

**DISCLAIMER**

Decision route to be decided by nominated members on Monday 01<sup>st</sup> March 2010. For further information see

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

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	01/02/2010
		N/A / attached	<b>Consultation Expiry Date:</b>	12/01/2010
<b>Officer</b>			<b>Application Number(s)</b>	
Elaine Quigley			2009/5805/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
26 West Street London WC2 9NA			See draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Erection of a mansard roof with dormer windows and front terrace to create one new self-contained flat, conversion of existing second floor flat into two self-contained flats, replacement of all windows by double glazed windows and minor alterations to the ground floor street entrance				
<b>Recommendation(s):</b>		Grant planning permission subject to s106 agreement for new units to be car-free housing and submission of construction management plan.		
<b>Application Type:</b>		Full Planning Permission		



is a simple pitched roof.

The building is not a listed building. It is located within the Seven Dials Conservation Area. Although the building has not been identified in the Conservation Area Statement (CAS) as making a positive contribution to the character and appearance of the conservation area it is an attractive late Victorian building of a scale that is consistent with other buildings within the conservation area and does make a positive contribution.

To the north of the site lies 4-10 Tower Street that is a four storey building that comprises a retail unit on the ground floor with residential flats above. To the south lies 24 West Street that is a Grade II listed building and is within the ownership of the applicant. Further to the south lies the Ambassadors Theatre that is also a Grade II listed building. To the west lies a mix of three, four and five storey buildings that front onto West Street. These buildings are within City of Westminster.

### Relevant History

16/09/2009 – Planning permission was **refused** for the erection of a mansard roof with dormer windows and front terrace to create one new self-contained flat, conversion of existing second floor flat into two self-contained flats, replacement of all windows by double glazed ones and minor alterations to the ground floor street entrance (2009/2773/P). The reasons for refusal related to the detailed design and bulk of the mansard roof and its impact on the character and appearance of the Conservation Area. Reasons 2 and 3 related to absence of a legal agreement for car-free housing and submission of a CMP. An informative however advised that these could be overcome, in the context of a scheme acceptable in all other respects, by entering into a legal agreement with the Council.

24/06/1994 – Permission was **granted** for certificate of lawfulness for an existing use as light industrial use/office (ref 9400759).

13/04/1981 – Planning permission was **granted** for continued use of the ground floor as a music demonstration studio, storage and ancillary offices (ref 31911).

### Adjoining properties

#### 24 West Street

05/08/1987 – Planning permission and listed building consent were **granted** for alterations to form a refectory in the existing roofspace in connection with the permitted use of the remainder of the premises as a dance school including the installation of two rooflights and an extract fan (ref 8700895 and 8770156).

### Relevant policies

#### Replacement UDP 2006

SD6 Residential amenity

SD9 (Resources and energy)

H1 New housing

H7 Lifetime homes

H8 Mix of units

B1 General design principles

B3 Alterations and extensions

B7 Conservation areas

N5 Biodiversity

T8 Car free housing and car capped housing

T9 Impact of parking

T12 Works affecting highways

## **Camden Planning Guidance 2006**

### **Conservation Area Statement (CAS)**

Seven Dials (Covent Garden) CAS

## **Assessment**

### **1.0 Proposal**

1.1 Planning permission is sought for the erection of a mansard roof to create one new self contained flat, conversion of existing second floor flat into two self contained flats, works in association with the refurbishment of the existing first and second floor flats and minor alterations to the ground floor street entrance.

1.2 The proposal would include the following:

- Construction of a true mansard roof (including construction of new parapet walls)
- Installation of green/brown roof on the new mansard roof
- Replacement of windows with timber framed double glazed windows
- Installation of new timber panel entrance doors flush with the front elevation of the building

1.3 This application follows the refusal of a previous application for a mansard roof extension in 2009. This extension was considered unacceptable in design terms due to its flat roofed profile and unsympathetic fenestration. The following revisions have been included in this scheme:

- Installation of true mansard roof rather than flat roofed mansard
- Proportions and height of dormer windows on the front and rear of the mansard roof reduced within the roofslope and glazed bars introduced to all new windows to match the existing windows

### **Assessment**

1.4 The main considerations in assessing the application are:

- Principle of additional residential accommodation
- Mix of units
- Residential standards
- Lifetime homes
- Impact on the character and appearance of the host building and the street scene
- Impact on the residential amenity of the surrounding area
- Sustainability
- Highways issues

### **Principle of additional residential accommodation**

1.5 The proposal would result in the creation of an additional 3 bed family sized unit within the proposed mansard roof. This would comply with policy H1 and would be considered acceptable.

