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| Address: | 33 Rhyl Street London NW5 3HB | | |
| Application Number: | 2007/5190/P | Officer: Thomas Smith | |
| Ward: | Haverstock | | |
| Date Received: | 11/10/2007 | | |
| Proposal: Erection of mansard roof and part single-storey, part three-storey rear extension and change of use of single-family dwellinghouse to 3 self-contained flats (Class C3). | | | |
| Drawing Numbers: Site Location Plan; 597/01 RevA; 597/05; 597/12; 597/13 RevA; 597/14 RevA; and 597/15 RevA. | | | |
| RECOMMENDATION SUMMARY: Grant Subject to a Section 106 Legal Agreement | | | |
| Applicant: | | Agent: | |
| Baron Developments 15 Applegarth Road London W14 0HY | | Redmond Ivie Architects 10 Barley Mow Passage LONDON W4 4PH | |

ANALYSIS INFORMATION

| Land Use Details: | | | |
|-------------------|-----------|-----------------------------|-------------------|
| | Use Class | Use Description | Floorspace |
| Existing | C3 | <i>Dwelling house</i> | 172m ² |
| Proposed | C3 | <i>Self-contained flats</i> | 220m ² |

| Residential Use Details: | | | | | | | | | | |
|--------------------------|------------------------|---------------------------------|---|---|---|---|---|---|---|----|
| | Residential Type | No. of Habitable Rooms per Unit | | | | | | | | |
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9+ |
| Existing | <i>Flat/Maisonette</i> | | | | | | 1 | | | |
| Proposed | <i>Flat/Maisonette</i> | | 1 | 1 | 1 | | | | | |

OFFICERS' REPORT

Reason for Referral to Committee: Referred by the Director for consideration after briefing Members [Clause 3(ix)].

1. SITE

- 1.1 This application relates to a 2-storey plus lower ground floor end-of-terrace single family dwelling house. The subject property is half a storey lower than the other buildings within the terrace. The two adjacent properties within the terrace retain their original roof form, but the properties beyond that have roof extensions. Rhyl Primary School adjoins the application site to the east.
- 1.2 The building is located within the West Kentish Town Conservation Area and is recognised as making a positive contribution to the CA.

2. THE PROPOSAL

- 2.1 This application proposes a mansard roof extension to the property, a full width lower ground floor rear extension and a half width ground and first floor rear extension above, in association with a change of use from a single dwellinghouse to 3 self-contained flats (1 x 1-bed, 1 x 2-bed and 1 x 3-bed).
- 2.2 The application has been amended so that the rear valley parapet is retained, and the roof slopes rise from behind the parapet

3. RELEVANT HISTORY

- 3.1 Planning application (2007/3336/P) for change of use and works of conversion of single-family dwellinghouse into 4 self-contained flats (2 x 1-bed and 2 x 2-bed), including erection of part single, part 3-storey rear extension, plus erection of a roof extension to provide two additional floors was **refused** in September 2007 for the following reasons:
 1. *The proposed additional storey and mansard roof extension, by reason of height, location, size and design, would be an insensitive, unduly bulky and top heavy addition which would upset the architectural composition of the host building and the terrace of which it forms a part and would be detrimental to the character and appearance of the conservation area, contrary to policies B1, B3 and B7 of the London Borough of Camden Unitary Development Plan 2006 and advice contained in Camden Planning Guidance 2006.*
 2. *The proposed rear extension, by reason of its height, location, size and design, would be an unduly bulky addition which would not be subordinate to the host building, nor respect the historic pattern of development on the terrace of which it forms a part and would be detrimental to the character and appearance of the conservation area, contrary to policies B1, B3 and B7 of the London Borough of Camden Unitary Development Plan 2006 and advice contained in Camden Planning Guidance 2006.*

3. *In the absence of a legal agreement to secure car-free housing, the proposed development is likely to result in increased parking stress and congestion in the locality to the detriment of highway and pedestrian safety contrary to policies SD2, T8 and T9 of the London Borough of Camden Unitary Development Plan 2006 and advice contained within Camden Planning Guidance 2006.*

3.2 An appeal has been lodged against this decision.

4. CONSULTATIONS

4.1

| | |
|-------------------------------------|----------|
| <i>Number of Letters Sent</i> | <i>9</i> |
| <i>Number of responses received</i> | <i>1</i> |
| <i>Number in Support</i> | <i>0</i> |
| <i>Number of Objections</i> | <i>1</i> |

4.2 The Head teacher of the adjoining Rhyl Primary School has objected on the following grounds:

- The modifications to the previous proposal do not overcome her concerns;
- The proposal would overshadow the nursery playground; and
- Builders walking along the party wall alarm the children.

4.3 Councillor Scott has objected on the following grounds:

- Overbearing impact on the neighbouring school;
- Overlooking into the playground;
- Additional height would have a detrimental impact on the terrace;
- Increase in parking stress and congestion;
- There have been burglaries at the school and those involved may have gained access via 33 Rhyl Street;
- The current height of the wall means that balls from the playground go into the garden at 33 Rhyl Street;
- High quality fencing should be required on top of the boundary wall with the school.

