

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	17/03/2011
		N/A / attached	Consultation Expiry Date:	03/03/2011
Officer			Application Number	
Aysegul Olcar-Chamberlin			2011/0366/P	
Application Address			Drawing Numbers	
8 Fitzroy Road London NW1 8TX			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
		Tina Garratt		
Proposal				
Amendments to planning permission granted (subject to section 106 legal agreement) on 07 July 2009 (ref:2009/0084/P) for alterations and addition of a new basement extension in connection with the change of use of the building (currently Class B1 and B8 use) to create 2 x residential units (1x 5-bedroom house and 1x 1-bedroom flat) (Class C3) and 1x office unit (Class B1); amendments including installation of glazed first floor rear addition between Building B and Building C; replacement of external gantry and bridge at first floor level; rearrangement of rooflights on Building B; installation of rooflight to roof of Building D; installation of a green/sedum roof on Building E; remodelling of Building F; alterations to layouts of office unit and 5-bedroom house (to increase in office provision in Building B); and ancillary residential use of Building A to the 5-bedroom house.				
Recommendation:		Grant planning permission subject to deed variation to s106		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	43	No. of responses	02	No. of objections	02
			No. Electronic	02		
Summary of consultation responses:	<p>A site notice was displayed from 02/02/2011 to 23/02/2011.</p> <p>The occupiers of 4 Fitzroy Road and 149 Gloucester Avenue objected to the proposal. In summary the grounds of their objection are:</p> <ul style="list-style-type: none"> The size of the basement would be increased by 90sqm and its depth below the ground would be increased to 4.5m. The proposed basement would be a massive undertaking and would increase the number of number of people entering and leaving the site. <p><i>Response: No amendments are proposed to the size and height of the approved basement level. The extension to the basement is subject to a different application (ref: 2011/0345/P) for minor material amendments to the original scheme (see relevant history section). The rest of the issues were dealt during the assessment of the original application.</i></p> <ul style="list-style-type: none"> The proposed basement could affect the structural integrity of the neighbouring properties. <i>Response: The original planning application dealt with this issue. A structural report (dated February 2009 by Conisbee) which was submitted with the original application adequately addressed how the buildings on the site and the surrounding boundary walls and earth would be maintained safe during and after the excavation works. According to the structural Report the proposed scheme would retain the courtyard façade to buildings A and B and timber structure (building E) by underpinning with the new basement and there would be retaining walls around the basement to support the surrounding earth during construction. The implementation of the structural report was secured via S106 agreement.</i> There could be noise, disruption and damp problems during the construction. <p><i>Response: The original planning application dealt with this issue. The terms of Construction Management Plan which was secured via the S106 agreement of the original planning permission would be adequate to ensure minimal disturbance to the neighbouring properties and the surrounding transport network during construction.</i></p>					
CAAC/Local groups comments:	<p>Primrose Hill CAAC strongly objected to the proposal. In summary, their grounds are:</p> <ul style="list-style-type: none"> The proposed rooflight to Building D is disproportion and harms the appearance of the traditional buildings. Demolition of building F is unacceptable in principle. The proposed sedum roof with large glazed rooflight to Building E is not significant in terms of sustainability and harmful to the character of this building. <p><i>Response: Please refer to the assessment section of the report.</i></p>					
Site Description						
8 Fitzroy Road/Chalcot Yard comprises a set of buildings arranged around a rectangular courtyard forming a backland site and accessed through a narrow alleyway under no 10 Fitzroy Road in the Primrose Hill Conservation Area. The site was formerly in use as a builder's yard dating from the 19 th century, and is currently vacant.						

All of the buildings on the site are recognised as heritage assets which make a positive contribution to the Primrose Hill Conservation Area. A map of 1875 shows the yard in its current form except for the existing timber store which was constructed between 1894 and 1914. Primrose Hill Conservation Area Statement identifies low storey industrial/ancillary buildings clustered around enclosed courtyards, which are accessed from the main highway by a narrow alley as characteristic features found in the local area.

The yard adjoins a terrace of Grade II listed early Victorian properties to the west and south western corner of the site, which front onto Chalcot Square.

Relevant History

Original planning permission:

2009/0084/P - Planning permission was granted on 07/07/2009 (subject to S106) for the alterations and addition of a new basement extension in connection with the change of use of the building (currently Class B1 and B8 use) to create 2 x residential units (1x 5-bedroom house and 1x 1-bedroom flat) (Class C3) and 1x office unit (Class B1). The approved office floor space (Class B1) is 572.1m² and the approved residential floor space (Class C3) is 787.9m².

