

Delegated Report		Analysis sheet	Expiry Date:	08/05/2009
		N/A / attached	Consultation Expiry Date:	24/04/09
Officer			Application Number(s)	
Katrina Christoforou			2009/0793/P	
Application Address			Drawing Numbers	
17A Murray Street London NW1 9RE			See decision notice.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
The erection of an additional single storey mansard roof floor with dormer windows and green roof to provide a two bedroom dwelling (class C3) as an amendment to planning permission reference 2007/5335/P, dated 16/04/09 for the "Erection of a 3-storey building plus basement comprising office (Class B1) or storage and distribution (Class B8) uses at basement and ground floor levels and 6 flats (4 x 2 bed, 1 x 3 bed and 1 x studio) (Class C3) over basement, ground, first and second floor levels including creation of terrace at first floor level fronting Murray Street."				
Recommendation(s):		Non-determination appeal – minded to refuse		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	47	No. of responses	03	No. of objections	03
			No. electronic	00		
Summary of consultation responses:	<p>A site notice was displayed on the 24/03/09 and 47 neighbours were individually consulted. Three responses from residential neighbours were received, two from occupants of number 4 Murray Street and one from number 6. The responses are summarised below:</p> <ul style="list-style-type: none"> - Support the original application for the three story building currently under construction but feel the proposal to add another storey is unsuitable. - It will give that part of Murray Street a canyon like feeling with reduced day light, sunlight and view of the sky to residents opposite creating a less pleasant environment. - Further investigation of impact on light should be carried out by the planning team. - It is considerably higher than the next building on the other side of Murray Mews. - May set a precedent for increases in the height of other nearby buildings. - Opposed to the previous and current proposals. - The building is high enough and the proposed height was previously rejected. - Loss of privacy. - It would appear that in anticipation of the proposed extension the stair core has already been extended to accommodate the proposed extension. - Impact on the trees in front of the property including loss of light, implications as the trees grow and the need for unwelcomed radical tree surgery that will become necessary. 					
CAAC/Local groups* comments: *Please Specify	The Camden Square CAAC were consulted and did not respond.					

Site Description

The prominent site is located on the north east side of Murray Street backing onto the railway lines at the junction with St. Augustine's Road and Agar Grove. Works are currently underway at the site in association with planning permission 2007/5335/P for the erection of a 3-storey building plus basement comprising office (Class B1) or storage and distribution (Class B8) uses at basement and ground floor levels and 6 flats (4 x 2 bed, 1 x 3 bed and 1 x studio) (Class C3) over basement, ground, first and second floor levels including creation of terrace at first floor level fronting Murray Street. The site is within the Camden Square Conservation Area and a viewing management corridor between Kenwood and St. Paul's Cathedral.

Relevant History

CEX0200734 (CA consent)

The demolition of the existing single storey workshops associated with the car repair business, in association with the redevelopment of the site; the erection of a 4-storey building to comprise workshops/offices on the ground floor with 6 self contained residential units above. Granted 08/10/2003.

PEX0200304 (PP)

Redevelopment, to include the demolition of the existing single storey workshops associated with the car repair business and the erection of a 4-storey building to comprise workshops/offices on the ground floor with 6 self contained residential units above. Refused 08/10/2003. Reasons for refusal:

Reasons 1: The proposal, by reason of its height, scale, bulk, design and location would be detrimental to existing street trees, the character and appearance of the area and the Camden Square Conservation Area, contrary to policies EN1, EN13, EN14, EN18, EN19, EN31 and EN35 of the London Borough of Camden Unitary Development Plan (UDP) 2000.

Reason 2: The proposal, by reason of the lack of proposed larger units and housing mix overall, would be contrary to policies EN1, HG15 and HG16 of the London Borough of Camden Unitary Development Plan (UDP) 2000.

Reason 3: The proposal, by reason of the lack of car parking proposed, would not comply with policies TR1, TR11, TR16 and TR17 of the London Borough of Camden Unitary Development Plan (UDP) 2000.

2004/2573/P

The redevelopment of the site by erection of a 3 storey building comprising ground floor workshops/small business units (Class B1) and 6 self-contained flats (3 x 1 bed and 3 x 2 bed) on 1st, 2nd and 3rd floors. Refused 17/09/2004. Reason for refusal:

Reason 1: The proposal, by reason of its height, scale, bulk, form and quality of detail would be detrimental to the character and appearance of the Camden Square Conservation Area. The proposal is therefore contrary to policies EN1 (General environmental protection and improvement), EN13 (Design of new development), EN14 (Setting of new development), EN18 (Design of infill developments) and EN31 (Character and appearance of conservation areas) of the London Borough of Camden Unitary Development Plan 2000.