5. POLICIES

5.1 Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

Camden Unitary Development Plan 2006

S1/S2 Sustainable development
SD2 Planning obligations

| | |
|-----|---------------------------------------|
| SD6 | Amenity for occupiers and neighbours |
| H1 | New housing |
| H7 | Lifetime homes and wheelchair housing |
| H8 | Mix of units |
| B1 | General design principles |
| B3 | Alterations and extensions |
| B7 | Conservation areas |
| T3 | Pedestrians and cycling |
| T8 | Car free and car capped housing |
| T9 | Impact of parking |

Camden Planning Guidance 2006

West Kentish Town Conservation Area Statement

6. ASSESSMENT

6.1 The principal considerations material to the determination of this application are summarised as follows:

- Principle of development
- Design
- Amenity
- Transport

Principle of development

6.2 The priority use of the UDP is housing and therefore the provision of additional residential floorspace and housing units is considered to be acceptable in principle. The proposed mix of units (1 x 1-bed, 1 x 2-bed and 1 x 3-bed) is considered to be appropriate and in accordance with policy H8.

Design

6.3 The application building is an anomaly in the terrace, as it sits half a storey below all of the other properties in the terrace. Whilst properties further down the terrace have mansard extensions, the immediately adjoining properties retain their original roof form.

6.4 It is considered that, in this context, a mansard roof is acceptable in principle subject to satisfactory design.

6.5 Camden Planning Guidance 2006 contains advice on the design of the mansard roof extensions. The proposal as originally submitted had little regard to these guidelines and, consequently, it would have appeared far more prominent than a well designed mansard. Amended plans have been submitted so that the rear valley parapet is retained and the roof slopes rise from behind the parapet, which is considered to be more appropriate.

- 6.6 Camden Planning Guidance states that rear extensions should be designed to, *inter alia*:
- be subordinate to the building being extended, in terms of location, form, scale, proportions and dimensions;
 - respect the original design and proportions of the building, including its architectural period and style;
 - respect the historic pattern and established grain of the surrounding area.
- 6.7 The proposed rear extension would be full width at lower ground floor level with half-width extensions at ground and first floor levels on the boundary with the adjacent school.
- 6.8 Although full width extensions are discouraged, the lower ground floor extension would not be visible from the public realm or any neighbouring properties due to the high boundary walls. It would still appear as a subordinate addition and, in these circumstances, it would not be harmful to the character or appearance of the building or the terrace generally.
- 6.9 The half width extension at ground and first levels would not terminate a full storey below eaves level as suggested by Camden Planning Guidance 2006, but it would be approximately the same height as the rear closet wing at the neighbouring property at no. 35 Rhyl Street (although that extension has a pitched roof, and therefore appears less bulky).
- 6.10 Whilst the rear extension at the upper levels is rather bulky, it is not considered to be so harmful to the character and appearance of the building or the terrace generally so as to warrant refusal on design grounds.

Amenity

- 6.11 Objection has been raised to the impact on the adjoining school playground. Whilst there are no UDP policies that specifically protect playgrounds, it is a legitimate planning consideration. Indeed, an application for a new development at 59 Mount Pleasant (2005/0537/P), in the south of the borough, was refused in 2005 on the grounds that the proposed building by reason of its height, bulk and location would lead to a loss of outlook, result in a visual intrusion and an oppressive sense of enclosure for the neighbouring school building and playground. This decision was upheld on appeal.
- 6.12 The height of the flank wall of the main building on the boundary with the school would increase from 9m to 9.7m and from 5.4m to 6.3m where the proposed rear extension would be located. Whilst this increase in height would marginally increase the sense of enclosure in the playground, it is considered that this impact would not be so harmful as to warrant refusal on these grounds, particularly given the overall size of the playground. Indeed, this was not a reason for refusal for the previous larger application.
- 6.13 Whilst there would be additional windows to the rear elevation at roof level, it is considered that they would not result in a significant additional degree of overlooking as compared with the present situation.

- 6.14 The proposal would not have any significant impact on daylight, sunlight or privacy to neighbouring occupiers at no. 35 Rhyl St. The noise from the proposed flats is unlikely to be significantly greater than the current use as a dwellinghouse. Noise from construction works is covered by separate legislation.
- 6.15 All of the units are reasonably sized and meet the minimum floorspace standards set out in Camden Planning Guidance. In terms, of daylighting standards, Camden Planning Guidance states that all habitable rooms must have an external window with an area of at least 10% of the floor area of the room. Bedroom 2 in the basement flat would have an external window with an area of only 6.54% of the floor area of the room. Whilst this is far from desirable, it is considered that the overall standard of accommodation in this unit would not be so poor that it warrants refusal.
- 6.16 The proposal is for conversion of an existing building and therefore it would be unreasonable to expect full compliance with Lifetime Homes Standards. The access statement notes that some measures will be taken to improve accessibility and the proposal would, in any case, need to comply with the requirements of the Building Regulations.

Transport

- 6.17 The site is located in an area where access to public transport is good (PTAL 3). The proposed development would result in an increase of two residential units and would be likely to contribute unacceptably to existing on-street parking stress and congestion. This issue could be addressed by designating the two additional units as car-free so that occupiers of these units would not be eligible for resident's parking permits in the locality and the applicant is agreeable to this.
- 6.18 Due to the layout of the site/ property, it is not feasible to require on-site cycle storage, but the units are large enough that occupiers could store cycles internally if required.

Other matters

- 6.19 In response to the other objections, it is considered that the proposed extensions and the resultant increase in the height of the boundary wall would marginally improve security and would slightly reduce the likelihood of balls going from the playground into the garden of the application property. However, these are not considered to be significant material considerations in this instance. The provision of railings to the top of the boundary wall is not considered to be a necessary or reasonable requirement for the development to proceed.

7. CONCLUSION

- 7.1 The proposed change of use is acceptable in principle and the extensions are considered to be acceptable in design and amenity terms. Accordingly, the application is recommended for approval subject to a car-free legal agreement.

8. LEGAL COMMENTS

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

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