

Delegated Report Members' briefing		Analysis sheet	Expiry Date: 20/10/2010
			Consultation Expiry Date: 30/09/2010
Officer Jenny Fisher		Application Number(s) 2010/4499/P	
Application Address 259 Royal College Street London NW1 9LU		Drawing Numbers Refer to decision letter	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature
Proposal(s) Erection of a 2-storey rear extension, excavation of front lightwell and alterations to ground floor front elevation in conjunction with change of use of basement from offices (Class B1) to 1 x studio self-contained flat (Class C3).			
Recommendation(s):		Grant planning permission with conditions and a S106 Agreement	
Application Type:		Full Planning Permission	

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	16	No. of responses	00	No. of objections	00
Summary of consultation responses:						
CAAC/Local groups* comments: <small>*Please Specify</small>	<p> <u>Jeffrey's Street CAAC</u> Concerned about the parade. Shops did not have lightwells. All had a window and door access to the underpavement coal hole/store, door usually below shop entry door. Grille inappropriate – window sitting unhappily between floors. Glass infill to gate and railings inappropriate. Lack of detail – access to basement; materials for window. Design of residential floor space – size of bedroom; location of bathroom; light to living area. Without attention to floor acoustics, and awkward space taken to light basement, flexibility of occupation of ground floor limited, would become residential by default. Examples of poor conversions attached. </p> <p> <u>Officer comment</u> <i>Fact remains that a large number of properties within the parade have lightwells will railings and a gate for access to steps leading to the basement area. Revised drawings have addressed the main objection raised. The window in the front elevation has been lowered and decorative grille feature removed. The balustrade would comprise vertical metal railings. The window would be timber framed. The internal arrangement of rooms has been switched, the kitchen is adjacent to the living room and bathroom adjacent to the bedroom. The change of use of the ground floor could not lawfully take place without an application for planning permission. Could not legally be done by default. Sound proofing is a matter that would be picked up by Building Control (Buildings Regs. Part E). Examples of poor conversions noted.</i> </p>					

Site Description

The property comprises basement, ground, first and second floors. Ground floor and basement are currently unoccupied were formerly in office (B1) use. There is a separate entrance door to the first and second floors in residential use.

This is an early Victorian mid-terrace building on the west side of Royal College Street. The front elevation to upper floors is brick built with plain sash windows. A shop front has been retained at ground floor level. The front area, open with access from the pavement for most of properties along the parade, has been covered over and enclosed with a basic form of enclosure rather than a traditional balustrade. To the rear the original single storey closet extension has been retained. The rear garden has clearly been neglected a considerable time.

The building is sited within Jeffrey's Street Conservation Area and is recognised as a positive contributor. The shop front is designated as one of merit. The site has an excellent PTAL rating of 6a.

Relevant History

01/03/2010 2010/0130/P Application refused for:

Erection of a 2-storey rear extension, excavation of front lightwell and alterations to shop front, all in conjunction with change of use of the ground floor and basement from offices (Class B1) to two 1- bedroom self-contained flats (Class C3).

Reasons:

1. The proposed replacement ground floor front elevation, by reason of detailed design and loss of a shop front of merit would be detrimental to the appearance of the building and character and appearance of the conservation area contrary to policies B1 (Design), B3 (Alterations), B4a (Shop fronts) and B7 (Conservation areas).
2. The proposed residential accommodation at basement level would be substandard in terms of access to sunlight and daylight and by failing to meet Camden's residential space standards, to the detriment of the amenity of future residential occupiers, contrary to policies SD6 (Amenity of Occupiers and Neighbours) and H1 (New Housing).
3. In the absence of sufficient justification to demonstrate otherwise, the proposed loss of accommodation considered suitable for small firms would be detrimental to the Council's objectives of encouraging the provision of a range of types and standards of workspace accommodation, contrary to policy E3C (retention of business uses)
4. The proposed development, in the absence of a legal agreement for car-free housing, would be likely to contribute unacceptably to parking congestion in the surrounding area, contrary to policies T8 (Car-free housing) and T9 (Impact of parking)
5. The proposed development, in the absence of a legal agreement to secure a Construction Management Plan, would be likely to result in an unacceptable impact on the public highway, contrary to policy T12 (Works affecting highways)

Relevant policies

Replacement Unitary Development Plan 2006

SD2 (planning obligations), SD6 (amenity for occupiers and neighbours), E2 (retention of existing business uses), E3C (accommodation for small firms), H1 (new housing), H7 (lifetime homes), H8 (mix of units), B1 (general design principles), B3 (alterations and extensions), B4 (shop fronts), B7 (conservation areas), T3 (pedestrians and cycling); T8 (car free housing and car capped housing), T9 (impact of parking), T12 (works affecting highways)

LDF Core Strategy and Development Policies

The Inspector's Report into the Camden Local Development Framework Core Strategy and Development Policies Development Plan documents ("DPD"s) was published on 13th September and found the policies in the DPDs to be sound.

