

Delegated Report		Analysis sheet		Expiry Date:	03/04/2012
		N/A		Consultation Expiry Date:	15/03/2012
Officer			Application Number		
John Sheehy			2012/0786/P		
Application Address			Drawing Numbers		
10, 11, 12 and 13 Charlotte Place London W1T 1SH			Refer to draft decision		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal					
Erection of mansard roof extension on 10-13 Charlotte Place to provide 2 x 1 bedroom self-contained flats (Class C3), relocation of water tanks to roof, installation of solar panels on roof and extension of kitchen extract on rear elevation of 13 Charlotte Place.					
Recommendation:		Refuse permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:		Refer to Draft Decision Notice				
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	56	No. of responses No. electronic	3 2	No. of objections	3
Summary of consultation responses:	<p>Site and press notices displayed for 3 weeks.</p> <p>Objections received from occupiers of 15 Charlotte Place, 39 Charlotte Street and 36/8 Newman Street. In summary the following concerns were raised</p> <ul style="list-style-type: none">• issues of light and scale have not been fully addressed;• street will become darker;• typical Fitzrovia rooftop view with its chimneys will be compromised;• proposed extension is a “risk” to this part of Fitzrovia;• overlooking of neighbouring properties;• this side of Charlotte Place is already one storey higher than the other side;• object to scale of works;• proposal not in keeping with character of the area;• the height of the extension, plus the rear extension at 13 Charlotte Place, will result in significant loss of light to adjacent properties, particularly those to the North of the site, including 14 and 15 Charlotte Place;• “I would like to see the project scaled down significantly”.					
CAAC/Local groups comments:	<p>Charlotte Street CAAC: “The proposal is over-scaled and the original form of this series of buildings , without mansards, should be preserved. The proposal would adversely affect the character of the conservation area”.</p> <p>Charlotte Street Association submitted the same objection as in relation to the previous application:</p> <p>“1. There will be increased height to this narrow pedestrian street of Charlotte Place, which will not be appropriate to the scale and character of this part of the Conservation Area. There will also be the loss of the existing tall chimney stacks, especially those at each end of the terrace, which give character to this part of the Conservation Area. There are no existing roof extensions on this terrace; and thus this precedent should not be permitted as in Camden’s planning guidance policies. Also, the character of this pedestrian passage way of Charlotte Place is small scale: this part of the terrace is already 4 storeys (Ground Floor, 1st, 2nd and 3rd Floors), whereas the terrace on the opposite side is only 3 storeys (Ground Floor, 1st and 2nd).</p> <p>2. The proposed roof extension will impair important views along Charlotte Place. Over very many years, there have been photographs of views down Charlotte Place which have become “iconic” ones for Fitzrovia.</p> <p>3. Except for No. 7, the whole of the terrace above Ground Floor level on the opposite side (within the City of Westminster with Charlotte Place forming the borough boundary) of this pedestrian street is also residential. The proposed 4th Floor roof extension will impact detrimentally on these residential flats opposite, in terms of daylight (and possibly sunlight), outlook and overlooking. Additionally, we are not convinced that the relocated water tanks will appear so modest; they are likely to be more prominent and taller/larger than shown on the proposed elevation drawings. The terrace opposite is already one storey lower, and thus the proposed roof extension will cause not only over-looking problems, but increase the disparity in scale of this pedestrian passage.</p>					

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| | <p>4. Because the proposed 4th Floor extension is being built up sheer on the rear elevation, this will increase the scale of the rear of this terrace when viewed from the residential flats on the back of the Charlotte <u>Street</u> properties. Thus, there will be a detrimental impact in term of view, as well as possible overlooking, for those residential flats above ground floor level at nos. 39, 43 & 45 Charlotte Street, which look out at the back.</p> <p>5. The dwelling mix is unacceptable.”</p> |
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Site Description

A group of 4 four-storey terraced properties located on the eastern side of Charlotte Place, a pedestrian street located between Goodge Street and Rathbone Street. The upper floors of the properties are currently in residential use, the ground floors are occupied by commercial units. The site is located in Charlotte Street Conservation Area. The buildings are not listed but are nos. 10-12 are identified as positive contributors to the character and appearance of the Conservation Area. The western side of the street is located in the City of Westminster.

