

Delegated Report Members Briefing		Analysis sheet		Expiry Date:		14/09/2010	
		N/A / attached		Consultation Expiry Date:		24/08/2010	
Officer				Application Number(s)			
Gavin Sexton				2010/3893/P			
Application Address				Drawing Numbers			
37 - 39 King's Terrace London NW1 0JR				See decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use from office (Class B1) to 3 no. flats (Class C3), erection of new mansard roof and alterations to front elevation.							
Recommendation(s):		Grant approval subject to S106 legal agreement					
Application Type:		Full Planning Permission					
Conditions:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	10	No. of responses No. electronic	01 00	No. of objections	01
Summary of consultation responses:		Objection from 44 Kings Terrace: <ul style="list-style-type: none"> Gross over-development that detracts from existing buildings Experience of Kings Terrace is that premises can be let Resulting flats hardly fit for habitation in terms of outlook, light and scale 					
CAAC comments:		Camden Town CAAC <ul style="list-style-type: none"> Do not object to change of use but consider visual appearance of functional exteriors should be retained Object to replica double doors at ground floor #37 and windows above mimicking #39 Pleasing symmetry of #37 should be followed Interior planning is sub-standard, pinched spaces and limited light. Delighted that original façade of #39 retained 					
Site Description							
<p>The application buildings are two mews buildings located on the western side of King's Terrace; a mews lane that backs on to buildings fronting Camden High Street.</p> <p>No. 39 King's Terrace is 2-storeys in height and has retained many of its original features, including timber garage doors and metal casement windows. No. 37 is 3-storeys in height and is a much altered building (possibly rebuilt in 1989) with modern doors, windows and a mansard roof.</p> <p>The properties within this mews lane were originally light industrial type workshops.</p> <p>The site is located within Camden Town Centre. The buildings are not listed; however, they are identified as making a positive contribution to Camden Town Conservation Area.</p>							

Relevant History

2010/2036/P: Permission refused in June 2010 for "Change of use from office/workshops (B1 use class) to 3 self-contained flats (C3 use class) including creation of a new mansard roof, new courtyard, external and internal alterations."

The application was refused on grounds of:

- alterations to the front elevation and proposed front roof lights being incongruous alterations to the site's mews character
- absence of sufficient cycle parking
- absence of car-free agreement
- absence of payment for highway works

August 2009 - 2009/2826/P: Planning permission **refused** for the 'Change of use from office/workshops (B1 use class) to 4 self-contained flats (C3 use class) including creation of a new mansard roof, new courtyard, external and internal alterations'. *Reasons for refusal included lack of justification for the loss and the B1 use and design.*

October 1989 planning permission **granted** for the erection of a 3 storey building and alterations to no. 39 in connection with a change of use from storage to workshops, rehearsal space and ancillary offices for the use of Creative and Support Trust (CAST) and Clean Break Theatre, ref. 8903491.

The conditions attached to the permission indicate the desire to retain the property as a light industrial building, restricting the use to B1c only and no other B1 use class except in association with CAST and or Clean Break Theatre.

Other sites on King's Terrace

23-27 Kings Terrace: Amendments to planning permission granted 3rd October 2005, (ref: 2005/1993/P: The erection of an additional floor for 2 x 1-bedroom self-contained residential flats) including the installation of a parapet wall on the front elevation and internal alterations to create an additional bedroom in each flat.

26 King's Terrace: Jan 2007: Granted subject to S106 for "Change of use of ground floor from light industrial (Class B1c) to 1 x 2-bedroom self-contained flat (Class C3) with new lightwell and associated external alterations."

17-21 Kings Terrace: December 2006 Permission **granted** subject to S106 (signed 6th December 2006) for erection of a rear extension at first floor level, a mansard roof extension and alterations to front entrances to facilitate a change of use from light industrial (Class B1) to alternative light industrial (Class B1) or storage (Class B8) uses at ground floor level and 4 self-contained flats (Class C3) above, ref. 2006/4272/P.

64-70 Camden High Street & 43-49 Kings Terrace: March 2006 Planning permission **granted** subject to S106 (signed 20th March 2006) for demolition of existing buildings and construction of a part 3, 4 and 5-storey plus basement buildings for retail use (Class A1) at basement and ground floor level fronting Camden High Street, business use (Class B1) at ground, 1st, 2nd and 3rd floor level fronting King's Terrace, and 13 residential units (Class C3) on the upper floors, ref. 2005/5294/P.