Reason 2: The proposed buildings, by reason of their height and form, would necessitate extensive reduction works to the canopies of nearby street trees and interfere with their root systems leading to their harm and possible eventual loss to the detriment of the amenities of the area and the character and appearance of the conservation area contrary to policies EN31 (Character and appearance of conservation areas) and EN35 (Trees in conservation areas) of the London Borough of Camden Unitary Development Plan 2000.

Appeal dismissed 06/04/2005.

2004/4702/P & 2004/4703/C

PP: Demolition of existing premises and redevelopment of the site by erection of a ground, first, 2nd and 3rd floor building comprising ground floor workshops/small business units (Class B1) and 5 self-contained flats (3 x 1 bed, 1 x 2 bed and 1 x 4 bed) on 1st, 2nd and 3rd floors. Conservation area consent approved and planning permission refused 24/12/2004. Reasons for refusal:

Reason 1: The proposal, by reason of its height, scale and bulk would be overbearing and unreasonably dominant in appearance, and result in undue enclosure of the surrounding area, to detrimental to the character and appearance of the Camden Square Conservation Area. The proposal is therefore contrary to policies EN1 (General environmental protection and improvement), EN13 (Design of new development), EN14 (Setting of new development), EN18 (Design of infill developments) and EN31 (Character and appearance of conservation areas) of the London Borough of Camden Unitary Development Plan 2000.

Reason 2: The proposed buildings, by reason of their height, form and foundations would necessitate extensive reduction works to the canopies of nearby street trees and interfere with their root systems

leading to their harm and possible eventual loss to the detriment of the character and appearance of the Conservation Area contrary to policies EN31 (Character and appearance of Conservation Areas) and EN35 (Trees in Conservation Areas) of the London Borough of Camden Unitary Development Plan 2000.

Appeal dismissed 06/04/2005.

2005/1727/P

Redevelopment of the site by erection of a three storey building comprising 2 new workshops/small business units at ground floor with 4 residential units on 1st and 2nd floors. Withdrawn 27/05/2005.

2005/3722/P

Demolition of existing building and redevelopment with a three storey building comprising two business units at ground floor (Class B1) with four residential units above (Class C3). Granted subject to a section 106 agreement 18/11/2005. Permission still valid until 18/11/2010.

2007/1979/P

Demolition of existing garage and replacement with a four storey building providing 2 live/work units at basement and ground floor levels and 5 self-contained flats above. Withdrawn 10/09/2007.

2007/5335/P

Erection of a 3-storey building plus basement comprising office (Class B1) or storage and distribution (Class B8) uses at basement and ground floor levels and 6 flats (4 x 2 bed, 1 x 3 bed and 1 x studio) (Class C3) over basement, ground, first and second floor levels including creation of terrace at first floor level fronting Murray Street. Granted subject to a section 106 agreement 16/04/2008.

Relevant policies

Camden Replacement Unitary Development Plan 2006

- SD1- Quality of life
- SD2- Planning obligations
- SD4- Density of development
- SD6- Amenity for occupiers and neighbours
- SD7- Light, noise and vibration pollution
- SD9- Resources and energy
- H1- New housing
- H7- Lifetime homes and wheelchair housing
- H8- Mix of units
- B1- General design principles
- B3- Alterations and extensions
- T1- Sustainable transport
- T3- Pedestrians and Cycling
- T8 - Car free housing and car capped housing
- T9 - Impact of Parking
- T12- Works affecting the highway
- N4- Providing public open space
- N5- Biodiversity

Camden Planning Guidance 2006

Assessment

1.1 Construction is currently underway on site in association with planning permission 2007/5335/P granted 16/04/09 for the erection of a three storey plus basement building combining flexible office (use class B1) or storage and distribution (B8) and 6 residential flats. The current application is for the addition of a mansard-like fourth storey to the building to provide a further self-contained two bedroom flat.

It should be noted that the drawings submitted include a number of discrepancies. Including the following:

- The proposed third floor plan shows three dormer windows and two doors to the Murray Street elevation and three dormers to the railway elevation as does the proposed roof plan. However, the proposed elevation to the railways shows four dormers.
- The elevation drawings are labelled to suggest a 75 degree pitch to the mansard however; the design and access statement states that there would be a 70 degree angle and the section drawings show a pitch of approximately 62 degrees.
- The Lifetime Homes Statement point 5 says that the lift provided will be fully accessible. However, the floor plans indicate that the approved lift would terminate at second floor level and would not be extended to the proposed third floor. The originally approved scheme also included a lift overrun at roof level. The lift is not shown on the proposed third floor plans and the over-run is omitted from the as existing roof plan. The intentions for the lift and how it will be accommodated are therefore unclear and implies that if the current scheme is approved only one scheme could be implemented according to the approved plans.
- A covering letter from the agent dated 27/01/09 states that the consented scheme includes six secure cycle parking spaces to be provided at basement and ground floor levels and that the current application does not include any additional cycle parking. However, the Design and Access statement and the application form contradict this by stating that parking for 7 cycles is provided in the basement and at ground floor level as indicated on the submitted drawings. A site plan showing the ground floor has been submitted but there is no indication of the location of cycle storage. Basement plans have not been submitted with the application.