This means "considerable weight" can now be given to these LDF policies even though at this stage they have yet to be formally adopted by the Council. Where there is a conflict between UDP policies and LDF policies the Planning Inspectorate would consider it reasonable to follow the latter.

However prior to formal adoption UDP policies should still be taken into account as the Council's adopted Development Plan

CS1 (distribution of growth); CS5 (managing impact of growth); CS6 (provide quality homes); CS8 (promote inclusive Camden economy); CS11 (promote sustainable travel); CS14 (promoting high quality places and conserve heritage); CS15 (protect open spaces)

DP2 (make full use of Camden's capacity for housing); DP5 (housing size mix); DP6 (lifetime homes); DP13 (employment sites and premises); DP19 (manage impact of parking); DP21 (development connecting to the highway); DP17 (walking, cycling); DP18 (limit availability of car parking); DP24 (secure high quality design); DP25 (conserve Camden's heritage); DP26 (manage impact on occupiers and neighbours); DP29 (improving access)

Assessment

Proposed

The current application proposes:

- retention of the ground floor B1 use;
- existing shop front would be retained;
- open up the front basement area, façade would be rendered painted white, a timber framed sash window and a door would be installed in the front façade, installation of steps to provide access from the pavement to the basement; existing balustrade would be replaced with metal railings to match the neighbouring property (No. 261), one of the vaults under the pavement would be restored to provide storage space;
- change of use of the basement from B1 (office use) to residential;
- a new accessible wc/shower would be installed at ground floor level for the office;
- demolish a rear closet extension and erect a two storey (same height as extension to rear of No. 261) full width brick built extension with a lead or zinc clad roof;
- floor of basement lowered by 0.6m;
- increase length of rear lightwell by 2m, (it would be 3m. between the rear bedroom window and retaining wall of the patio), steps would be installed providing access to the rear garden;
- increase height of the boundary wall between the application premises and the adjoining premises (No.261);
- french doors with a glass panel either side would be installed to the rear basement and two timber framed obscure glazed sliding sash windows to match a first floor window would be installed to the rear of the ground floor office.

The main differences between the previous application refused 01/03/2010 and the current application are listed below. Overall the level of detail provided with the current application is greater and more acceptable than previously proposed.

- shop front would be retained; balustrade would match No 261;
- the B1 office use of the ground floor would be retained;
- formerly 2 x 1 bedroom flats were proposed, the current application is for a single one bedroom flat;
- previously a metal platform at rear ground floor level was proposed, this would have provided access from the ground floor flat proposed to the garden, removed from current application, the door that would have provided access to the platform has also been removed from the current application.

Amendments to the originally submitted drawings:

- front window lowered so that it does not exceed the ceiling level of the studio flat and removed the decorative grate that concealed the internal soffit detail. Window narrowed to maintain proportions;
- as the window opening is reduced by the above amendment the room behind is now a bedroom;
- the living area, now to the rear, would receive excellent light from the patio doors and direct access to the garden;
- the kitchen area and bathroom have been switched around so that the kitchen is immediately adjacent to the living space.

Discussion

Main issues for consideration in this case are design, impact upon neighbouring amenity, residential standards, residential mix, the loss of an existing business use and transport.

Design

Although it is likely that the property was originally wholly in residential use, some time during the later 19th century the ground floor was converted to retail use and a painted timber shop front of a traditional design was installed. The Council's Design Officer considers the current application to be a vast improvement on the previous scheme due to retention of the shop front and has no objection to the insertion of a window opening onto the new front basement area. Drawings have been amended in response to concerns raised by the local CAAC and C&UD. The originally proposed glazed infill of the existing balustrade was considered unacceptable and the applicant was given the opportunity to submit a revised drawing. The replacement of the existing railing, enclosing the front area, with a more modern design to meet current building regulations is now acceptable. The size and position of the window is acceptable, although a condition is required for details of the glazing bars.

The choice of white render to the front, London stock facing brick to match existing to the rear, timber panelled doors, and timber framed white painted vertical sash windows are acceptable.

