

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	01/11/2012
		N/A		Consultation Expiry Date:	18/10/2012
Officer			Application Number(s)		
Jenna Litherland			2012/4646/P		
Application Address			Drawing Numbers		
69 Charlotte Street London W1T 4PJ			Refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Change of use of the first and second floors from office (Class B1) to 2 x 2 bedroom flats (Class C3), erection of a mansard roof extension to enlarge the existing 1 bed flat at third floor level to create a 3 bedrooms maisonette, erection of a single storey glazed extension at ground floor level to replace the existing structure on Tottenham Street, replacement of the existing shopfront and refurbishment of the existing facade.					
Recommendation(s):		Grant conditional permission subject to S106			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:		Refer to Draft Decision Notice				
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	08	No. of responses	01	No. of objections	01
			No. Electronic	00		
Summary of consultation responses:	<p>Site notice displayed from 19/09/2012 until 10/10/2012. Advertised in the Ham and High 27/09/2012.</p> <p>One letter of objection received from an occupier of no. 67 Charlotte Street</p> <ul style="list-style-type: none">No active marketing has been submitted to justify the loss of the office space contrary to policy.The ground floor is labelled as 'café'. The lawful use of the ground floor is A1 and not A3. The unit has not been used for 10 years continuously as a Class A3. The lawful use should be shown on the drawings.Acoustic mitigation should be incorporated into the scheme (double or secondary glazed) to protect the occupiers of the proposed units against potential noise and disturbance of existing businesses. <p>Please see the main body of the report for the case officer's response.</p>					
CAAC/Local groups comments:	<p>Charlotte Street CAAC: Objection The advisory committee consider that the proposed roof extension by reason of its bulk, height and location, including the linked dormer, would be unduly obtrusive to the detriment of the host building and the conservation area on this prominent corner site.</p> <p>Charlotte Street Residents Association: Objection. <u>Proposed roof extension:</u> There is strong objection to the proposed roof extension, because of the increased scale and height in relation to the adjoining terraces, which would be out of scale and character in this part of the Charlotte Street Conservation Area. This existing building, which is on the corner of Charlotte Street and Tottenham Street, is already considerably higher than the existing adjoining terraces of both these streets.</p> <p>We appreciate that there is a current application for a roof extension at No. 27 Tottenham Street which adjoins 69 Charlotte Street. That roof extension will be no higher than the existing building at 69 Charlotte Street. The adjoining terrace in Charlotte Street does not have existing roof extensions, but if the adjoining property did, it would also not be higher than the existing building at 69 Charlotte Street. Although we are opposed to the roof extension, we should point out that there is no details of the dormer windows, and how they open.</p> <p><u>Proposed glass side enclosure at Ground Floor:</u> We welcome the proposed removal of the existing side enclosure at Ground Floor, which is the entrance to the Basement (vacant restaurant) premises and which is an eye sore. Although we are not against the proposed glass enclosure in principle, there is insufficient detail and information to judge its design, especially in the context of the Conservation Area. Such pristine glass "boxes" very much depend of the quality of their architectural and technical detailing to a high standard. Also, it does mean that the space contained (entrance and stair to basement) will need to be well-managed to avoid visual clutter, because it will always been seen from the public pavement on this corner.</p> <p>Also, some concern was expressed on how the (virtual flat) glass roof will be kept clean (including from pigeon droppings).</p> <p>Please see the main body of the report for the case officer's response.</p>					

Site Description

The site comprises a 4 storey terraced property located on the junction of Charlotte Street and Tottenham Street. The site is located within the Charlotte Street Conservation Area and is identified as a building which makes a positive contribution to the conservation area. The property is located on a prominent corner of Charlotte Street. The building stands out from the surrounding properties with its stucco frontage and decorative external windows mouldings. No. 69 Charlotte Street is currently in use as B1 offices at first and second floor level and residential at third floor level. The ground floor is in use as a café (A1) and the basement is used as a restaurant (Class A3). No. 69 Charlotte Street is located within a 'Commercial Frontage' in Camden Supplementary Guidance 'Revised Planning Guidance for Central London – Food, Drink, and Entertainment Specialist and Retail Uses' - 2007.

Relevant History

PS9704532: Planning permission refused 17/07/1997 for change of use of ground floor from retail use (Class A1) to use within Class A3 forming an extension to the existing restaurant at basement level.

