

DISCLAIMER

Decision route to be decided by nominated members on Monday 16th February 2009. For further information see

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

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| Delegated Report (Members Briefing) | | Analysis sheet | Expiry Date: | 19/01/2009 |
| | | N/A / attached | Consultation Expiry Date: | 06/02/2009 |
| Officer | | Application Number(s) | | |
| Jonathan Markwell | | 2008/5140/P | | |
| Application Address | | Drawing Numbers | | |
| 52A Leverton Street London NW5 2NU | | Please see decision notice | | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
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| Proposal(s) | | | | |
| Retention of a replacement single storey rear extension used as a one bedroom dwellinghouse (Class C3) | | | | |
| Recommendation(s): | | Grant Planning Permission | | |
| Application Type: | | Full Planning Permission | | |

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| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | No. notified | 17 | No. of responses | 01 | No. of objections | 01 |
| Summary of consultation responses: | <p>In addition to the adjoining occupiers being consulted, a site notice was also displayed from 06/01/2009, expiring on 27/01/2009. One objection was received, from the occupier of 50b Leverton Street. The issues raised were as follows:</p> <ul style="list-style-type: none"> - External appearance – the development is totally incompatible with the character and architectural style of the area and the scale and general proportions of the surrounding houses...the development is more akin to a seaside chalet...it is impossible to see it as anything other than obtrusive and incongruous. <p>Officer response: A building at the application site has been in place for a number of years (see relevant history section), with no enforcement records. The replacement building is considered to be satisfactory in design terms; see section 3 of the assessment section of this report.</p> <ul style="list-style-type: none"> - Loss of garden area – sizeable gaps were left between Victorian terraces; this has been lost, depriving the residents of 52 Leverton Street amenity space. <p>Officer response: A building has been in place at the application site for a number of years (see relevant history section); A small courtyard is retained for occupiers of the ground floor flat at No. 52. The refusal of the application on this basis would be unsustainable given the history of the application site.</p> <ul style="list-style-type: none"> - Lack of amenity for future occupiers of the residential unit, resulting in a substandard quality of accommodation, namely: <ul style="list-style-type: none"> • Noise – owing to proximity of ground floor unit to Ascham Street pavement & local businesses, including a nearby public house (and traffic this generates). In addition, • Lack of light and ventilation, caused by lack of windows / openable doors; • Lack of privacy. <p>Officer response: Please see sections 2 and 4 of the assessment section of this report.</p> | | | | | |

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| | <ul style="list-style-type: none"> - Parking – An additional residential unit might add to local demand for parking spaces during the evenings and weekends. <p>Officer response: The proposed development does not lead to an additional residential unit. This application is for the retention of a replacement unit, which had been occupied for a number of years. See relevant history section and paragraphs 1.2 and 5.2 of the assessment section for more details.</p> <ul style="list-style-type: none"> - Refuse and recycling – the objector assumes that the future occupiers will not have any outside space where they can store refuse and recycling. Concerns are noted over the spillage of waste onto the pavement. <p>Officer response: Please see section 5 of the assessment section of this report.</p> |
| CAAC/Local groups* comments: <small>*Please Specify</small> | None. |

Site Description

The application site comprises a single storey building to the rear of No. 52 Leverton Street, a part two, part four storey end of terrace property located on the eastern side of Leverton Street, on the junction with Ascham Street. The application site is connected to both No. 52 Leverton Street (to the west) and No. 1 Ascham Street (to the east) and fronts onto Ascham Street. No part of the application site is listed, nor is it located within a conservation area. The surrounding area is largely residential (comprising mainly three storey terraced properties), complemented by the Pineapple Public House (to the west) and a service and repair garage (to the south) located on the junction of Ascham Road, Leverton Street and Railey Mews.

Relevant History

Planning Applications:

TP4631/5176 - To rebuild the existing single-storey rear addition at No.52, Leverton street, St. Pancras, and to use the same for shop purposes and to erect a further rear addition at first and second floor levels for domestic use. Refused 03/07/1963.

6310 - Erection of a part one and part three storey extension at the rear of 52 Leverton Street, to provide 2 garages, a store and 2 habitable rooms. Approved 24/03/1969. (The application site is shown on the approved plans to provide two garages).

7182 - Use of part of the garages at 52 Leverton Street for general industrial purposes (motor repairs and servicing). Refused 07/07/1969.

F12/4/13/14068 - Erection of a four storey block of four two-room flats at 52 Leverton Street, N.W.5. with lock-up garages fronting Ascham Street. Refused 02/03/1973.

8401044 - Redevelopment by the erection of a part 4-storey and part 2-storey building for use as a ground floor shop and garage/workshop with 2 self-contained dwelling units above. Granted 11/12/1984. (The application site is shown on the approved plans to show a garage/workshop)

8601827 - The installation of a window in the side-wall of the garage/workshop at the rear. Granted 14/01/1987.

9200165 - Change of use of rear part of ground floor from garage/workshop to residential and the erection of a first floor rear extension to provide a two-storey house. Refused 26/03/1992.

9200458 - Change of use of the rear part of the ground floor from garage/workshop to a self-contained residential flat together with elevational alterations. Refused 18/06/1992.

9300022 - Change of use of rear part of the ground floor from garage/workshop to a self-contained residential flat together with elevational alterations. Refused 04/03/1993. (The application form submitted as part of this application notes the application to be retrospective).

