

DISCLAIMER

Decision route to be decided by nominated members on Monday 23rd March 2009. For further information see

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

Delegated Report (Members Briefing)	Analysis sheet	Expiry Date:	26/03/2009
	N/A / attached	Consultation Expiry Date:	09/03/2009
Officer		Application Number(s)	
Elaine Quigley		2009/0211/P	
Application Address		Drawing Numbers	
Land to rear of 169 York Way London N7 9LN		See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature
Proposal(s)			
Amendments to planning permission 2007/2741/P, dated 18/02/2008, for the erection of a two-storey two bedroom single family dwelling (Class C3) fronting onto Camden Mews.			
Recommendation(s):	Grant planning permission		
Application Type:	Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	18	No. of responses	02	No. of objections	02
Summary of consultation responses:	<p>2 letter of objection from neighbouring properties at 108 and 129 Camden Mews raising the following objections:</p> <ul style="list-style-type: none"> • Height of building has increased by approx. 1.25m than the roofline of the previously approved scheme. Proposal is now a three storey building with ground, first and second floor clearly marked. See paragraph 2.2.1 • Approved scheme at 129 Camden Mews for roof extension. This would be overlooked by proposed building See paragraph 4.2.2 • Ensure same condition for restriction of the use of flat roof be added to this proposal See paragraph 4.2.3 • Loss of large mature sycamore tree. Replacement tree would take years to mature. See paragraph 5.1 • TPO on tree unclear why this has been removed. Health of tree has not been investigated as no one has entered the garden. Stability of adjacent buildings may come into question as result of felling of tree See paragraph 5.1 • Impact of building works and possible obstruction of Camden Mews on residents including noise, pollution from lorry fumes, nuisance and inconvenience and loss of business to neighbouring businesses. See paragraph 6.1.1 • Lack of provision for extra parking required for new build. See paragraph 1.2 					

Camden Square Conservation Area Advisory Committee – objects

- Proposal is significantly different from original application and should be treated as new application. The decision is therefore no longer applicable and full supporting documentation required

See paragraph 6.3.1

- Inadequate drawings –

(i) south side access to proposal is currently a common access way to rear of nos. 171 and 173 York Way that would be removed without prior agreement from adjoining owners. Also removal of tree would also require agreement.

See paragraph 6.4.1

(ii) Omission and inaccurate sizes of windows in the first floor rear elevation of adjoining properties at 167, 169 and 171 York Way.

See paragraph 6.2.2

(iii) Line of original approved roof slope shown in red actually parapet line to Camden Mews frontage. New roof lines are between 0.7m and 1.2m higher than the original. Overall height of building has increased by 0.8m at second floor level

See paragraph 6.2.1

(iv) No section through the sedum roof not clear how this will be retained on the slope.

See paragraph 6.2.3

(v) Required design and access statement not submitted

See paragraph 6.2.4

(vi) No details of soil drainage or rainwater disposal

See paragraph 6.2.5

(vii) No details of extract ventilation outlets

See paragraph 6.2.5

- Proposal is inappropriate height and volume in relation to neighbouring properties

See paragraph 2.2.1

- Materials for north side of the stair enclosure are not indicated (aluminium cladding to match the windows?)

See paragraph 2.3.4

- Light levels should be checked to rear first floor windows

See paragraph 4.1.1

CAAC/Local groups*

comments:

*Please Specify

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| | <ul style="list-style-type: none">• Principle of use of land for residential use is unacceptable
See paragraph 1.2• Loss of visual amenity to Camden Mews and rear gardens to south from ground floor of no. 169.
See paragraph 1.2• Development would produce unacceptable levels of pollution due to the extract ventilation from proposed kitchen
See paragraph 6.2.5• Parking issues – doubtful that Council can effectively enforce car free development
See paragraph 2.1• Detrimental to character of conservation area
See paragraph 2.2.1 |
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Site Description

The application site is located to the west of Camden Mews and comprises a rectangular parcel of land which lies to the rear of 169 York Way and fronts onto Camden Mews, adjacent to No. 127 Camden Mews. The site appears to be hard paved though this is not clear as it would not appear to be used for any purpose other than for storing garden debris and is overgrown. There is no access onto the site from the rear of 169 York Way which operates as a betting shop on the ground floor level with residential on the upper floors. Access is gained from a side wooden gate which fronts onto Camden Mews.

