

Delegated Report		Analysis sheet	Expiry Date:	13/11/2012
(Members Briefing)		N/A / attached	Consultation Expiry Date:	24/10/2012
Officer			Application Number(s)	
Miheer Mehta			2012/4886/P	
Application Address			Drawing Numbers	
66 Mill Lane London NW6 1NJ			Refer to decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of mansard roof extension and rear extensions at lower ground to first floor levels, creation of rear terraces at second and third floor level and installation of new front cellar lights at front lower ground floor level all in connection with change of use from retail (Class A1) at lower ground and part ground floor to 1 x 2 bedroom flat, 1 x 1 bedroom at first floor level and 1x 2 bedroom maisonette on second and third floor levels (Class C3).				
Recommendation(s):		Grant conditional permission subject to a S106 agreement		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	07	No. of responses	01	No. of objections	01
Summary of consultation responses:	<p>Objections received from 1 local resident from Flat 5 at 33a Mill Lane on the following grounds:</p> <ul style="list-style-type: none"> - There is no provision for rubbish and householders have to leave rubbish on the streets. - The height of the building will strongly encroach on the privacy of the block opposite on the northside and encroaches on the privacy of houses and gardens in Dornfell Street - Building on the back yards/gardens and the areas of green and planting are being diminished. - No effort has been made to let the shop on the ground floor areas of retail/office space are gradually being lost in the area, despite a need to increase employment in the area. - The roads are getting busier and there is no provision for parking. <p>Response: <i>See main report in regards to Refuse, Height of building and Parking comments. Building in part of the yard is not considered to be excessive and an area for landscaping will be required as part of an attached condition. The provision of the commercial unit is considered acceptable and as the existing unit is in poor condition and under-utilised, the size is considered acceptable.</i></p>					
CAAC/Local groups comments:	No response received.					

Site Description

The application site is a 3-storey plus lower ground mid-terraced property on the south side of Mill Lane. It is not in a Conservation Area. It comprises a retail unit (A1) at lower ground and ground floor level with maisonette above comprising 1 self-contained residential unit.

The remainder of the terrace has a mix of ground floor uses associated with activities generally found in a neighbourhood centre, with adjoining properties operating as a dental surgery and a veterinary surgery unit at ground floor level with residential uses above. The existing ground floor unit is currently selling second hand furniture.

The parade is set back from Mill Lane behind a wide forecourt and paved area.

Relevant History

2012/3450/P – Withdrawn - Erection of mansard roof extension and rear extensions at lower ground to second floor levels, creation of rear terraces at first, second and third floor levels, new front cellar lights and installation of new windows at front lower ground floor level all in connection with change of use from retail (Class A1) at lower ground and ground floor and 1 x 2-bedroom maisonette on upper floors to part ground floor as retail (Class A1), 1 x 2 bed flat at lower ground floor level, 1 x 2 bedroom maisonette on ground and first floor levels and 1x 2 bedroom maisonette on second and third floor levels (Class C3). The application was withdrawn due to the number of units proposed, the minimum flat sizes not being achieved, the overall layout of the units and the proposed outbuilding at lower ground floor level.

Relevant policies

LDF Core Strategy and Development Policies

Local Development Framework Core Strategy and Development Policies 2010

- CS1 (Distribution of growth)
- CS5 (Managing the impact of growth and development)
- CS6 (Providing quality homes)
- CS7 (Promoting Camden's centres and shops)
- 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 & encouraging biodiversity)
- CS18 (Dealing with our waste and encouraging recycling)

- DP2 (Making full use of Camden's capacity for housing)
- DP5 (Housing size mix)
- DP6 (Lifetime homes and wheelchair homes)
- DP10 (Helping and promoting small and independent shops)
- DP17 (Walking, cycling and public transport)
- DP18 (Parking standards and 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)
- DP27 (Basements and lightwells)
- DP28 (Noise and vibration)
- DP29 (Improving access)
- DP32 (Air quality and Camden's Clear Zone)

Assessment

Planning permission is sought for the erection of mansard roof extension and rear extensions at lower ground to first floor levels, creation of rear terraces at second and third floor level and installation of new front cellar lights at front lower ground floor level all in connection with change of use from retail (Class A1) at lower ground and part ground floor to 1 x 2 bedroom maisonette, 1 x 1 bedroom at first floor level and 1x 2 bedroom maisonette on second and third floor levels (Class C3).

