for the site sold by the Council cannot be used as an excuse for avoiding developers' affordable housing obligations.					
CAAC/Local groups* comments: *Please Specify		Thames Water- no objection with comments Children Schools and Families Dept- note that developers will need to offer support for educational infrastructure as scheme will add to number of pupils attending schools in area.					

Site Description

Large vacant site on south side of road, originally occupied by terraced houses like its neighbours, then a bomb site, later occupied by cabins for the school behind and now cleared and awaiting redevelopment. It is bounded by 3 storey plus basement terraced houses to the east and Craddock St cul-de-sac to the west and Haverstock School to the south. The south side of the road is characterised by 19th C. 3 storey plus basement terraced residential properties, with nos 131-149 being listed Grade 2. The north side of the road has a variety of postwar blocks of flats 4-5 storeys or more, plus a neoclassical chapel opposite. The site does not lie within a conservation area.

Relevant History

2002- PEX0200456- outline permission for redevelopment for school purposes in conjunction with site behind but not implemented.

2004- PEX03001930- permission for redevelopment for school on site behind, now implemented; Subsequently, this residual site declared surplus to requirements and sold off by Council.

Relevant policies

LDF Core Strategy and Development Policies

CS1 - Distribution of growth
CS4 - Areas of more limited change
CS5 - Managing the impact of growth and development
CS6 - Providing quality homes
CS10 - Supporting community facilities
CS11 - Promoting sustainable and efficient travel
CS13 - Tackling climate change
CS14 - Promoting high quality places and conserving our heritage
CS15 - Protecting and improving open spaces & encouraging biodiversity
CS17 - Making Camden a safer place
CS18 - Dealing with waste
CS19 - Delivering and monitoring the Core Strategy

DP2 - Making full use of Camden's capacity for housing
DP3 - Contributions to supply of affordable housing
DP5 - Housing size mix
DP6 - Lifetime homes and wheelchair homes
DP15 - community and leisure uses
DP16 - transport implications of development
DP17 - Walking, cycling and public transport
DP18 - Parking standards and the availability of car parking
DP19 - Managing the impact of parking
DP20 - Movement of goods and materials
DP21 - Development connecting to highway network
DP22 - Sustainable 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
DP29 - Improving access
DP31- Provision of and improvements to public open space

CPG 2011-

1 Design- chapters 1,2,4,5,6,9,10
2 Housing- chapters 1,2,4,5
3 Sustainability- chapters 1,2,3,5,6,7,8,9,10,11,12,13
4 Basements- chapters 1,2
6 Amenity- chapters 1,6,7,8,9,11
7 Transport- chapters 1,5,9
8 Planning Obligations- chapters 1,2,3,4,5,6,7,10,11

London Plan 2011

NPPF 2012

Assessment

Proposal-

Erection of a block of 21 flats with semi-basement, ground, 1st and 2nd floors plus a mansarded 3rd floor, in a traditional pastiche design with entrance staircases and ramps, to replicate the form and facades of adjoining 19th C. terraces, plus additional garden level rear conservatories and 2 storey rear brick extensions and a bike store accessed off Craddock St.

Revisions and clarifications have been discussed with the agent to address various criticisms and queries of the scheme and the application has been formally revised to take account of some of these issues as far as is possible within the scope of this application. However the mansard storey remains which cannot be omitted as this would fundamentally alter the scheme and its mix and affordable housing appraisal. The applicant now wants the scheme to be determined with a refusal, as advised would be the case by officers.

Revisions-

Mansard reduced in height by 250mm and with sloped edge on east side;

PV panels now shown on roof;

Number of flats reduced from 21 to 19, mix changed to 8x1bed, 9x2bed, 2x3bed;

Revised affordable housing toolkit study to reflect new number and mix of units;

Amended layout to wheelchair units to meet accessibility standards.

Issues-

landuse policy, residential standards, transport, design, amenity, landscape, sustainability, basement impact.