The site lies within the Camden Square Conservation Area and the mews has a varied architectural character of predominately two storey residential mews buildings.

Relevant History

18/02/2008 - Planning permission was granted by the Planning Committee for the erection of a two storey two bedroom single family dwelling (Class C3) fronting onto Camden mews (ref 2007/2741/P).

22/12/2006 - Planning permission was granted for the erection of a two-storey two bedroom single family dwelling (Class C3) fronting onto Camden Mews. This dwelling was smaller in height than the approved scheme in 2008 and this proposal and was of a different design (ref 2006/3488/P)

Relevant policies

Replacement Unitary Development Plan 2006

SD6 Amenity for occupiers and neighbours; B1 General design principles; B7 Conservation areas;

Camden Planning Guidance 2006

Conservation areas; Design; Overlooking and privacy

Camden square Conservation Area Statement (CAS)

Assessment

1.0 Planning proposal

1.1 Planning permission is sought for amendments to planning permission 2007/2741/P, dated 18/02/2008, for the erection of a two-storey two bedroom single family dwelling (Class C3) fronting onto Camden Mews. The main alterations to the original scheme include:

- Height of the building adjoining no. 127 Camden Mews would be increased from 7.4m to 8.4m at its maximum height
- Part of the ground floor of the building would be excavated by approximately 1.0m to provide appropriate head room of 2.4m for bedroom 2 and the ensuite bathroom, the entrance area, staircase, store and wc.
- Reorganisation of the internal layout of the building to provide split level accommodation that would be separated by an internal staircase providing two bedrooms and two ensuite bathrooms at ground floor level and a centralised staircase; kitchen and living/dining room on the first floor and providing a full height study area on the second floor mezzanine level
- Alterations to the design of the front façade of the property to introduce a stepped design with vertical windows, cantilevered bay window at first and second floor levels and centralised entrance door
- Reduction in the private amenity space from 6.4 sq. m to 3.8 sq. m
- Erection of a single storey element at ground floor level adjoining no. 127 Camden Mews providing a bathroom

1.2 Issues relating to the principle of the erection of a dwellinghouse on the site, the loss of the garden, the loss of the tree, and parking arrangements have already been established and agreed as part of the previously approved scheme and will not be assessed as part of this application.

1.3 The main issues to be considered as part of the proposal are:

- Design – specifically the height of the building
- Standard of accommodation
- Amenity of the adjoining residents
- Loss of trees
- Other matters

2.0 Design

2.1 Loss of gap:

2.1.1 The amended proposal would introduce a single storey extension at ground floor level that would extend up to the boundary with no. 127 Camden Mews. Views of the extension would be mainly obscured by the proposed timber door that would provide access into the private amenity street from Camden Mews. The visual gap between the building and no. 127 Camden Mews would be retained.

2.2 Height:

2.2.1 The proposed building would result in the creation of three floors of habitable accommodation. The height of the building would be increased from the previous planning permission by approximately 1.0m and would rise above the parapet of no. 127 Camden Mews where the previous scheme was level with the parapet. The immediate vicinity of the plot has a variety of building heights – the building fronting York Way which forms the entrance of the Mews are three storeys in height, and no. 127 Camden Mews is two storeys but has tall floor to ceiling heights making it appear a storey higher. In this regard the additional height of the proposed scheme would not be considered to unduly impact on the prevailing pattern of development in the mews. It would be subordinate to no. 169 York Way and would not be considered to have an adverse impact on the

character and appearance of the conservation area. It would therefore be considered acceptable in accordance with policy B1 and B7 of the Replacement UDP.

2.3 Elevation and materials:

2.3.1 Camden Mews has a wealth of high quality contemporary building which add to the character and appearance of the area. The proposed scheme is considered to augment the imaginative contemporary designs with the mews in this regard.