The proposal includes rear extensions at lower and ground floor levels with a depth no greater than 2.77m and a 1m deep extension at first floor level. The proposal includes retaining a terrace at second floor level to the rear and providing a smaller terrace area at third floor level. A mansard roof extension would also sit at roof level with a partial Juliette balcony.

There would be a change of use of the lower ground and a small section of the ground floor level at the rear measuring approximately 5.5 sq. m. The change of use of the lower ground floor level from shop storage area to residential use is considered acceptable as this is not protected under current retail policy. However a small section of the rear of the retail unit at ground floor level would change to residential use. A floor area of 18.3 sq. m of retail floorspace would still be retained at ground floor level including a shopfront. This would therefore be considered acceptable in terms of DP10.

Revisions

During the course of assessment, minor changes were made to the front lightwell. This included removing the lightwell and balustrade, replacing this with cellar lights, inserting glass blocks that sit flush with the ground level. Cycle storage was also further clarified.

This application is an amended version of the earlier 2012 scheme which was withdrawn. The previous scheme proposed an unacceptable number of units, rear outbuilding and other minor concerns. The current proposal has sought to address these issues.

The key considerations for assessment are:

- Principle of change of land use
- Mix and amenity of proposed units and lifetime homes
- Design of proposals
- Amenity of neighbours
- Sustainability, public open space and education contributions
- Transport

Principle of land use

The site is currently a retail unit with an ancillary existing basement and rear yard and a maisonette on the upper floors.

The proposal includes loss of part of the retail unit at ground floor level. This would be marginal floorspace to the rear and it is considered the retained retail unit would be comparable to some of the other retail units along Mill Lane, which are varied in size. The loss of the lower ground floor to residential use is not protected under current policy and therefore the change of use is considered acceptable.

The provision of new housing is welcomed and is in accordance with policy which seeks to make full use of Camden's capacity for housing. This site is located within a designated Neighbourhood Centre; therefore the provision of a retail element within the proposed scheme is welcomed.

Mix and amenity of units

Policy DP5 seeks a range of unit sizes to meet demand across the borough. The proposals would result in 2 x 2-bed maisonette flats (at second floor/roof level, lower ground/ground floor levels) and 1x1-bed flat (at 1st floor). Whilst the provision of a larger family sized unit would be a preference, this would raise considerable issues with regard to layout and access given the location of the site (above commercial units facing onto a busy road) and the layout of the existing building. In addition, this is

not an area where there is a particular shortfall of larger units identified in policy DP2. The provision of 2 x 2 bed maisonettes is therefore welcomed as this is the current priority unit size for private housing. It is considered that the mix is therefore acceptable.

Flat 1 at ground/lower ground floor level in the rear of the building would have direct access to external amenity garden space. The bedroom to the rear would be generous in size and receive adequate daylight. The second bedroom would have limited light intake and no outlook, however due to the removal of the lightwell (due to highway concerns) and potential light intake via the glass blocks, it is considered retaining this room, as a secondary bedroom would be considered acceptable in this instance. Given the overall size of the new unit (87sqm Floor area) meets Camden's standard and the fact that the primary bedroom and living area have good quality daylight and layout, the overall quality of the flat is considered acceptable.

Flats 2 & 3 would each be dual aspect (north and south) and would receive a good level of daylight. The internal layout has been improved from the withdrawn scheme and would provide for good quality of internal amenity for future occupiers. Throughout the development the unit and bedroom sizes would meet the Council's minimum space standards and are acceptable in terms of policies DP5. Overall the units would provide an acceptable standard of amenity for future occupiers.

Lifetime homes

The applicant has provided a lifetime homes statement which indicates that the site and building constraints place constraints on the number of criteria which would be met by the development. In the context of those constraints, it is considered that the proposals have adequately met the terms of policy DP6.

Design of proposals

The scheme proposes to add a roof extension, set back from the front parapet by c.1.1m. This would result in the mansard roof extension being hidden in long and short views along Mill Lane. Materials at roof level would be natural slate, brick to match existing and lead dormers with timber windows to the front. To the rear, the existing butterfly roof parapets would be retained and the roof extension would be set back from the rear parapet providing a pocket terrace. It is notable that the proposed scheme has an identical appearance to the approval at no. 60-62 Mill Lane (approved in 2011). The mansard also complies with the design guidance in CPG1 in terms of impact on character and appearance as more recent approvals and built roof extensions have altered the character along this part of Mill Lane.