Landuse policy-

The provision of new housing on this site is welcomed and accords with policy to promote new housing in the borough. However the scheme involves more than 10 units and therefore is required to provide affordable housing onsite in accordance with LDF policy and CPG guidance. The scheme does not provide any such housing onsite or offsite and it does not propose to help such provision in the form of a financial contribution, on the basis that it is apparently not financially viable to provide any such contribution in addition to the other accepted contributions required for other S106 obligations and the Mayor's CIL. A revised toolkit has recently been submitted to reflect the new mix of flats which shows a similar build cost but lower revenue due to the lower number of flats and this purporting to show that the scheme is even less able financially to support affordable housing; however its assumptions and criteria remain the same.

A cursory examination of the toolkit shows that the costs of the development and the site's alternative use value (to establish the existing site's value to assess against the proposed residual land value) both appear to be unusually high for this location. Notwithstanding these initial criticisms, the toolkit has not been assessed independently on behalf of the Council, as would normally be the case with such schemes, in order to establish whether the justification of not providing any affordable housing contribution is sound and accurate. The revised toolkit does not alter the Council's opinion on this. Despite this, it is considered that, in the absence of adequately justified and fully tested demonstrable evidence that no such affordable housing can be provided either on or offsite, the scheme has to be refused on grounds of lack of affordable housing provision.

Residential standards-

The original mix was 5 x 1person 1bedroom, 9 x 2p1b, 4 x 3p2b, 2 x 4p2b, 1 x 4p3b flats, which means 14 x 1 bed, 6 x 2 bed, 1 x 3bed. This equated to 67% 1 bed units, less than 30% 2 bed units and only one large 3 bed unit. The DP5 Dwelling Size Priorities Table states that the aim is to have 40% 2 bed units with such units being high priority, 1 beds low priority and 3-4 beds medium priority. Thus the proposed mix was originally considered to be poor as there were too many small 1 bed units, only a small proportion of 2 bed units and only one large family sized unit.

The revised mix is much better and now shows 2x1p, 6x2p, 6x3p, 5x4p which means 8 x 1bed, 9 x

2bed and 2 x 3bed units. This equates to 42% 1 bed units, 47% 2 beds and 11% 3 beds, which exceeds the policy target of 40% 2 bed units and provides a couple of large family size units. Accordingly the scheme now complies with policy and is acceptable in terms of unit mix.

All units are otherwise acceptable in terms of size and layout, conforming with CPG minimum standards, and receive adequate light, outlook and ventilation.

The scheme complies with most lifetime home standards except in 2 areas- no canopies are provided and the ground floor properties do not all have a level approach but rather a combination of ramps and steps. The justification is that the scheme has been designed to mimic the style and layout of the adjoining Victorian terraces which all have traditional raised ground and semi-basement storeys accessed via steps. The design rationale was to repair the streetscene (see design analysis below) with a matching terrace and thus it means adopting this approach with no level access or projecting canopies. The Council's access officer has accepted this justification as an exception to the norm for new buildings and as internal lobbies can take the weather protection function of canopies.

Policy DP6 also requires 10% of all units in such large schemes to be wheelchair-accessible; 2 units are shown to be easily adaptable, and their layout have been further amended to address the Access officer's detailed criticisms of the layout and dimensions.

Adequate refuse storage in the form of 2 bin stores in the front garden is shown on the plans.

In the case of a scheme which was otherwise acceptable, financial contributions would be required for community, education and open space facilities in line with CPG advice and would be secured by S106. In addition the scheme for 19 new housing units would be liable for the Mayor's Community Infrastructure Levy (CIL) charging scheme.

Transport-

This site has a PTAL rating of 5 which is 'very good' being easily accessible to public transport and where car-free housing will be encouraged. No carparking is proposed here and the applicant intends that the scheme will be car-free. This is welcomed and would, in the case of a scheme which was otherwise acceptable, be secured by S106.

Cycle parking is provided in the form of 22 stands- 9 in a bike store at the back and 13 in 5 separate stores under the front access steps/ramps. All stores are covered and secure and the overall number complies with standards of 1 per dwelling. Although the location of the front ones at basement level is not ideal and do not strictly comply with CPG guidance as they do not have step-free access, it is difficult to see how this storage can be alternatively provided in an acceptable form within the front garden, given the constraints of the design approach adopted here and the space needed for ramps etc. In the circumstances, it is considered that this design failure is not serious enough to warrant a reason for refusal.