9300323 - Continued use of rear part of ground floor shop as self-contained residential unit. Refused 28/05/1993.

9401191 - Change of use of ground floor shop unit to self-contained residential unit and external alterations to front and side elevations. Granted 12/01/1995. (The approved floor plan to this application makes reference to the application site being “separate accommodation – 1 bedroom dwelling”; the design and layout of the accommodation is identical to that shown on the existing plans to this application. It is not clear from the information available if the application site was approved for residential purposes as part of this application or not)

Enforcement History:

EN08/0765 – Complaint that unauthorised works had taken place (demolition of building and currently being re-built). A letter was sent on 06/10/2008, following a site visit on 03/10/2008, that stated that planning permission would be required for the building under construction.

Council Tax Records:

There is a council tax record for 52a Leverton Street, effective from 01/04/1993 (Band C). This entry was deleted following an appeal by the applicant (owing to the property being uninhabitable), effective from 25/05/2006.

Relevant policies

London Borough of Camden Replacement Unitary Development Plan 2006

S1 / 2 - Sustainable development

SD6 - Amenity for occupiers and neighbours

H1 – New housing

H7 – Lifetime homes and wheelchair housing

B1 - General design principles

B3 - Alterations and extensions

T3 – Pedestrians and cycles

T8 – Car free housing and car capped housing

T9 – Impact on parking

T12 – Works affecting highways

Assessment

1. Introduction

1.1 Planning permission is sought for the re-construction of a single storey building which is used as one bedroom flat. The application is retrospective owing to the external building works having already taken place (as established during a site visit on 22/01/2009). The previously constructed single storey building has been demolished owing to major structural defects, caused by inadequate damp-proofing. This caused significant damp and settlement cracks on the front elevation of the property. The applicant has submitted photographic evidence to demonstrate the condition of the now demolished building.

1.2 It is not clear from the planning history when the building to which this application relates was formally built and received planning permission. A number of applications were refused for the use of this building for residential purposes (see history section above). One of these applications (9300022) denoted on the application form that retrospective permission was sought, indicating the building had been constructed. The approved plan from application (9401191 Granted 12/01/1995) shows a one bedroom dwelling in the location of the application site. However, it is not clear if this application related to the application site. Nevertheless, there is no record of enforcement action against the application site being used as a separate dwelling. Moreover, Council tax records show an entry for 52A Leverton Street as effective from 01/04/1993 (it has been subsequently been deleted, effective from 25/05/2006 owing to the building being uninhabitable). As such, it is considered that the residential use at the application site is lawful.

2. Principal of development / quality of accommodation

2.1 The application site has been in use as a separate dwellinghouse from at least 1993 (see paragraph 1.2 and relevant history section). Housing is the priority land use of the UDP, as stipulated by Policy H1. As such, the principal of providing residential accommodation at the site has been established. The new building covers the same footprint as the previous building, providing an overall floorspace of 40m² and a bedroom 14.5m² in size. The bedroom fully accords with CPG standards (11m²), as does the overall flat size (32m² for a one person unit). The proposed layout is satisfactory for the living room/kitchen and bedroom both include access to natural light and circulation space. As such, they are considered to provide an acceptable standard of accommodation for future occupiers.

2.2 The applicant has also taken account of lifetime homes standards in the design of the replacement building. A number of the standards are not applicable owing to the building being one storey in height.

3. Design

3.1 The design of the reconstructed single storey building is largely similar to the now demolished building at the application site. The new building covers the same footprint as the previous building and has been designed to the same height (3m) and using the same materials (white rendered facade, flat felt roof, timber sash windows and timber door). The only alterations in comparison with the previously constructed building are as follows:

- The smaller window on the front (south) elevation has been enlarged in height and width so that it is now identical in size to the larger window on the front elevation;
- Removal of the window on the side (west) elevation; replaced with brickwork and render finish.

3.2 There are not considered to be any design issues regarding the amendments proposed. The fenestration alteration on the front elevation is encouraged as it creates a uniform pattern between the two windows on the application site and the existing window on the same frontage associated with No. 52 Leverton Street.

4. Amenity

4.1 In terms of amenity, the replacement building is not considered to further increase levels of overlooking and noise or lead to the additional loss of privacy or sunlight/daylight. Moreover, as noted above, the reconstructed building does not include a window on the side (west) elevation. As such, levels of overlooking to the occupiers of No. 52 Leverton Street are decreased by the replacement building.

5. Transport

5.1 With regards to cycle standards, Appendix 6 of the UDP states that 1 storage or parking space is required per residential unit created. The applicant has not included provision for cycle storage/parking in the proposed design. However, it is considered that given that the unit is at ground floor level, it would be unreasonable to expect this requirement to be satisfied. Furthermore, it is considered that, given that the unit is at ground floor only, there is scope for a cycle to be stored internally. As such, it is considered that the non-provision of a cycle space is acceptable in this context.

5.2 Given that the works have already taken place, a construction management plan is not applicable within this context. Similarly, the unit will not be made car free. This is owing to the previous building being used for residential accommodation for a number of years without this restriction. As such, to place such a restriction on the replacement building is considered to be unreasonable.

6. Refuse storage

6.1 The applicant has not provided a specific area for the storage of refuse and recycling materials. It is however considered that there is sufficient space within the replacement building for the storage of these materials. An informative is recommended to be added to any planning permission reminding the applicant of the need to provide adequate space.

7. Recommendation: Grant Planning Permission.