Relevant policies

National Planning Policy Framework 2012

London Plan 2011

LDF Core Strategy and Development Policies 2010

- CS1 Distribution of growth
- CS4 Areas of more limited change
- CS5 Managing the impact of growth and development
- CS6 Providing quality homes
- CS8 Promoting a successful and inclusive Camden economy
- CS10 Supporting community facilities and services
- 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
- 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
- DP15 Community and Leisure Uses
- 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
- DP20 Movement of Goods and Materials
- 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
- DP28 Noise and Vibration
- DP29 – Improving access
- DP31 Provision of, and improvements to, open space and outdoor sport and recreation facilities

Camden Planning Guidance 2011

- CPG1 – Design
- CPG2 – Housing
- CPG3 - Sustainability
- CPG5 – Town Centres Retail and Employment
- CPG6 - Amenity
- CPG7 – Transport
- CPG8 – Planning Obligations

Assessment

Planning permission is sought for change of use of the first and second floors from office (Class B1) to 2 x 2 bedroom flats (Class C3), mansard roof extension to the third floor level to create 1 x 3 bedrooms maisonette, erection of a single storey glazed extension to replace the existing structure on Tottenham Street, replacement of the existing shop front and refurbishment of the existing facade of the building.

The principal consideration material to the determination of this application are summarised as follows:

- Land Use
- Design
- Amenity
- Transport
- Sustainability

Land Use

Loss of B1 floorspace

Policy CS8 (Promoting a Successful and Inclusive Camden Economy) seeks to ensure that the borough retains a strong economy. It seeks to do this by, amongst other things, safeguarding existing employment sites that meet the needs of modern industry and employers and providing facilities for small and medium sized enterprises.

Policy DP13 provides more detailed information as to how these aims will be implemented. It states that the Council will retain land and buildings that are suitable for continued business use and resist a change to non-business use unless it can be demonstrated that the site or building is no longer suitable for its existing business use and that there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time.

CPG5 (Town Centres, Retail and Employment) explains those circumstances where the Council will consider alternatives uses for an employment site. It states changes from office use to an alternative use may be acceptable in respect of older office premises and that in these circumstances the priority replacement use would be permanent housing or community uses.

The current proposal is to change the use of the existing 1st and 2nd floor Class B1 office space to provide new residential accommodation. The proposal therefore would result in a loss of 2 floors which equates to 107 sqm of B1 floorspace that will not be re-provided elsewhere on the site. Concern has been expressed in representations received that no marketing has been submitted to justify the loss of B1 floorspace.

The existing office space is located within an older building which was not purpose built for this type of use. The premises would require significant investment to bring it up to modern standards. The office space is located on the third floor of the building and it does not have a lift. The office is currently occupied by tenants on a short term lease. The tenants of the first floor office have just gone into receivership and therefore would not be seeking to renew their lease or find alternative accommodation. The tenant at second floor level will seek alternative accommodation. The offices have shared access arrangements with the flat at third floor level and it would not be suitable for subdivision as the offices share facilities. As the property is not vacant it has not be marketed. However, the application has submitted a marketing report by White Druce & Brown in support of the application. This marketing report established that there is a surplus of poor quality office space such as that at 69 Charlotte Street within the vicinity of the site and that there was also surplus of suitable and far better accommodation on similar rental levels within the vicinity. As such it considered that the office spaces currently provided is poor quality and is not suitable for continued office use. Therefore, it is considered acceptable in principle to allow a change of use from office to permanent residential use.

To address the concerns raised in the consultation period: in accordance with CPG5 marketing is only required when it would be difficult to make an assessment on the loss of B1 office space using the criteria set in para. 13.3 of policy DP13 and para 6.4 of CPG5. The proposal has been addressed against this criteria (as above) and the loss of B1 floorspace is considered acceptable.

Residential units

The Council encourages the creation of additional residential accommodation provided that it meets acceptable standards. The proposal includes 2 x 2 bed units which would replace the existing office accommodation and enlargement of the existing flat at 3rd floor level through erection of a roof extension to create a 3 bedroom family unit. All flats would be accessed via the existing separate entrance on Charlotte Street adjacent to the main shopfront. This door provides access to a staircase leading to all upper floors. Each flat would be entirely self-contained, would have adequate natural light, outlook and ventilation and would exceed the floorspace standards set out in CPG2 - Housing. The flats would have dual aspect. Unit 3 would have private amenity space in the form of a small roof terrace. The provision of private open space is welcomed. A refuse collection point is identified on the plans to the rear of the glazed side extension. There is sufficient room within the existing flats for the storage of refuse and recycling.