### **Mix of units**

1.6 Policy H8 seeks to ensure that the Borough retains a variety of sizes of units in order to cater for varying demand. In particular, the Housing Needs Survey has identified an overall shortfall in the amount of adequately sized larger dwellings suitable for families within the Borough. Paragraph 2.62 of the UDP relates specifically to this and states that “the conversion of a large dwelling within four or more bedrooms will generally be considered acceptable where a three-bedroom unit plus smaller units are provided”. The scheme has been amended to increase the number of bedrooms within the top floor flat from 2 bedrooms to 3 bedrooms. The first floor flat would continue to provide a two bedroom unit; the second floor flat would be

divided into 2 x 1 bed flats. The overall mix of units within the building would be considered acceptable and would comply with policy H8.

### **Residential standards**

1.7 The proposal would comprise of 2 x 1 bedroom units (second floor) and 1 x 3 bedroom unit (third floor). The proposal would comply with the minimum overall floor area requirements for one and three bedroom units. This would create an acceptable standard of accommodation. In terms of natural lighting each of the habitable rooms would have a principal window that would be of an appropriate size to provide sufficient natural light.

### **Lifetime homes standards**

1.8 Policy H7 requires all new dwellings, including conversions, to be built to lifetime homes standards wherever possible. The agent has addressed each of the 16 lifetime homes standards and several features would be installed into the design including the bathroom layouts, the new window positions in relation to the floors, and all new controlled fixtures and fittings. It is recommended that an informative should be attached encouraging them to meet the standards where possible.

### **Impact on the character and appearance of the host building and the street scene**

#### **Mansard roof**

1.9 The current proposal has addressed the design issues that were considered unacceptable as part of the previously refused scheme. The mansard now has a traditional two planed profile and the fenestration to the front elevation has been modified in height and width, as well as now aligning more carefully with the windows on the elevation beneath. As such, the previous design objections have been overcome and the proposal is now considered acceptable.

#### **Window design**

1.10 It is also proposed to replace the existing windows with double glazed units. This is acceptable in principle. The scheme would include the reinstatement of the horizontal glazing bars to the ground and first floor casements, and the windows at second floor level on the front and rear elevations. This would preserve the visual interest of the buildings elevations and would be considered acceptable.

#### **Glazed doors**

1.11 It is proposed to replace the manually operated railings to the front entrance door with a pair of fully glazed doors. The removal of the railings and their replacement with sliding glazed doors was permitted in 2003. There is no objection to the removal of the railings. Although solid traditional doors would be preferable, the current application proposes timber framed doors with long glazed panels, which are considered an improvement over the existing permitted scheme.

### **Impact on the amenity of the adjoining properties**

1.12 The closest residential properties are located to the rear of the application site at nos 4-10 Tower Street and the adjoining building that fronts onto Earlham Street, Tower Street and West Street. The buildings are approximately 4 storeys in height and have windows and balconies on the rear elevation that face onto the rear elevation of the application site. There is a separation distance of 4m between the rear elevations of the application site and nos 4-10 Tower Street. The proposed mansard roof extension would increase the overall height of the building by 0.2m (22.7m to the ridge of the proposed mansard roof). The roof profile would extend closer to the adjoining buildings by approximately 1.5m. This may result in some loss of daylight to the windows of the flats in the upper floors of the building. However given that the roof would not project any further forward than the main rear elevation of the building, and given the overall increase in height of the building to the ridge, it is considered that the proposal would not have an adverse impact on the amenity of the adjoining residents in terms of loss of daylight or sunlight.

1.13 The properties directly opposite, within the City of Westminster, appear to be in hotel/commercial use and thus would not be affected in terms of loss of amenity.