Residential development standards

2.1 The Council encourages the creation of additional housing in the borough provided that it meets acceptable standards. The proposed two bedroom flat would have a floor area of approx 94m², bedroom one being 18m² and bedroom two 15m². A portion of the flat would be under the slope of the mansard but a head height of 2.3m would be available over the majority of the floor area. External amenity space would be provided by a terrace to the front of the building facing on to Murray Street. Being at fourth floor level and with dual aspect to the north east and south west the proposed unit would receive a good level of daylight and sunlight.

2.2 The site is located adjacent to the railway. The north east facing windows of the proposed residential flat would face onto the railway lines. The Environmental Noise Report submitted with the application for the redevelopment of the site (2007/5335/P), now being implemented, has been re-submitted with the current application. The noise assessment considers the site suitable for residential development and this was accepted at the time of the previous application. However, a condition was attached to the permission requiring the submission and approval of details of sound insulation for the building. Details were submitted in association with application 2007/5335/P but the condition is yet to be discharged as insufficient information has been provided to the Council. If the current planning application were to be successful it is recommended that a similar condition requiring the approval of details of sound insulation be attached.

2.3 A lifetime homes statement has been submitted with the application. However, the report is inaccurate as it states that the new flat will be accessible via the lift. However, the lift terminates at second floor level and does not serve the proposed third floor. The level of detail provided in the

remainder of the statement is limited but the proposals are considered to be of an acceptable standard in line with policy H7.

2.4 No provision has been made for refuse storage within the proposals. However, a bin store is to be provided at ground floor level in association with planning permission 2007/5335/P. The approved refuse store is considered to be sufficient to accommodate the waste of the additional unit proposed.

Design and appearance

3.1 Being located on an island site bounded by the roads and railway cutting the site is triangular in shape as is the footprint of the building currently being constructed. The length of the building will front Murray Street to the south west and back onto the railway to the north east with the wide flank end facing Murray Mews to the north west. The proposed roof extension would take the form of a mansard style addition, being recessed behind a parapet and hipped in on each elevation with a flat roof above. However, due to the triangular shape of the main building, the proposed extension would be weighted towards the wide Murray Mews end of the building. At the narrow south east corner the north east and south west faces of the mansard would meet creating a long tapered hipline. The elevation drawings are labelled to suggest a 75 degree pitch to the mansard; however, the design and access statement states that there would be a 70 degree angle and the section drawings show a pitch of approximately 62 degrees.

3.2 The extension would be clad in slate with photovoltaic tiles. A green roof would be added to the flat roof area above. The dormer would be clad with lead. The proposed materials for the window and door frames have not been specified.

3.4 The position of the road junction and railway cutting affords the application site with a sense of openness and makes it visible in long views from a variety of angles. In the appeal decision relating to the refusal of applications 2004/2573/P & 2004/4702/P the inspector describes the building as part of the “gateway” to the conservation area from the south. The appeals related to the refusal of permission for the site to be redeveloped with four storey buildings. Both appeals were dismissed. The current proposals are similar in that they would add an additional fourth storey to the building, all be it set back behind a parapet. The inspector’s decision with regard to these appeals is therefore considered to be a material consideration to the assessment of the current application.

3.5 The inspector comments that “at four storeys the buildings would be too high” and the highlights the problematic relationship with the two storey section of the Irish Centre next door (50-52 Camden Square). The inspector describes the openness of this section of the street stepping down in scale and height from Camden Square towards the road junction and describes the relationship of the additional height of the proposed buildings as ‘visually uncomfortable’. The inspector also notes the appearance of the proposed structures from the south commenting that the building would come to a “virtual point four storeys high, in a highly prominent location”. The inspector considered that this appearance would be difficult to reconcile with the uniform and traditional character of the conservation area. As the current proposal would result in a similar four storey building, all be it with the fourth storey recessed, the inspector’s findings are considered to apply.

3.6 The prominence of the application site is also clear in views from St. Augustine’s Road to the north east. From this angle the rear of the building appears at an elevated level above the railway cutting. Objections to the scheme have been raised on the grounds that the extension would result in a canyon-like appearance due to the proposed additional height. It is considered that an additional storey would exacerbate the perception of the building’s height when read within the context of the railway lands making it overly dominant.

3.7 Due to the triangular shape of the main building under construction, the extension would be weighted to the wider Murray Mews side of the building narrowing to a sharp edge at its eastern end. This would give the property an unusual and unbalanced appearance. Due to the inconsistencies in the drawings it is unclear as to the angle of the proposed slope of the mansard. At 75 degrees as indicated on the elevation drawings the mansard would be overly steep giving a top heavy

appearance and would not comply with the standards as outlined in Camden Planning Guidance.