Whilst the neighbouring properties do not have additional storeys at roof level and in general the front roofline of the terrace is largely intact, the addition would be largely invisible from the public realm and would therefore have a minimal impact on the roofline as seen from the street. Mansard roofs have been approved at 68a Mill Lane (unimplemented) and have been built at 60-62 Mill Lane and further along the more prominent east end of the terrace. It is considered that the roof extension is acceptable and accords with policy DP24.

Further modifications to the existing buildings on site include the enlargement of the existing 2-storey rear addition which sits towards the end of the rear yard. The ground floor element would be widened by approx 1.7m throughout. The height of the ground and first floor elements would remain as existing. Overall the additions would be of an acceptable scale and design and would retain the subordinate relationship between the rear buildings and the main terraced property.

The existing basement would have glass blocks that would sit in front of the main building and would allow light intake into the basement. The glass blocks would be discrete and would not draw attention to the lightwell. No roller shutter is proposed for the front elevation and, in general, the shopfront would remain as existing. Overall the design changes to the building are acceptable and in compliance with policy DP24.

Amenity of neighbours

The introduction of new residential uses within the building creates the potential for overlooking and

loss of privacy to neighbouring dwellings. However, the alterations to the fenestration do not introduce an excessive amount of windows to elevations where previously there were none. It is also considered as the existing upper floors were in use as a residential maisonette, there would be no significant impact on the privacy of nearby dwellings.

The introduction of new residential uses to the upper floors and the new roof extension would not introduce any significant amenity impact for neighbours. The additional bulk of the roof extension would be north of all adjoining habitable rooms and would have limited if any impact on the access to daylight to them. The two storey rear addition would not project further than the adjoining buildings and would infill the existing gap between the back addition and the neighbouring flank wall. Therefore, there would be no harm caused. Overall the proposals would have limited impact on the amenity of neighbours and are acceptable in terms of DP26.

Sustainable design and construction

All new residential schemes introducing 5 or more units are required to provide an EcoHomes assessment in accordance with policy DP22. In this instance as only 3 units are being proposed, this is not required.

Policy CS13 expects all development to address the potential for renewable energy with a view to reducing on-site CO2 emissions by 20% but without a strict requirement to meet the standard. In this case, the applicant has investigated both PV solar panels and Rainwater Harvesting, however, due to installation costs this has not been considered viable.

Transport

The site is located on Mill Lane within the West Hampstead area with a Public Transport Accessibility Level (PTAL) of 4 (good). Policy DP18 of the LDF expects new development within areas which are easily accessible and subject to controlled parking zones (CPZs) to be car free. The site is within the Fortune Green CPZ with parking statistics showing increasing pressures on available spaces. It is therefore considered appropriate and reasonable to secure the 3 flats in the development as car-free by way of S106 agreement.

The proposals include relatively modest construction works and there is considered to be ample space within and around the site to contain the construction materials and site requirements (such as on the highway with the agreement of parking services and highways). It is therefore not considered necessary to secure a Construction Management Plan for the development.

The proposed space allocated for cycle parking is acceptable and would provide sufficient space for the required 3 cycle spaces; however, further details in respect of how it is secured and covered would be sought by condition in accordance with policy DP17. The condition would also require implementation and retention of the facility.

Landscaping and trees

There are no trees on site or in close proximity which would be affected the proposals. There would be some small areas of soft landscaping within the rear of the site. A condition would be attached to secure the landscaping details of these elements.

Waste and recycling

The proposals include storage within the ground floor area for partial storage of refuse. This is acceptable subject to a condition securing design details, and implementation/retention.

CIL

The proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as the change of use and extensions provide new residential units. At this point in time an estimation of the amount to be secured is £50.00 (LB Camden amount per square metre) multiplied by 206 square metres (gross floorspace), which equates to £10300.00. The CIL will be collected by Camden and an informative will be attached advising the applicant of the CIL requirement.

Conclusion

The development proposals are an acceptable improvement on the previously withdrawn scheme. The change of use from would provide new housing of an acceptable standard within modestly altered existing buildings and a retail element at ground floor.

The proposals are acceptable in all other respects subject to conditions and a S.106 legal agreement to secure the following Heads of Terms:

- Car free development for new residential units

DISCLAIMER

Decision route to be decided by nominated members on Monday 19th November 2012.
For further information please click [here](#).