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 and the expectation is that any housing scheme will meet the priorities outlined in the table and will provide at least 40% 2-bed units. The proposal includes 2x 2 bed and the extension of an existing 1/2 bed unit to a 3 bed unit. This proposed mix is considered appropriate and the inclusion of a family unit is welcomed.

Policy DP6 requires all new dwellings be designed to meet Lifetime Homes standards. A lifetime homes assessment has been submitted with the application and the development meets all of the relevant criteria. 7 of the 16 criteria would not be met. This is mainly to do with the units being above ground floor level in a building with no lift and also because the proposed bathrooms are not fully accessible. The criteria the proposal does not meet are: 5, 7, 8, 9, 10, 11 and 14.

Design

External alterations proposed include the addition of a mansard roof, a single storey side extension, insertion of windows on the Tottenham Street elevation and alterations to the shop front on the Charlotte Street elevation. Policy DP24 of the LDF states that the Council will consider whether any proposed extension would respect the character, setting, context, form and scale of neighbouring buildings. Policy DP25 states that the Council will only permit development within conservation areas that preserves and enhances the character and appearance of the conservation area.

The building is considered to make a positive contribution to the character and appearance of the Charlotte Street Conservation Area.

Mansard Roof - CPG1 –Design states that a roof addition is likely to be unacceptable where the proposal would have an adverse affect on the skyline, the appearance of the building or the surrounding street scene. A roof alteration is likely to be considered unacceptable when complete terraces or groups of buildings have a roof line that is largely unimpaired by alterations or extensions.

Both the Charlotte Street CAAC and the Charlotte Street Association have objected to the principle of a roof extension on this building. The application building is a prominent corner building on the corner of Charlotte Street and Tottenham Street. It is greater in height than the adjoining building on both side and does not visually form part of the groups or have a co-ordinated design with the terraced buildings to the south on the Charlotte Street and those to the west on Tottenham Street. The application property appears visually separate from the adjoining terraces and is considered to be different enough to be seen as individual building for which a traditional mansard roof extension would not feel out of place. As such, it is considered that the principle of a roof extension on this building would be acceptable.

CPG1 states that mansard roof extensions are often the most appropriate form of extension for a Georgian or Victorian dwelling with a raised parapet wall and low roof structure behind. The guidance also set out certain design principle for mansard roof extension which should be complied with such as height and the slope of the roof.

The proposed mansard roof extension is considered appropriate in terms of height and form and is designed in general compliance with the guidelines in CPG1: the proposed lower roof slope is angled at 70 degrees, the lower slope raises from behind the parapet wall, and the original parapet detailing would be retained. The proposed dormers on the Charlotte Street elevation relate to the fenestration pattern of this elevation and are considered to respect the window hierarchy. On the Tottenham Street elevation two dormers are proposed with a recessed terrace in-between. This aspect of the proposal was also objected to by the Charlotte Street CAAC. The position of the dormer windows reflects the window pattern below. A balustrade is proposed for the roof terrace which would project 0.6 metres above the parapet line and would be visible in longer views of the site.

The proposed terrace results in the extension appearing as a more contemporary addition on this elevation, however, this would be in keeping with the glazed box extension at ground floor level and is considered to be acceptable subject to the use of high quality materials and detailed design. Detailed drawings of the dormer windows would be required by condition to ensure that they would preserve the character of the conservation area. This should address some of the concerns raised by the Charlotte Street Association.

The proposed mansard would be finished in natural slate tiles and the dormers would be lead. The dormer windows would have timber frames which would be painted white. The balustrade for the roof terrace would be glazed. The proposed materials are considered acceptable.

Side extension – At present the building has an existing side extension on the Tottenham Street elevation which provides access to the existing restaurant at basement level. This extension is considered to detract from the appearance of the building. This would be replaced with a glazed box extension. The Charlotte Street Association have raised concern in relation to the details design of the side extension,

The removal of the existing extension would improve the overall appearance of the host building and it is considered that a simply designed glazed extension with minimum framing would add visual interest to the elevation. Detailed drawings of the proposed side extension would be required by condition in order to ensure the detail design of the extension is lightweight and high quality. The reinstatement of the window within the existing recess on the Tottenham Street elevation is welcomed.