Conditions 5a (programme of ground investigation) of the original planning permission was discharged on 12/04/2011. The following conditions are still outstanding and require details to be submitted and approved: 2 (sample panel of brickwork); 3b(details of doors, entrances, terraces, balconies and re-cladding of Building E and Building F); 5b (remediation measures if necessary); 6 (details of acoustic and sound attenuation for extract ventilating system and air-conditioning plant); 8 (details of waste storage and removal); and 11(details of hard and soft landscaping)

Terms of S106:

- Car capped housing for the two residential units;
- A Construction Management Plan;
- Highways contribution (£4,600 towards repaving adjacent crossover); and
- Requirement to construct in accordance with the submitted Structural engineers report.

Non material amendments to the original planning permission:

2010/5017/P – Alterations to approved building A including sedum roof cover above flat roof was approved on 19/10/2010.

2010/5028/P – Alterations to front elevation of building C was approved on 19/10/2010.

(The other proposed non materials amendments to the original scheme including alterations to the location office space, fenestration detailing of building B and building D and remodelling of building F were withdrawn by the agent on October 2010 following the case officer's recommendation (refs: 2010/5024/P, 2010/5027/P, 2010/5029/P and 2010/5031/P). These amendments were considered to raise material, design and access issues.)

Minor material amendments:

2010/5822/P – Planning permission was refused on 07/02/2011 for the minor material amendments to planning permission granted subject to a section 106 legal agreement on 07 July 2009 (ref: 2009/0084/P) including:

- ancillary residential use of Building A to the single dwelling house;
- alterations to façade of Buildings B and D including insertion of largely glazed full height windows and sliding timber shutters;
- rearrangement of rooflights and void area on the roof of Building B.
- installation of sedum roof on Building E;
- alterations to size and location of building F including provision of bicycle and refuse storage;
- extending gantry and additional bridge at first floor; and
- alterations to internal layouts to relocate office unit on basement and ground floor levels and to improve internal circulations to the habitable rooms of the single dwelling house.

Reason for refusal:

"The proposed alterations to the external elevations of Buildings B and D, by reason of the size and design of the windows and shutters, would be harmful to the appearance and light industrial character and composition of the buildings on the site and the character and appearance of the Primrose Hill Conservation Area, contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden

Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies."

An appeal (written representation) was lodged on 07/02/2011 against the refusal of this application. The inspectorate has not made any decision yet.

2011/0345/P - Amendments to planning permission granted (subject to S106) on 07 July 2009 (ref:2009/0084/P) including:

- installation of glazed first floor rear addition between Building B and Building C;
- enlargement of basement to accommodate additional office space, car park and cycle park;
- installation of carlift on the courtyard;
- replacement of external gantry and bridge at first floor level;
- rearrangement of rooflights on Building B;
- installation of roof-light to roof of Building D;
- installation of a green/sedum roof on Building E (after rebuilding);
- remodelling of Building F;
- internal alterations to locate office unit on basement and ground floor levels of Building B and reconfiguration of 5-bedroom house layout including incorporation of Building E; and
- ancillary residential use of Building A to the 5-bedroom house.

The Council's Development Control Committee resolved to approve the application subject to conditions and deed variation to S106 agreement (ensuring reinstatement of Building E) on 19/05/2011. The S106 variation has yet to be signed, this planning permission has not yet been issued and the application is currently technically outstanding.

2011/0724/C - Dismantling of Building E (timber structure). This application was made together with the planning application, 2011/0345/P to excavate extended basement. The Council's Development Control Committee resolved to approve the application subject to conditions and deed variation to S106 agreement (ensuring reinstatement of Building E) on 19/05/2011. The S106 variation has yet to be signed, this conservation area consent has not yet been issued and the application is currently technically outstanding.

Relevant policies

LDF Core Strategy and Development Policies

Core Strategy

CS5 - Managing the impact of growth and development

CS6 – Providing quality homes

CS8 – Promoting a successful and inclusive Camden economy

CS11 – Promoting sustainable and sufficient 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 and encouraging biodiversity

CS16 – Improving Camden's health and well-being

CS18 – Dealing with our waste and encouraging recycling

CS19 – Delivering and Monitoring the Core Strategy

Development Policies

DP1 – Mixed use development

DP2 – Making full use of Camden's capacity for housing

DP5 – Homes of different sizes

DP6 – Lifetime homes and wheelchair homes

DP13 – Employment sites and premises

DP16 – The 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

DP21 – Development connecting to the highway network

DP22 - Promoting sustainable design and construction

DP23 - Water

DP24 - Securing high quality design

DP25 – Conserving Camden's Heritage

DP26 - Managing the impact of development on occupiers and neighbours
DP27 – Basement and Lightwells
DP28 – Noise and vibration
DP29 – Improving access
DP32 - Air quality and Camden's Clear Zone