Relevant History

November 2011 Planning permission refused for erection of roof extension on 10-13 Charlotte Place to provide 2 x 1 bedroom self-contained flats (Class C3) relocation of water tanks to roof, installation of solar panels on roof and extension of kitchen extract on rear elevation of 13 Charlotte Place, ref. 2011/3962/P.

Reasons for refusal:

- *The proposed additional floor, due to its scale, location and detailed design would result in a prominent, obtrusive and top-heavy extension, which would fail to respect its setting and context and would harm the character and appearance of the host buildings, the streetscene and the Charlotte Street Conservation Area;*
- *The proposed additional floor, in the absence of a daylight analysis assessing its impact upon the adjacent residential properties on Rathbone Street and Charlotte Place, would be likely to result in the loss of daylight to these residential properties which would be detrimental to the amenity of occupants;*
- *In the absence of justification why the proposed development could not provide a residential unit comprising 2-bedrooms or more, the development would fail to contribute the creation of mixed and inclusive communities by securing a range of self-contained homes of different sizes;*
- *The proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area;*
- *The proposed development, in the absence of a legal agreement to secure Level 3 of the Code for Sustainable Homes and on-site renewable energy measures, would fail to incorporate adequate levels of environmental performance and contribute to the Council's aims of tackling climate change.*

Relevant policies

LDF Core Strategy and Development Policies

Core Strategy

CS5 Managing the Impact of growth and development

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 and encouraging biodiversity

Development Policies

DP16 The Transport Implications of Development

DP17 Walking, Cycling and Public Transport

DP18 Parking standards and Limiting the Availability of Car Parking

DP21 Development Connecting to the Highway Network

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

Camden Planning Guidance 2011

Charlotte Street Conservation Area Character Appraisal and Management Plan 2008

London Plan 2011

National Planning Policy Framework

Assessment

Proposal: erection of mansard roof extension on 10-13 Charlotte Place to provide 2 x 1 bedroom self-contained flats, relocation of water tanks to roof, installation of solar panels on roof and extension of kitchen extract on rear elevation of 13 Charlotte Place.

This application follows a recent refusal for works of a similar type and scale.

The principal change to the scheme since the previous refusal involves alteration to the roof treatment at the rear where a mansard treatment is now proposed in place of a vertical rear wall. The angle of the front mansard slope has also been amended. The application is accompanied by a Daylight and Sunlight Study by Rights of Light Consulting (dated 3 February 2012).

Given the similarity of the proposals it follows that much of the content of the assessment section of this report is similar to the assessment section of the recent refusal.

Assessment

The principal considerations material to the determination of this application are:

- the impact on the appearance of the buildings and the character and appearance of the Conservation Area; and
- the impact on neighbour amenity.

The impact on the appearance of the building and the character and appearance of the Conservation Area

Policy Background

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions to existing buildings are proposed. The following considerations contained within policy DP24 are relevant to the application:

- development should consider the character, setting, context and the form and scale of neighbouring buildings;
- development should consider the character and proportions of the existing building, where extensions and alterations are proposed;
- developments should consider the quality of materials to be used.

Policy DP25 'Conserving Camden's Heritage' states that within Conservation Areas, the Council will only grant permission for development that preserves or enhances the character and appearance of the Conservation Area.

This is supplemented by Charlotte Street Conservation Area Character Appraisal and Management Plan which deals with the character and appearance in the Conservation Area.

The paragraphs on Charlotte Place and Colville Street, both pedestrian streets, point to the "*notable degree of consistency along these streets in terms of materials, height and repeated fenestration*" (para 6.35).

The following general comment on design is contained in the Appraisal and Management Plan:

"High quality design and high quality execution will be required of all new development, which will be expected to respect the existing character, scale and mix of uses. It is important that applications contain sufficient information to assess the proposals" (para. 13.16);

And, with regard to roof extensions, the Appraisal and Management Plan advises against:

"Inappropriate roof level extensions – especially where these interrupt the consistency of a terrace or the prevailing scale and character of a block, are overtly prominent in the street" (para. 12.3).

