

Delegated Report		Analysis sheet		Expiry Date:		28/01/2010	
		N/A / attached		Consultation Expiry Date:		04/01/2010	
Officer				Application Number(s)			
Amanda Peck				2009/5301/P			
Application Address				Drawing Numbers			
98 Queen's Crescent London NW5				Refer to draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Installation of a new entrance door to the front elevation at ground floor level of existing shop (Class A3); change of use and works of conversion at first and second floor levels from a selfcontained maisonette (Class C3) into two self contained flats (2 x 1 bed units).							
Recommendation(s):		Grant planning permission, subject to a S106 agreement					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	33	No. of responses	03	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		<ul style="list-style-type: none"> Flat 22, 129 Weedington Road, support the application = Appreciate any improvements to the buildings in the area however request that the work will only be undertaken during working hours and days, i.e. not after 6pm or before 8am, not at weekends and bank holidays. Flat 8, 129 Weedington Road, support the application = Much more accommodation is needed in London to help bring rents and prices down and can think of no environmental or aesthetic objections to the development. Tel call from resident of 129 Weedington Road, no objection = concern about the times that construction work can be carried out and asked that it is restricted to certain hours in the week. 					
CAAC/Local groups* comments: *Please Specify		None received					

Site Description

The property is within a parade of seven properties on Queen's Crescent, within the Queen's Crescent Neighbourhood Centre. It is not within a conservation area and is not a listed building. Queen's Crescent is identified in the Planning Guidance as suffering from Parking stress; a CPZ is in operation from Mon – Fri, 9-11am (CA-L inner).

The upper floors of the property are in use as one residential unit with an A3 use to the ground floor. There is no record of planning permission being granted to change the use of the upper floors from ancillary to the ground floor use to a self contained residential unit. The residential unit is currently accessed via a rear alley from Weedington Road and a rear external staircase and there is no access to the upper floors from Queen's Crescent. There is an existing extract duct to the rear of the property associated with the ground floor use.

The adjacent property at 96 Queen's Crescent gained planning permission for 2 units on the upper floors in 2007 with a S106 for car free development.

Relevant History

- Retention of rear extract duct approved 2000 for A3 use (PEX0000066).
- New shopfront (A3 fish bar/restaurant use) permitted 1999 (PE9900111).

Relevant policies

London Borough of Camden Replacement Unitary Development Plan, June 2006

- H1 – New housing
- H8 – Mix of units
- R8A – Upper floors
- T3 – Pedestrian and cycling
- T8 – Car free housing and car capped housing
- T9 – Impact on parking
- B1 – General design principles
- B4 – Shopfronts, advertisements and signs
- SD6 – Amenity for occupiers and neighbours

Camden Planning Guidance, December 2006

Assessment

The proposal is for the conversion of the first and second floors of the property from one residential unit (a 4 bed unit that appears to be being used as a 5 bed unit because there is no living room shown on the plans) to two residential units (2 x 1 bed units). The proposal includes the addition of a new entrance from Queen's Crescent, a new internal staircase from this entrance to the first floor, internal works to relocate internal dividing walls and the relocation of existing bathrooms.

Revision

The applicant originally proposed a front and rear mansard roof extension and the creation of three residential units in total. This was considered unacceptable due to the adverse impact on the street scene as the existing terrace has a roof line that is largely unimpaired by alterations or extensions. The application has therefore been amended and the roof extension and one residential unit have been removed from the proposal.

Principle of conversion

Policy R8A states that in neighbourhood centres the Council will grant planning permission for the development of residential uses (C2 and C3) above ground floor. Policy H8 states that the conversion of a property to provide one bedroom flats will generally be considered acceptable provided this does not involve the net loss of units with 3 or more bedrooms.

It is unclear from the plans whether the unit is a single self contained unit or a HMO because five

bedrooms and 2 bathrooms are shown on the plans and communal spaces such as lounges or dining rooms are not. The Council's Environmental Health Residential team has confirmed that the property is not licensed as a HMO and they have no record of the property on their records. The applicant has confirmed that because the property is currently vacant he is not sure which rooms were used as the communal spaces and therefore bedrooms have been shown on the plans. It is therefore assumed from the existing plans submitted that the upper floors have been let out at some time unlawfully as an HMO and that the probable lawful use is as a s/c maisonette.

The key consideration is therefore whether the conversion from a large unit to two smaller units is acceptable. The existing unit is likely to be a three bedroom unit with two living rooms and a kitchen on the first floor and three bedrooms on the second floor. It is considered that the existing large unit does not provide a satisfactory standard of accommodation that warrants its retention: it is above an A3 unit with an associated external extract duct and facing a shopping parade, it is accessed via a rear external staircase and rear alleyway and there is no amenity space provided. Such a property is thought to be more suitable as two smaller self contained units.

Standard of accommodation provided

The supporting text of Policy R8A states that a key factor in assessing applications for residential uses above ground floor will be the amenity of residents of upper floor flats within or adjacent to the proposal.

Both units are self-contained with a street entrance from Queen's Crescent. The stacking of the units is acceptable, with bedrooms and living rooms above each other and the bedrooms located to the rear of the property away from the noisier main road. No private amenity space is proposed, however given this is the conversion of an existing property, the ground floor use covers almost all of the ground floor area and the proposal is for the creation of one additional unit, this is not considered to be an issue to warrant refusal. The proposed flats have a total area of 37.2sqm each, which is 10.8sqm smaller than the minimum floor areas set out in the Planning Guidance for a 2 person unit and is 5sqm larger than the floor areas for a 1 person unit. The 9sqm bedrooms are 2sqm undersize for a double bedroom and thus it is assumed that the flats, despite the plans' notation, will be occupied as single person units, which is acceptable. It is considered that a satisfactory standard of accommodation is provided.

Amenity

A number of the upper floors of the adjoining properties are in residential use, including the adjacent property at 96. There are unlikely to be any noise and disturbance issues from or to the adjacent properties. The ground floor of the property is in A3 use, however it is not considered that there will be any noise or disturbance issues from this use because the existing extract duct to the rear elevation has planning permission and there is an existing residential use on the upper floors.

New front door

The existing shop entrance is located to the right of the shopfront and the proposal is to add a new door to the left of the shopfront. The existing shopfront is of modern construction and design and the proposal will afford some symmetry to the unit and the proposed new entrance door is considered acceptable.

Transport

Queen's Crescent is identified in Camden's Planning Guidance as suffering from parking stress. In accordance with policy T8 this means that any proposals for new residential units are only acceptable with a legal agreement that makes them car-free which prevents future occupiers and owners from being able to obtain a parking permit. The applicant has agreed to this.

Although CPG requires cycle parking to be provided for all new units, it is considered impracticable to provide such here given the limited space available in this conversion of the upper floors of a 19thC. property; the inability to provide this 1 cycle space is not considered a sufficient reason for refusal.

Recommendation

The proposed change of use is considered to accord with the policies contained in the Unitary Development Plan and is therefore recommended for approval subject to relevant conditions and informatives and the completion of a S106 legal agreement for car-free housing..

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