2.3.2 The contemporary modulated design is simple and rational and results in an interesting form. The facades rely on the fenestration to provide visual interest and depth to the elevations. The Council would require the accurate detailed design of the contemporary oriel window, second and third floor projecting brick element and all window reveals & external doors to ensure there would be sufficient depth to the elevation to safeguard the visual interest to the front façade. This was required as part of the previously approved scheme and would also relate to this planning application (see informative no. 2)

2.3.3 The simple palette of materials including brick, aluminium powder coated windows with timber frames, is considered to compliment the materials, character and appearance of the area. In this respect the success of the development is considered to depend on the appropriate use of high quality materials, detailed design and finished appearance. A condition was attached to the previously approved scheme requiring the submission of all facing materials and this would still be required as part of this application (see informative no. 2).

2.3.4 The CAAC commented that the materials for north side of the stair enclosure are not indicated (aluminium cladding to match the windows?). The agent has confirmed that the northern side elevation of the second floor would be clad in powder coated aluminium.

3.0 Standard of accommodation

3.1 The proposal would retain the number of bedrooms that were approved as part of the previous application (two bedrooms). However the internal floor space of each of the bedrooms would be increased to provide a larger bedroom measuring 14.5 sq. m and a smaller bedroom measuring 10.5 sq. m. Although one of the bedrooms would fall marginally short of the 11 sq. m standard required for double bedrooms this would not be considered to produce a harmful standard of amenity and would be considered acceptable. It must be noted that the bedrooms in the previously approved scheme were smaller than the current proposal – measuring 10 sq. m. The proposal would provide larger bedrooms and would be considered an improvement on the previously approved scheme.

3.2 The amount of private amenity space has been reduced from approximately 6.4 sq. m to approximately 3.8 sq. m. It is recognised that the provision of private amenity space in a constrained site such as this is difficult and consequently would not be considered unacceptable.

4.0 Impact on residential amenity

4.1 Daylight and sunlight

4.1.1 The upper floors of no. 169 York Way are in residential use. In terms of the amendments to the previously approved scheme it is considered that the windows of the first floor of the closet wing of this building would be most affected. The previously approved planning permission included a sloping roof design that pitched away from the upper windows of the rear elevation of no. 169 York Way. The height and design of the roof of the proposed scheme has been redesigned to separate the buildings into three elements. The part of the building closest to no. 169 York Way would measure approximately 4.4m in height. It would not project above the cill of the first floor windows and would not result in any loss of light or outlook to these windows. The second element of the building would measure approximately 6.5m in height, 2m in width and would be located 3.1m away from the rear elevation of the closet wing of no. 169 York Way. Although the height of this

part of the building has been increased by 0.5m in comparison to the previously approved scheme, the separation distance between this part of the building and the previously approved scheme has been increased by approximately 1.9m. The impact in terms of loss of daylight into the windows of the first floor of no. 169 York Way would be improved in comparison to the previously approved scheme. The views from the first floor windows would be of the side elevation of the second element of the building that would be located approximately 3.1m away. Although this is not ideal in comparison to the sloping green roof that was part of the previously approved scheme, this section of the building would be set further away from the windows thereby increasing the sense of immediate space from these windows and would be considered acceptable.

4.1.2 The height of the third element of the building has been increased by approximately 0.8m. A small proportion (0.4m) of this part of the roof breaks a 25 degree splay taken from the mid point of the first floor windows at no. 169. This may result in some loss of daylight to the windows in the rear elevation of this building. However given the separation distance between this part of the proposed building and these windows (approx. 4.7m) and taking into consideration the small proportion of the roof that would break this line it is considered that the proposal would not have a significant impact on the amenity in terms of daylight to these windows.

4.1.3 The design of the western rear elevation of the building remains largely unaltered from the previously approved scheme. The proposal would be considered acceptable in terms of its impact on the amenity of the adjoining properties.

4.2 Overlooking and privacy

4.2.1 A high level window would be installed in the second floor northern side elevation of the building facing onto the rear elevation of no. 169. This window would serve a study area. It is proposed to provide obscure glazing in this window in order to prevent any loss of privacy to the adjoining properties.