A draft Construction Management Plan (CMP) is provided which is considered acceptable in principle. A development of this nature would require a full CMP, secured by S106, although the site itself and adjoining roadways are considered large enough to accommodate construction traffic and storage without causing harm to local transport and amenity conditions.

A financial contribution would be required to repair the adjoining footway after construction damage; an estimate has been provided by the Highway Engineers for £14,072, which in the circumstances of an acceptable scheme would be secured by S106.

In the absence of an acceptable scheme, the lack of a S106 to cover these 3 issues form further reasons for refusal.

Design-

The proposed front elevations will have a pastiche design to replicate the proportions, materials and

details of the existing frontage of the adjacent properties, using brick facades, sash windows, staircases to raised ground floor entrance doors (2 of which are fake as there are only 3 communal entrance lobbies) and rendered strips, parapet, door and window surrounds, all of which match the adjoining terraces. The only missing feature is the 1st floor projecting balconies or railings which some of the terraces have. This overall approach is welcomed and will enhance the appearance of the area and improve the continuity of the streetscape. The site is on the south side of the road which has distinct terraced housing which it is appropriate to replicate. In this regard the design is considered appropriate.

However the scheme also proposes a mansarded 3rd storey with slated roof and projecting dormer windows. In other circumstances, this roof form is a traditional design feature of such pastiche schemes and would be acceptable. However in this case, the adjoining terraces also have distinct parapet and storey heights. There are 3 exceptions to this- nos. 131, 139 and 199 all have a variety of roof extensions added later and permitted in 1980, 1984 and 1971 respectively. However these permissions significantly predate current policies and guidance and are isolated examples in a series of terraces which otherwise appear to have a basically unaltered roofscape, characterised by strong parapet cornice lines, chimney stacks and, for one terrace, party wall upstand features. Policy DP25 supporting text states, "Within areas of distinctive character, development should reinforce those elements which create the character. Where townscape is particularly uniform, attention should be paid to responding closely to the prevailing scale, form and proportions and materials."

It is considered that in this case, where the stated design approach is to replicate adjoining terraces, the introduction of a new mansard feature would be inconsistent with the prevailing streetscene and would appear as bulky and prominent feature, given the long views possible of this site along the road at the corner of Craddock Street. Although the revised mansard form with a lower height would reduce its prominence, it is still considered that the overall scheme would appear overly bulky and incongruous and would detract from the uniformity of the surrounding terraces, harming the character of the streetscene. It should be noted that the north side of the road has a different characteristic with a variety of more modern and higher blocks of flats, but this should not set a precedent for the south side where a different approach should be taken, as indeed is proposed here, by repairing the streetscene and infilling the bombsite with a replica Victorian terrace where previously a Victorian terrace of houses would have stood.

The rear facade generally matches the adjoining terraces in design approach but additionally has single storey garden level conservatory extensions and 2 storey lower and upper ground floor projections. The plan form of upper floors exceeds that of the other terraces in that they match the depth of the closet wings of the abutting properties rather than their main rear facades. However this increase in depth does not result in a visually bulkier building, given the hidden context backing onto a school and its lack of visibility from the street, and is acceptable.

The success of the development is considered to depend on the appropriate use of high quality materials, detailed design and finished appearance. This is particularly important as the design seeks to exactly replicate the adjoining Victorian buildings. The detailed design and use of materials (except for the mansard as noted above) is considered acceptable subject to conditions if the scheme had been able to be supported.

Finally the sustainability report refers to PV panels placed on the roof. A revised plan shows 60 of these panels in a double array across the entire roof (although these are not shown on any section/elevation drawings). Concern is raised at the potential visibility as normally such panels have to be raised at an angle facing southwards to be effective and thus such an array of upstanding structures, particularly those at the front and side edges, would look prominent in the streetscene and inappropriate in the context of a traditional roofscape feature such as mansard. The revised elevations still do not show these PV panels and thus it is not clear what precise impact these would have in detail on the building's appearance. However based on the limited information submitted, it is considered likely that the structures would be visible and harmful in long views. This, together with the inappropriate mansard, forms a reason for refusal.