Camden's Planning Guidance with regard to roof extensions states that such extensions should be of an appropriate scale and should not be excessively prominent. It states that the Council will consider the effect of

an additional floor on the architectural style of the application buildings and the established townscape. The detailed design including materials and window design should be sympathetic to the character and appearance of the original building and the surrounding area.

Site and Surroundings

The eastern side of Charlotte Place comprises a terrace of 6 properties, numbers 10-15, as well as 2 end-of-terrace properties facing Goodge Street and Rathbone Street respectively.

Numbers 10-13, the application buildings, are at the southern end of this short terrace. They are four storeys in height.

Numbers 14-15, at the northern end of the terrace, are three storeys in height, with additional mansard roofs, comprising 4 levels of accommodation in total.

The end-of-terrace buildings contrast to the buildings within the terrace in terms of design and appearance: the building on the corner with Rathbone Street (to the south) is a substantial Victorian building comprising 3 storeys with a mansard storey; the building on the corner with Goodge Street (to the north) is 4 storeys in height and appears to date from the 1950s.

On the western side of Charlotte Place the buildings are 3 storeys in height, with the corner properties rising to 4 storeys.

Discussion

As existing the height of the buildings within Charlotte Place responds to the narrowness of the street and is in keeping with its character as a side-street of modest proportions, subordinate in scale to the nearby Goodge Street, Rathbone Street and Charlotte Street. On the east side of Charlotte Place the buildings are on 4 levels (4 storey or 3 storey plus mansard), and on the western side on 3 levels. The proposed increase in height to the application buildings would amount to 1 storey and would measure 2.8m. The buildings would rise in height from 4 levels to 5 levels (4 storey plus mansard). The application buildings would become significantly taller than the other buildings within the street, matching the height of the adjacent corner building on Rathbone Street which fronts onto a grander street. The proposed development would increase the scale of the buildings on this side street and would therefore erode the distinction between the wider, grander streets in the immediate area and this subordinate side street. The development would therefore detract from a significant element of the character of the street and its surroundings.

The roofline of the application buildings is prominent over long distances from within both Goodge Street and Rathbone Street. The proposed extension would occupy the entire roof of the buildings. Due to its size and location it would be a prominent and obtrusive new feature which would fail to relate subordinately to the modest application buildings and the scale of the street, causing harm to the character of the buildings and the streetscape. The proposed extension would be a particularly dominant and abrupt feature when seen from street level within Goodge Street to the north, where the northern flank of the extension would intrude into the current view of the roofscape in addition to the general new height and bulk of the mansard extension, for example.

The application buildings, in particular the three properties which are identified as positive contributors within the Conservation Area have a high quality of detailing and finish. This includes traditional timber-framed sash windows set within deep reveals and a brick finish to both elevations with attractive detailing above the windows on the upper floors. To the rear, the buildings have simple detailing utilising brick and traditional windows. However, the application drawings do not reflect the quality of detailing or the finish of the application buildings (and are also incorrectly labelled with inaccurate orientation indicated). The proposed drawings do not contain any convincing detailing of the proposed development e.g. specific information about the detailed design and finish of important features such as the windows and their surrounds or the appearance of the northern side parapet. There is no indication that the extension would be constructed with a quality of materials and detailing commensurate with the quality of the application properties or the surrounding area.

Within traditional terraced buildings window openings normally diminish in size as one progresses upwards along a front elevation. However, the windows within the front elevations of the proposed dormers would be of a greater height and overall size than the windows on the top floor of the front elevations below. In the case of no.13 the size of the dormer openings would be significantly greater than the windows on the floor below. This would result in an awkward composition which would not consider the character and proportions of the existing

buildings.

The proposal would involve complete removal without replacement of two chimney breast and associated pots, while other chimney breasts would be lost with the pots being placed on the new parapet walls. These chimney breast and pots are characteristic features of the existing buildings that are positive contributors to the conservation area and can be seen in some views. The loss and (partial) inadequate repositioning of these features would further harm the character and appearance of these buildings.

In the context of the traditional application buildings, three of which are identified as positive contributors to the character and appearance of a Conservation Area, the proposed standard of detailed design is unacceptable. The erection of the additional floor would fundamentally alter the appearance of the buildings and the surrounding area. The proposed development is unacceptable both in principle and in detailing. It would have a harmful impact on the architectural quality of the application buildings and the character and appearance of the wider Conservation Area.