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against. However it should be noted that recommendations are based on assessment of the propos against the development plan taken as a whole together with other material considerations.

Replacement Unitary Development Plan 2006

SD2 Planning obligations
SD6 Amenity for Occupiers and Neighbours
H1 New Housing
H7 Lifetime Homes and Wheelchair Housing
H8 Housing Mix
B1 General Design Principles
B3 Alterations and Extensions
B7 Conservation Areas
N5 Biodiversity
T1 Sustainable Transport
T3 Pedestrians and Cycling
T8 Car free housing and car capped housing
T9 Impact of Parking
T12 Works affecting Highways
E2 Retention of existing business use

Camden Planning Guidance 2006

Camden Town Conservation Area Statement

Local Development Framework 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 these 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.

The following policies in the draft LDF Core Strategy and Development Policies documents have been taken into consideration

Core Strategy:

CS5 Managing the impact of growth and development
CS6 Providing quality homes
CS11 Promoting sustainable and efficient travel
CS13 Tackling Climate change through promoting higher environmental standards
CS14 Promoting high quality places and conserving our heritage
CS19 Delivering and monitoring the Core Strategy

Development Plan Policies

DP2 Making full use of Camden's capacity for housing
DP5 Homes of different sizes
DP6 Lifetime homes and wheelchair housing
DP17 Walking, cycling and public transport
DP21 Development connecting to the highway network
DP24 Securing high quality design
DP25 Conserving Camden's heritage
DP26 Managing the impact of development on the occupiers and neighbours

Assessment

Proposal: Change of use from office/workshops (B1 use class) to 3 self-contained flats (1 x 1-bed, 1 x 2-bed and 1 x 3-bed) including creation of a new mansard roof and external alterations to front elevation.

Background: This is a resubmission of the previously refused application 2010/2036/P.

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

- Land Use/ Loss of Employment floorspace
- Design
- Amenity
- Residential standards
- Transport

Land Use/ Loss of employment: Policy E2 has a broad presumption in favour of protecting existing employment use where there is potential for that use to continue. In particular, this policy seeks to protect floorspace that is capable of being used flexibly within B1c/B8 use. In this case it would appear that the premises have been vacant for some time, and have been on the market since April 2009. The applicants submitted letters from Salter Rex Chartered Surveyors & Estate Agents relating to the difficulties encountered in marketing the properties.

The previous application (2010/2036/P) considered the issues of the change of use and, whilst the application was ultimately refused, the absence of justification for the change of use was not among the reasons for refusal. During this assessment, further letters from Jon Christopher chartered surveyors and Salter Rex were received maintaining that, despite a drop in rental levels, there has been limited interest in the properties. It is considered that sufficient efforts have been made by the applicant to maintain the existing use.

Class D1 Use

The original planning permission gave permission for rehearsal space and a further permission in 1991 gives permission for use for 'occasional public performances in addition to the authorised use for workshop and rehearsal space' at 39 Kings Terrace. This rehearsal space can be accessed separately from Kings Terrace as it is on the ground floor, but is a small space approximately 35m². This D1 use remains ancillary to the main authorised use of the premises, and is not considered to be sufficiently significant to justify protection in its own right.

Many of the properties along the Mews have either been converted into residential accommodation or have received consent to do so. In this case, attempts to let the property have been demonstrated with supporting marketing information and it is considered that the proposal is in line with policy E2.

Design: On the western side of this stretch of King's Terrace, many of the buildings have mansard roof additions, especially to the north. A mansard roof addition on no. 39 would therefore not appear out of place. In terms of its detailed design, the profile is acceptable with the roof slope and gutter sitting behind a low front parapet wall, in accordance with supplementary planning guidance.

The applicant has addressed the shortcomings of the previous scheme by replacing the velux rooflights with mansard dormers with painted timber framed windows. At ground floor, the treatment of the front elevation has been significantly modified from the refused scheme.

At #37 the previous domestic-style openings for the cycle store have been replaced by timber boarded doors, more consistent with the style appropriate to the mews. The new window at first floor would match the other timber-framed sash window at the same level.