3.8 Due to the inconsistencies in the drawings it is unclear exactly how many dormers are proposed. The pattern and proportions of dormers shown, whilst drawing from the fenestration pattern at the lower levels of the building to a degree, would not be evenly distributed along either façade. This would contribute to the unbalanced appearance.

3.9 A traditional pallet of materials is typical of the surrounding properties and of the conservation area generally. The approved building has a more contemporary finish comprising brick, steel, glass, aluminium framed windows and steel balcony guards. It is proposed that of photovoltaic tiles would clad the new roof extension. Due to their uncommon and highly reflective appearance these tiles are considered to be less compatible and would result in an incongruous visual feature. The tiles would draw attention to the upper level of the building magnifying the awkward relationship between the extension and the host property to the detriment of the character and appearance of the area.

Residential Amenity

4.1 The proposed roof level extension would be within the existing footprint of the building and would be recessed from the extent of its built boundary. The site's immediate neighbours are the Irish Centre (non-residential) and the terrace to the opposite side of Murray Street which comprise shop units at ground floor level with residential above and the Murray Arms public house on the corner. Windows of the proposed mansard would be at a distance in excess of 21m from those at third floor level of the building opposite with the street running between. This distance is considered more than sufficient to prevent direct overlooking and the relationship between the application property and the terrace opposite is typical of the surrounding urban layout. The distance from neighbouring residential properties and the recessed design of the extension imply that the extension would not result in an increased sense of enclosure.

4.2 A basic daylight study has been submitted with the application and indicates that daylight to the residential properties opposite would not be affected as a result of the proposals.

4.3 It is considered that the amenity of neighbours would not be affected as a result of the proposals in line with policy SD6.

Sustainability

5.1 An Eco-Homes Pre-Assessment Report has been submitted with the application despite this not being a requirement for the creation of one additional unit. The report indicates that the development would achieve a code level 6. This is welcomed by the Council. However, the proposed photovoltaic tiles whilst desirable in terms of sustainability, are considered to conflict with design and conservation considerations (please see paragraph 3.9).

5.2 The proposal also includes the provision of a green roof to the top of the mansard. This is welcomed although if planning permission were to be granted it would be recommended that a condition be attached to require the approval of details of the green roof to ensure that it will be viable and little information is submitted with the application particulars.

Transport

6.1 The site is in an area with a Public Transport Accessibility Level of 3 (moderate) and is within a controlled parking zone. Murray Street is noted in Camden Planning Guidance as suffering from parking stress. No vehicle parking is included with the application and the site is considered suitable for car-free housing. Should planning permission be granted it is therefore recommended that the permission be subject to a section 106 agreement for car free housing. As a non-determination appeal has been submitted, a reason for refusal is included to safeguard the Council's position in this regard.

6.2 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 1 residential unit;

therefore 1 cycle storage/parking space is required. Conflicting information has been submitted with regard to whether additional cycle parking will be accommodated at basement or ground floor level but no drawings have been submitted to indicate that the required parking is to be provided. As the proposed residential flat is only accessible via stairs it is not considered acceptable for a cycle to be stored within the flat. The application therefore fails adequately demonstrate that the new unit can meet the requirements of policy T3 (Pedestrians and cycling) and appendix 6.

6.3 Permission 2007/5335/P for the redevelopment of the site was subject to a demolition and construction management plan secured through a section 106 agreement. As the current proposal doesn't greatly change the construction requirements for the site, an amended DCMP is not considered to be required.

Conclusion

7.1 The principle of an additional storey at this property is considered to be unacceptable due to the resulting relationship with its two storey neighbour the Camden Centre and to the surrounding context in general. The triangular footprint of the application site and subsequent form and detailing of the proposed roof storey is considered to have an awkward and uncomfortable relationship with the permitted smaller building and its surroundings. The extension is weighted to the wider end of the building narrowing to a sharp edge; this reinforces the angular form of the building and creates an unbalanced appearance. The result is an inappropriate addition to this prominent corner building at the boundary of the conservation area that is detrimental to its character and that of the area generally. This is further exacerbated by the proposed use of photovoltaic tiles that would have a reflective appearance further drawing attention to the roof level. The appeal decisions relating to applications 2004/2573/P & 2004/4702/P support these findings. For these reasons the proposals are considered to be contrary to UDP policies B1 General design principles, B3 Alterations and extensions and B7 Conservation areas.

7.2 The application also fails to demonstrate that the scheme provides sufficient cycle parking and is therefore in contrary to policy T3 Pedestrians and cycling and appendix 6.

Recommendation:

The Council would have been minded to refuse planning permission.

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613