Landscape-

There is only one tree which could potentially be affected by the proposal which overhangs the site from the street. It would appear from the drawings that it would be possible to implement the proposed works without any impact on the tree; however a tree protection plan and method statement should be conditioned on any approval of the scheme.

No details of hard and soft landscaping have been included in the proposal and it would appear that there is very little provision for soft landscaping. It is recommended that the scheme could be greatly improved by the inclusion of a green or brown roof which would provide wildlife habitat and reduce surface water runoff, which could be provided on any scheme with or without a mansard. Given that PV panels need to be placed on the roof for sustainability reasons, as noted above, it would leave only a small area for a biodiverse roof. In the circumstances, although such a roof should be encouraged in any resubmission of this scheme with revised roof form, it is considered that the lack of such a small area would not warrant a separate reason for refusal.

Amenity-

A daylight report has been submitted which shows that the scheme complies with the BRE report recommendations on day and sunlight received by adjoining properties, ie. school to the south and flats to the north. In relation to its impact on the only immediately adjoining property at no.157, the proposed projecting garden level conservatory is no higher than the garden wall and the upper floors abutting no.157 are aligned with its rear extension and main rear façade. Moreover no.157 has non-habitable room windows and a 2 storey closet wing extension adjoining the scheme, so it will not be harmed in terms of loss of daylight, sunlight, privacy or outlook.

Sustainability-

An energy strategy report has been submitted which recommends the use of a combi-boiler and 60 photovoltaic (PV) panels. These renewable facilities would provide 19% of the energy demand in addition to approx 43% of CO2 emission reductions against Building Regulations baseline arising from fabric efficiency and other measures. This is welcomed and complies with policy targets. However as noted above, such a large array of PV panels on a traditional mansard roof has implications for the prominence and form of this roof. The renewable facilities would need to be secured by a S106 and, given the overall unacceptability of the scheme, the lack of this forms a reason for refusal.

A Code for Sustainable Homes assessment has been submitted to show that it can reach Code Level 3 (65%) with targets of 50% being met for the categories of energy (67.7%) and water (50%) but not materials (41.6%). This latter non-compliance is unfortunate and there is no clear reason why this cannot be achieved for a new build scheme. Moreover the sustainability targets have been increased for 2013 in that policy DP22 states that 'the Council will promote and measure sustainable design and construction by expecting new build housing to meet CfSH Level 3 by 2010 and Code Level 4 by 2013'. Thus the scheme does not meet the latest current overall targets, as well as the individual ones for materials, and has to be recommended for refusal on this basis.

Basement impact-

A Basement Impact Assessment report has been submitted which follows the procedures and stages for assessing such schemes as outlined in CPG4 and has been prepared by suitably qualified professionals. The scheme involves construction of a semi-basement to match those of the adjoining properties. In that context, no problem is envisaged with this scheme in terms of its impact on the environment and townscape but, as the site is currently level with the street and the scheme involves lowering it to match adjoining gardens, such an excavation requires the submission of a BIA. The BIA shows that the site has made ground overlaying London Clay. The new basement will only extend within the made ground but will require foundations extending into London Clay and thus groundwater may be encountered in excavations below 2.3m. Measures are outlined for some level of groundwater control in these circumstances.

The study has shown by its screening and scoping stages that the scheme will not have any impact on land stability or subsurface flows nor harm neighbouring buildings. However the screening for surface water shows that the site, although not in a Flood Zone, is in a street which was flooded in 2002 and therefore at risk of surface water flooding. The screening identifies a requirement for a full surface flow and flooding risk assessment. However this has not been carried out and thus, as the study itself acknowledges, the BIA is incomplete in this respect. Hence the scheme should be refused as it is not known for certain at this stage how the scheme will be affected by or will contribute to flooding without more studies, given the context of this street's flooding history.

Recommendation

Refuse permission on grounds of lack of affordable housing; inappropriate mansard roof with PV panels; incomplete BIA; inadequate sustainability targets; lack of S106 to secure energy facilities, car-free housing, CMP, highway works and contributions to community, open space and education facilities.

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