1.14 It is proposed to install three new dormer windows at the rear within the mansard roof that would serve new bedrooms. It is acknowledged that the new windows at third floor level would result in additional overlooking of the roof terrace and window of the flats in the third and fourth floors in the rear elevation of the adjoining building at 4-10 Tower Street. However it must be noted that the proposed new windows would be set back 0.5m from the main rear elevation of the building. Given that the roof terrace and windows of the flat in 4-10 Tower Street are already overlooked by the windows in the rear elevation of the application site it is considered that the proposal would not result in further harmful overlooking than is currently experienced as part of the existing situation.

1.15 The relationship of the proposal with the adjoining properties in Cambridge Court, Earlam Street is acceptable in terms of daylight, sunlight and privacy.

1.16 Letters of objection have been received from the adjoining residents regarding the potential noise, disturbance, dust and dirt that would be associated with the proposal. This would be dealt with under separate Environment Health legislation. An informative would be attached to any permission reminding the applicant of the controlled hours of operation in relation to construction works.

### **Sustainability**

1.17 All proposed developments are expected to incorporate sustainability principles. As such the applicant has proposed to include a green/brown roof on part of the mansard roof. An informative would also be attached to encourage the applicant to explore the installation of a brown roof and a condition is recommended requesting the full details of the green/brown roof.

### **Highway issues**

#### **New entrance doors**

1.18 The proposal incorporates two doors that can open out onto the footway. One door serves the existing and proposed new flats and the other door is a replacement fire exit door that would be used by the occupier of the adjoining building at no: 24 that is within the ownership of the applicant. This door is currently within a recessed access that is within the ownership of the applicant and does not form part of this proposal. Normally doors opening out onto the street would be unacceptable as they may obstruct the highway and present a hazard. The applicant advised that the doors would only open outwards in the event of a fire. Some form of internal security mechanism would be installed to ensure that the doors would only open outwards onto the street in the event of a fire. A condition would be attached to any permission to ensure that this is the case.

#### **Cycle Parking**

1.19 Camden's Parking Standards for cycles (Appendix 6 of the Unitary Development Plan), states that 1 storage or parking space is required per residential unit. The proposal is for 2 new residential units; therefore 2 cycle storage/parking spaces would be required. The applicant has not included provision for the required amount of cycle storage/parking in the proposed design. However, only minor alterations are proposed to the ground floor and access to the units is via an existing flight of stairs. Therefore, it would be inappropriate and overly onerous to insist that cycle parking be included as part of the design and Camden's parking standards for cycles should be waived.

#### **Car free development**

1.20 The London Plan Consolidated with Alterations since 2004 (February 2008) should be taken into consideration as well as the UDP in relation to car-free development. Car-free should not only be sought for housing but also for developments in general and should be ensured by Boroughs in areas of high public

transport accessibility. Therefore, the two additional units should be made car-free through a Section 106 planning obligation. A clause within the S106 should specifically require the submission of details of the addresses to be made car-free before the new units are occupied. The proposal would be considered unacceptable in the absence of a legal agreement for car-free housing.

### **Construction Management Plan (CMP)**

1.21 The site is accessed off West Street which is a narrow road in the Clear Zone Region. There are double yellow line markings outside the site and loading space is very limited. Therefore a CMP is needed to manage this so that disruption to traffic and road safety is minimised.

1.22 A CMP outlines how construction work will be carried out and how this work will be serviced (e.g. delivery of materials, set down and collection of skips), with the objective of minimising traffic disruption, avoiding dangerous situations and minimising the impact on local amenity. A CMP should cover both the demolition and construction phases of development.

1.23 A draft CMP has been submitted as part of the application. The Council's Transport Team has advised that the document needs to be amended to include more detailed swept path drawings (exit paths out of the site by construction traffic). The agent has agreed to provide this detail as part of the requirement to submit a CMP. This will need to be submitted and approved before any works start on site, and approval should be secured via a Section 106 planning obligation. Details of the CMP will relate to the scale, kind and location of the development and they should assess the impact on transport and on local amenity including road user amenity. Should any one of these criteria be considered not to be relevant, then specific justification, as to why a particular criterion is not relevant, will need to be provided.

### **Conclusion**

1.24 Recommend approval subject to conditions and s106 agreement that new units will be car-free and submission of a CMP.