Alterations to the shop front – The alterations to the Charlotte Street shop front include replacement of the louvers with windows and replacing the three central window panels with one larger window panel. The fascia board would also be reduced in height so that it no longer abuts the window surrounds above. Column capitals would also be installed on both elevations. It is considered that the proposed changes would improve the relationship between the shopfront and the upper floors of the building and would respect the general characteristics of shopfronts in the surrounding area in accordance with Policy DP30.

It is considered that the proposed mansard roof extension, the side extension and the amendments to the shopfront would preserve and enhance the character and appearance of the host building and Charlotte Street Conservation Area

Amenity

Privacy and daylight – The nearest residential uses are located at no. 67 Charlotte Street and no. 27 Tottenham Street both of which adjoin the application site. Given the relatively small increase in the height of the building (1.4 metres) and the contained nature of the extension the proposal would not impact on daylight to any of the neighbouring properties. With regard to privacy, there would be no harm as all frontages face onto public highways, whereby the standard minimum 18m separation distance between windows does not apply.

Noise – The application is accompanied by a background noise survey and the plans show the location of plant for the basement restaurant. The plant would be located in the rear part of the glazed side extension. This part of the extension would be obscurely glazed. Details of plant have not been included as part of this application therefore, any details of plant and evidence to demonstrate that it would meet the Council's noise standards would be required by condition.

A representation was received during consultation requesting that acoustic mitigation should be incorporated into the scheme (double or secondary glazed) to protect the occupiers of the proposed units against potential noise and disturbance of existing businesses. The site is not considered to be at significant risk of noise pollution therefore noise attenuation measures for the residential units is not considered necessary.

Transport

The proposed works would create two new self contained units. The area has excellent access to public transport and the CPZ is constrained. Therefore the new units would be secured to be car free by a section 106 legal agreement.

In accordance with the London Plan 1 secure cycle storage space is required per 1 or 2 bedroom units and 2 secure cycle parking spaces per 3 or more bed units. The proposal cannot include cycle parking at ground floor level owing to the constraints of the existing building namely the narrow entrance hall leading to the residential units. The Design and Access Statement confirms that cycle storage would be provided within the existing flats. This is not considered to be ideal as there is no lift and bicycles would have to be carried up the stairs. However, owing to the constraints of the existing site there is no other option for provision cycle parking. On

balance, it is considered acceptable.

Sustainability

Policy DP22 states that the Council requires development to incorporate sustainable design and construction measures and incorporate brown and green roofs where possible.

The applicant has explored the option of creating a green/brown roof over the mansard however this was considered to be inappropriate as it would have resulted in substantially increasing in height of the roof structure and would have placed undue pressure on the existing building and foundations.

As the proposal is for less than 500sqm of residential floorspace or 5 units an eco-homes assessment is not required.

Other matters

A representation was received during consultation that the lawful use of the ground floor is A1 and not A3 and that unit has not been used for 10 years continuously as Class A3 and that the lawful use should be shown on the drawings. According to the planning history at the property the lawful use of the property is A1. Under the A1 Use Class the premises can operate as an A1 café. Therefore, it is not considered that the ground floor unit being labelled as 'café' is incorrect. However, the use of the ground floor unit will be investigated by the Council's Enforcement Team.

CIL - This proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as the additional floorspace exceeds 100sqm or one unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge for this scheme is likely to be £7,267.50 (£50 x 145.35 sqm). 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, and subject to indexation in line with the construction costs index.

Conclusion

The proposed loss of employment floorspace is considered acceptable as it is poor quality and it has been demonstrated that there is no demand for this floorspace. The employment floor space lost will be replaced by permanent residential accommodation. It is considered that the proposed mansard roof extension and other external alterations would preserve and enhance the character and appearance of the host building and the wider conservation area. The proposed extension would not impact on the residential amenity of existing neighbours in terms of overlooking, daylight/sunlight or privacy. Subject to the recommended planning conditions and obligation the proposal is considered to be compliant with policy.

Recommendation: Grant conditional permission subject to S106 agreement to secure the two new residential units as car free.

DISCLAIMER

Decision route to be decided by nominated members on Monday 29th October 2012.

For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>