The proposed shop front retention and works associated with the use of the basement for residential purposes are all in line with the UDP B7 (preservation of the conservation area) CS14 (promoting high quality places and

conserve heritage, (DP24 (secure high quality design) and DP25 (conserve Camden's heritage).

Neighbouring Amenities

Visually the works proposed would be a vast improvement for the outlook of the occupants of neighbouring properties, the lower section (ground floor and basement) of the building is currently in a poor state of repair and the garden overgrown and full of rubbish.

The parapet roof of the existing closet extension that would be demolished is currently lower than the height of the boundary wall between the application site and neighbouring premises (No. 261). The parapet of the rear extension proposed would be the same height, it is considered that this would not result in loss of sunlight/daylight to windows to the rear of the neighbouring premises. The boundary wall between Nos. 259 and 257 is taller than the height of the proposed extension, there would no amenity impact to the occupants of 257.

Obscure glazing would be installed in office windows to the rear ground floor, if approved recommend a condition requires obscure glazed windows to be fixed shut.

This would enable occupants of the basement flat to enjoy the use of the garden without overlooking.

It is considered that the amenities of the occupants of neighbouring properties and future occupants of the basement flat proposed would not be harmed by reason of loss of light or overlooking. The proposal thus complies with UDP policy SD6 (amenity for occupiers and neighbours), CS5 (managing impact of growth) and 6 (manage impact on occupiers and neighbours).

Residential standards

The overall floor space of the basement flat 41m² exceeding the 32m² required for single person occupancy. The bedroom would be 12.8m², above the 11m² required for first and double bedrooms.

The area of the front window would serve measures 12.8m². Camden Planning Guidance advises that the glazed area should total not less than 10% of the floor area of the room. The window to the front has been reduced and repositioned in response to concerns raised about the visual impact of the proposed development. The room to the front would be a bedroom and the glazed area calculated would be under 10% at 0.9m². BRE guidelines (para. 2.2) to which the Council refers when considering daylight to habitable rooms states that bedrooms should be analysed, although they are less important than living rooms, kitchens and dining rooms. To the rear the retaining wall of the patio would be 3m. from the bedroom window and full width, full height glazed panels/ doors would be installed. Light to living area, kitchen and dining room would be sufficient.

Since this would be a basement flat, few lifetime homes could be applied, however an informative is recommended to encourage as many of the standards to be applied as possible. Given that this would be a basement flat, overall the standard of accommodation that would be provided is considered acceptable.

Cycle parking and bin storage would be provided in a re-instated vault. Camden's Parking Standards for cycles requires 1 cycle storage space per unit. The cycle would have to be carried down to the basement because could not be provided at ground floor level.

Mix of units

Policy H8 (DP5) requires residential developments to include an appropriate mix of large and small units. There is an existing flat two bedroom flat located on the upper 2 floors (1st and 2nd) therefore the property as a whole would meet the requirements for a mix of unit size.

Loss of Business Use

The ground floor B1 unit would be retained. The basement unit measures 35m² below the 50m² – 150m² range the Council is keen to retain. The loss of the use of the basement for B1 purposes would not compromise the B1 use of the ground floor. The proposal thus complies with UDP policy E3C (accommodation for small firms) (DP13). The standard of the ground floor B1 unit would be improved by the refurbishment proposed and the installation of an accessible WC and shower.

Transport

Where a change of use from non-residential to residential occurs T8 is the relevant policy. It states that where the minimum parking standards are not practicable and where the application site is within a controlled parking zone, together with high public transport accessibility, a proposal of this type should be considered as car-free housing.

This area is located within the (CA-G) (Camden Town and Outer Somerstown) Controlled Parking Zone, which allows parking by permit only Monday – Saturday 08.30 – 18.30. Royal College Street is a 'Borough Distributor Road' and there is very little on-street parking available. The (CA-G) CPZ also has a ratio of parking permits to car parks of 0.98, meaning existing parking capacity is more or less fully subscribed. The site also has

excellent access to public transport.

Although lack of a CMP was one of the reasons for refusal last time, the Council's Transport Planner advises that a CMP is not required for this development. Royal College is a two way street and as a full basement excavation is not proposed, it is considered that works proposed would not have a severe effect on the highway which would warrant a CMP. A contribution towards highway works is required.

The applicant has declared his willingness (letter 18/08/2010) to enter into a legal agreement with the Council.

Recommendation: Grant planning permission

Heads of Terms for 106 Agreement

Car-free

Contribution to Highway works

DISCLAIMER

Decision route to be decided by nominated members on Monday 18th October 2010. For further information see

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