Camden Planning Guidance (CPG 1) - Design (2011)
Camden Planning Guidance (CPG 2) – Housing (2011)
Camden Planning Guidance (CPG 3) – Sustainability (2011)

Primrose Hill Conservation Area Statement

Assessment

1. Proposal

Since the original application there have been numerous applications for minor amendments to the approved scheme (see above). This application seeks minor amendments to the approved scheme. Since the application was originally submitted the scheme has been revised to reduce the size of the rooflight to Building D and separation of secondary/emergency accesses from the office unit and 5-bedroom house. The proposed alterations would be:

- installation of rear addition between Building B and Building C;
- replacement of external gantry and bridge at first floor level;
- rearrangement of rooflights on Building B;
- installation of roof-light to roof of Building D;
- installation of a green/sedum roof and rooflight on Building E;
- remodelling of Building F;
- internal alterations to locate office unit on basement and ground floor levels of Building B and reconfiguration of 5-bedroom house layout including incorporation of Building E; and
- ancillary residential use of Building A to the 5-bedroom house.

2. Issues unique to this application

Difference between the proposed scheme which the Council's Development Control Committee resolved to approve (ref: 2011/0345/P) and the proposed scheme with this application are:

- Relocating cycle storage and car parking spaces on the extended basement level (with associated car lift);
- incorporation of Building E to the 5-bedroom house; and
- use of the entire ground floor of Building B for office space.

The issues that are specific to this application are sizes and layouts of the proposed residential units and office, parking, cycle storage and refuse storage. These are considered in detailed below.

2a. Mix and Sizes of residential units

The applicant proposes to use the approved one bed unit (Building A) as ancillary to the main dwelling, without changes to the floor area or significant alterations to its layout. The unit would remain self-contained. The potential loss of a single unit is compliant with policy.

Almost the entire ground floor level of Building B would be part of the office unit (except the small section next to Building C). The first floor of the approved office unit would be added to the main house. The new layout of the proposed main house would not change the number of bedrooms but it would reduce the floor area by approximately 61m². The proposed 5-bedroom house would have a floor area of approximately 666m² and would be still in excess of the floorspace required in the Camden Planning Guidance.

All the habitable rooms would have adequate natural ventilation. However all the bedrooms on the first floor level of the main house would be served by rooflights and have limited outlook. Given the rest of the bedrooms and all the living rooms would be served by large openings and would have good outlook the proposed house is considered to provide satisfactory outlook and amenities for the future occupiers.

One of the bedrooms on the first floor which would be served by one rooflight would have a window area below the Council's recommendation in Camden Planning Guidance (at least 1/10 of the floor area of the room). The other bedrooms on the first floor which would be served by two rooflights would have just about adequate external window area in accordance with the Council's recommendation. Given the house would be very spacious and the rest of the habitable rooms would be well lit, it is considered that the proposed house would

provide good living standards and therefore comply with the Council's Residential Development Standards.

The new arrangements for the proposed residential and office units would not change the approved mix of the residential units and would comply with the aims of policies CS6, DP2 and DP5.

2b. Office Accommodation

The proposed office unit would be on basement and ground floor levels. The proposal would increase the floor area of the office unit by approximately 60sqm. Given the former use of the site the small increase in floor area of the office unit that part of the proposal is acceptable in land use terms. Its new configuration is likely to be more practical to potential occupiers. The increase in the office space would also not compromise the living standards of the proposed residential units.

The proposed lightwells would provide some natural light and ventilation to the basement floor of the office unit. The proposed office accommodation would still be an improvement of the existing office accommodation on site which is of poor quality.

2c. Parking and Transport conditions

The approved scheme included two on-site car parking spaces in Building E. Despite the additional spiral staircase there would be adequate space for two cars in Building E. The proposed Building F would have an adequate space for bicycle storage (which would be similar to the approved cycle storage). It is considered that the proposed scheme would not be likely to significantly change the parking conditions.

A Construction Management Plan which is secured via S106 agreement of the original planning application would be adequate to limit and manage the impact of the proposed construction works on the local transport network.

In summary, the proposed revisions would have no material transport implications and are considered to be acceptable in transport terms subject to the terms of S106 and conditions 9 and 10 of the original planning permission.

2d. Refuse Storage

The waste and recycling storage shown in Building F may not be adequate but the site has capacity to accommodate more refuse stores. Condition 8 of the original planning permission would ensure provision of adequate space and management for refuse and recycled materials.