At #39 the ground floor treatment is also more in keeping with the mews, being the retention of the existing, apparently original garage doors with a single window inserted to improve daylight amenity within. At first floor the glazed Juliet balcony balustrade has been replaced by a metal equivalent which is acceptable.

To the rear, the existing single storey ground floor wing would be converted to residential with new windows added facing into the courtyard. According to the application the courtyard remains in uncertain ownership although it appears to be directly annexed to #39 and evidence within the building suggests a bricked-up entrance to the rear yard. The yard is currently overgrown and inaccessible. Three further windows would be added at ground floor to #39 and one at first floor to #37. The new windows would be white painted timber sash consistent with the host building. At roof level new mansard dormer windows would be introduced to #37 as

previously proposed. Although the rear is treated slightly differently (it is not set behind a parapet) it matches that at 37 and as there are no public views of this area it is considered acceptable.

Overall the elevations would be respectful of context and the character and appearance of the mews and are acceptable in terms of UDP policies B1, B3 and LDF policies CS14, DP24 and DP25. The design reasons for refusal of the previous scheme have been overcome in an acceptable manner.

Neighbouring Amenity: The additional built space in the form of a mansard extension to no. 39 King's Terrace is not considered to result in any significant loss of sunlight or daylight to neighbouring properties. The views from this mansard floor would replicate views from existing adjacent residential windows, and would not add materially to overlooking of neighbouring properties. The new windows in the rear extension would look out into the courtyard which is annexed to the properties. They would not overlook any neighbouring windows.

It is considered that the proposed works will not adversely impact on the amenity of the adjacent properties with regard to access to sunlight, daylight, or outlook and thus is considered to be consistent with Policy SD6 of the UDP and DP26 of the LDF.

Refuse: General storage space is provided within each flat and the kitchens in each flat are considered large enough to accommodate storage of non-recyclable and mixed recyclable bags before they are deposited for collection on the public highway.

Residential Standards: All three flats meet Camden's residential standards in size and have a good access of daylight and sunlight. All bedrooms meet Camden Planning Guidance which requires first and double bedrooms to measure a minimum of 11.0m² and single bedrooms measure a minimum of 6.5 m².

Flat 1 = (3 bedroom) 91 sqm Flat 2 = (2 bedroom) 61 sqm Flat 3 = (1 bedroom) 51 sqm

Amendments were made to the flat layouts in order to achieve a better standard of occupier amenity. A window was added to the front elevation of #39 to improve light to the living room, windows were added to the rear extension and the space planning in #37 at first floor was amended to provide natural light to the bathroom. All flats meet Camden's space and amenity standards.

Lifetime homes and wheelchair housing: All new homes should comply with Lifetime Homes criteria as far as possible. The applicants have submitted a Lifetime Homes assessment which addresses some of the 16 points of the criteria. The constraints of the conversion scheme are such that not all of the criteria can be met, but the measures proposed are considered acceptable in this instance.

Transport: Cycle Parking: The absence of sufficient cycle parking was a reason for refusal of the previous scheme. This has been addressed through improved and amended provision accessible through the sliding doors to the front of #37 and storage areas within #39. The extent and nature of provision meets the Council's standards for secure and covered cycle parking.

Construction Management Plan (CMP): Kings Terrace is narrow and must be kept clear for servicing and fire access. However, the work is relatively minor and the disruption to the highway will be mainly caused by the placement of skips and scaffolding etc. It is considered that it should be possible to sufficiently deal with this matter through the required highways licences, and that a CMP is not required.

Car free: The site has a Public Transport Accessibility Level of (PTAL) of 6a (excellent) and is within Camden Town South Controlled Parking Zone. The site is also within the designated town-centre of Camden Town. One hundred and sixteen parking permits have been issued for every 100 estimated parking bays within the Camden Town South (CA-F(s)) CPZ. This means that this CPZ is highly stressed. The site is considered appropriate for a S106 agreement to secure car-free housing. A financial contribution would also be required to repave the footway adjacent to the site and to remove the redundant vehicular crossover.

The applicant has indicated that future subdivision of the ground floor may be examined as an option. An informative identifying the need for planning permission in such an event would be added.

Recommendation: Grant permission subject to s106 for Car-free development and highways works.

DISCLAIMER

Decision route to be decided by nominated members on Monday 27th September 2010.
For further information see

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