Extension of extract duct and moving of water tanks

It is proposed to increase the height of the existing extract duct to the rear of no.13 to the new roof level and move water tanks onto new roof level. These alterations would not involve the introduction of any new plant or machinery and would not have a significant detrimental impact on the application property or its setting. These elements of the application are not unacceptable when considered in isolation and, if the scheme was generally acceptable, no concerns would be raised with these parts of the works.

Other issues

Neighbour Amenity

There would be no loss of privacy to neighbours as a result of the proposal as views from windows of the proposed roof extension into neighbouring properties would replicate existing established views without opening up any new views.

The previous application was refused on the basis of loss of daylight to neighbours. The current application is accompanied by a Daylight and Sunlight Study by Rights of Light Consulting (dated 3 February 2012). This addresses BRE guidance 'Site Layout planning for daylight and sunlight; a guide to good practice' (2011) and assesses the impact of the development on sunlight and daylight to all affected properties, the properties to either side and those on the opposite side of Charlotte Place

The Study indicates that the impact of the proposal on access to daylight of neighbouring properties would be limited and that none of the windows surveyed would experience a loss of 20% of daylight or more compared to existing conditions – the greatest loss of daylight would amount to 13.1% which is well below the 20% which BRE guidance describes as noticeable.

The Report indicates that there would be no significant impact on the access to sunlight of any neighbouring properties. Due to the location and form of the additional mansard floor, tilting away from the front elevation, it would have very limited potential to cast shadows on the pedestrian street below and would not have a significant effect in terms of darkening the street.

The extension would not be intrusive or unsightly to views from adjoining property such as to be harmful to their visual amenities.

The proposal is acceptable in terms of its impact on neighbouring amenity.

The extension would reduce light to street level to a marginal degree, but not to such an extent as to warrant objection for this reason in itself.

Mix and quality of proposed units

Housing is the priority use in the Council's LDF and, under other circumstances, the provision of 2 new housing units would be welcomed in principle, however in this instance the proposal fails to provide the types of housing for which there is any particular priority need in the area.

The proposal is for 2 one-bedroom two-person flats measuring 50sqm and 57sqm. The four properties currently

host 9 studio flats and a HMO. The Council is keen to support the provision of larger units in this part of the borough, where smaller units often predominate. Policy DP5 seeks for all development to provide a mix of unit sizes and in particular to target the high priority dwelling sizes set out in the Dwelling Sizes Priority Table. The applicant has provided no justification for the provision of two further 'small' units. There does not appear to be any particular reason why the proposed addition to the top floor could not accommodate a two or three bedroom unit in accordance with DP5. The applicants have not provided any convincing justification for the proposed unit mix and thus the application is refused on basis of lack of justification for failing to provide unit sizes to meet the Council's published highest priority.

All new homes should comply with Lifetime Homes criteria as far as possible. The applicants have submitted a Lifetime Homes Statement addressing these criteria. The limitations of the site are such that not all of the Lifetime Homes criteria can be met, however the measures proposed are acceptable in this instance.

Transport

Camden's transport policies, specifically CS11 and DP17, and the associated guidance require the provision of 1 covered, secure cycle parking space for every new residential unit created. In the case of this development this would mean that 2 cycle spaces should be provided. The applicant has failed to address this requirement however it is recognised that there is no land associated with the properties which could be used for cycle storage and that the ground floor area to each property includes a commercial use which severely limits the scope for provision of cycle storage.

Legal Agreement requirements

The application is also refused on the basis of the failure to enter into a legal Agreement to secure the following requirements:

- Car-free housing, as required by policy DP18 for development involving new self-contained residential dwellings in highly accessible locations; and
- It is recognised that solar panels have been proposed in the drawings and this is welcomed in providing on-site renewable energy measures. However a Sustainability Plan achieving Code for Sustainable Home Level 3 in a Post-Construction Assessment, secured by Legal Agreement would be required by policy DP22. In the absence of a Legal Agreement securing this requirements the application is unacceptable.

Recommendation: refused.

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