2e. Other issues

- The proposed residential units would be capable of meeting the necessary Lifetime Homes criteria.
- The proposed alterations would maintain the approved schemes' sustainability measures.

3. Issues common to this application and application, 2011/0345/P

The main design and amenity issues were assessed by 19 May 2011 Development Control Committee. As planning permission has not been issued, and for the sake of completeness these issues have been addressed again below.

3a. Design and Appearance

The site is surrounded by Grade II listed buildings and its features are considered to reflect the local characteristic of the area therefore any proposals need to be considered with regard to the setting of the listed buildings as well as the harm to the significance of the heritage asset in accordance with policies CS14, DP24 and DP25.

Installation of a glazed first floor addition between Building B and Building C: The proposals seek to enclose the roof top garden, abutting Buildings B & C, which was approved as part of the original permission. This would be largely fully glazed, would have a flat roof and would be no higher than the surrounding brick walls. Therefore the impacts of glazing over this element in terms of impact on the appearance of the buildings would be minimal. This is a very minor addition to the approved scheme and is acceptable in design terms.

Alterations to Building B: The rearrangement of rooflights on Building B would be hardly noticeable on the roof profile and would not significantly change the overall architectural composition of the approved scheme.

Alterations to Building D: This building is essentially the same as Building B, although smaller in length. Its roof has been removed and it is in a dilapidated state of repair although its front elevation retains its industrial/studio character, with multistock brick, timber window bressemeres, multi pane timer windows, with traditional loading

doors. The rear wall of the building abuts the listed flank boundary wall of no.19 Chalcot Square. Other than the proposed rooflight on the south elevation (which face to Building B) no other alterations are proposed to the approved elevation of Building D. Since Primrose Hill CAAC objected to the size of the rooflight the scheme has been revised and considerably reduced in size. The proposed slated pitched roof with a small rooflight to Building D would be similar to the approved scheme and would match Buildings B and C. The proposed rooflight is acceptable.

Alterations to Building E: This is an unusual and picturesque 3-storey timber framed store/workshop, currently used as storage by Butcher Plasterworks (since early 1970's); it is also located on southern side of the site adjoining the garden boundary of no. 19 Chalcot Square. A first floor bridge link connects it with Building B. A roof garden on building E was approved as part of the original application. It is proposed to install sedum roof system with a rooflight instead of a roof garden on Building E. The roof of Building E would not be visible from the public realm and the proposed rooflight would not affect the elevations of this Building. The proposed alterations to Building E would be minor in scale and are considered to be acceptable in design terms as they would not significantly change the overall architectural composition of the approved scheme.

Alterations to Building F: This is a 2-storey timber framed lean-to timber store located against the garden boundary with no. 12 Fitzroy Road on the opposite side of the entrance passage and it adjoins Building E. This small building makes little contribution to the character and appearance of the site. It is proposed to demolish approximately two thirds of Building F and remodel the rest of it to use the ground floor as an enclosed refused storage. The design and appearance of the proposed building F would be similar to Building E and is considered to be acceptable in design terms. Due to its small scale conservation area consent would not be required.

Alterations to gantry and bridge: The gantry is not an original structure and its replacement is acceptable in principle. It is proposed to extend the approved gantry around Building B up to Building A and replace the existing bridge to maintain access from Building B to Building E. Both the gantry and the bridge would be secured by glass balustrade. This is considered to be acceptable in design terms and would not compromise the architectural composition of the approved scheme.

Overall the proposed alterations would not harm the light industrial character of the existing buildings and it is considered that the proposed scheme would preserve the appearance and character of the wider conservation area.

3b. Landscaping

The proposed alterations would not have a detrimental impact on any of the adjacent trees. The application involves the addition of sedum roofs to Buildings A and E. This is a positive proposal for all the benefits that green roofs bring. The details provided for the sedum roofs are considered to be sufficient.

3c. Residential Amenity of Neighbours

The proposed alterations would not result in an increase in the overall height or bulk of the building or rearrangement of the approved windows facing onto the adjoining sites and therefore would not result in a detrimental loss of daylight, sunlight or outlook of the surrounding properties.

The proposed alterations would not change the arrangements of the approved windows facing onto rear of 137 and 139 Gloucester Avenue. Similarly the proposed rooflights on the roof of Building B would not be significantly different from the approved rooflights in terms of their size and positioning. Given the rooflights would be well above eye level and pretty much flush with the roofslope the proposed rooflights would not be likely to raise any overlooking or loss daylight to the neighbouring properties.

Recommendation: Grant permission subject to a deed variation for s106 (for the revised drawing numbers).

DISCLAIMER

Decision route to be decided by nominated members.

For further information see

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