4.2.2 Concern was raised by an adjoining neighbour relating to potential overlooking from the bay window on the front/side of the proposed building to the roof terrace of a recently approved roof extension at no. 129 Camden Mews. As part of the approved scheme for the roof extension at 129 Camden Road a condition (condition 2 of planning permission 2008/4395/P) was attached for the erection of a 1.8m high obscure glazed privacy screen on the shared boundary with no. 127 Camden Mews. This would prevent any overlooking from the proposed bay window on the corner of the building that would only project up 0.8m above the ridge of the no. 127 and 129 Camden Mews.

4.2.3 Concern has been raised regarding the possible use of the flat roof areas of the building. Condition 3 of the previous planning permission restricted the use of the flat roof areas of the building and this condition would relate to this application also.

5.0 Loss of tree

5.1 The proposed development would result in the loss of a sycamore tree that is covered by a Tree Preservation Order (TPO). Due to the limited safe useful life expectancy of the tree its removal has already been agreed as part of the previous approved schemes in 2006 and 2008.

6.0 Other matters

6.1 Impact of building works

6.1.1 Concern has been raised by adjoining residents relating to the impact of building works and possible obstruction of Camden Mews on residents including noise, pollution from lorry fumes, nuisance and inconvenience and loss of business to neighbouring businesses. As part of the previous planning permission a S106 agreement required the submission of a construction management plan to ensure that all construction work is agreed and approved by the Council's Highway Team to ensure the safety and efficiency of vehicular

and pedestrian movements in the vicinity of the site. This would also relate to this application.

6.2 Adequacy of the plans

6.2.1 The CAAC has raised several points relating to the accuracy and possible omissions from the plans submitted. These matters have been discussed with the agent and amended drawings have been submitted for the following details:

- drawing no 328-A-005 rev B shows the revised location and size of the windows on the rear elevation of the adjoining properties at nos. 169, 171 and 173 York Way
- drawing no 328-A-003 rev B shows the revised outline of the height of the building as part of the previously approved scheme

6.2.2 The drawings showing the locations of the windows are indicative. Notwithstanding the submission of the revised drawings, the upper windows in the rear elevations of nos. 167, 169 and 171 York Way are visible from Camden mews. Their locations and sizes have been noted during the site visit and have been taken into consideration as part of the assessment of the planning application.

6.2.3 It can be clarified that a section drawing through the sedum roof has been submitted on drawing no 328-A-006 rev A. In addition a condition was attached to the previously approved scheme (condition 8) requesting detailed sections to be submitted to ensure its construction and long term viability are possible. This would also relate to this application.

6.2.4 A design and access statement has been submitted with the application and was available to view on the Councils website from 18/02/2009

6.2.5 The CAAC raised concern regarding the lack of details of soil drainage or rainwater disposal. It is not a requirement to show these details on the planning application drawings as this information would be required by Building Regulations. They also raised concern about the lack of details of extract ventilation outlets. A condition was attached to the previously approved planning application requiring the details of the kitchen extract and vents and this condition would still apply to this proposal.

6.3 Consideration of proposal as an amendment to the previously approved scheme

6.3.1 The CAAC consider that the proposal is significantly different from original application and should be treated as new application. They feel that the decision is therefore no longer applicable and full supporting documentation required. The current application proposes alterations to the 2007 planning permission in terms of design, height, and internal layout of the new building. The proposed changes to the design of the scheme would be considered as amendments to the approved scheme. Full supporting documentation has been submitted as part of the proposal. The previous decision is still accurate and valid.

6.4 Access through the site

6.4.1 The CAAC has advised that the south side access to proposal is currently a common access way to rear of nos. 171 and 173 York Way that would be removed without prior agreement from adjoining owners. Also removal of tree would also require agreement. This issue was raised as part of the previously approved scheme. The land is in possession of the applicant and there is no right of way over it, nor any claim for a right of way.

6.5 Increase in pollution

6.5.1 An adjoining neighbour raised concern that the development would produce unacceptable levels of pollution due to the extract ventilation from proposed kitchen. An extract duct from a residential kitchen would not be considered to increase levels of pollution and would be considered acceptable

7.0 Conclusion

7.1 Grant planning permission