

**DISCLAIMER**

Decision route to be decided by nominated members on Monday 21<sup>st</sup> January 2008. 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>	<b>09/10/2007</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>04/10/2007</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Sara Whelan			2007/4085/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Land to r/o 6-7 Canteloves Road and Land Adjacent to 14 St Pauls Crescent London NW1 9XL			Site Plan P_00; P_01; P_02; P_03; P_04; P_06; P_07; P_08; P_05; D01; D02	
<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 single family dwelling house (Class C3) to replace existing garage.				
<b>Recommendation(s):</b>		Grant		
<b>Application Type:</b>		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	26	No. of responses	05	No. of objections	05
			No. Electronic	01		
Summary of consultation responses:	Site notice has been erected 13/09/2007 – 04/10/2008					
	<p>The following concerns have been raised;</p> <ul style="list-style-type: none"><li>- The proposed third bedroom would not be a mansard development it would bulk out the appearance of the dwelling</li><li>- The proposal detracts from the harmony of the frontages on Cantelowes Road</li><li>- The proposed second floor would visually dominate the street scene</li><li>- An inspectors report states that full weight should be given to Policies EN13, 14, 16, 18, 19, 24 and 31. These policies combined with policy EN 15 are not being adhered to.</li><li>- The proposal would have adverse impacts of overshadowing upon rear gardens of 6-7 Cantelowes Road and top lit covered passageway to 14 St Pauls Crescent.</li><li>- A number of trees in the adjacent sites are likely to be harmed by excavation works.</li><li>- It is intolerable that no recycling provisions have been made</li><li>- The application form incorrectly describes a Hotel use, this is incorrect</li><li>- The neighbours have been bombarded with applications over the past 20 years</li><li>- The third floor would have significant impacts upon the privacy of number 48 St Augustine’s Road and surrounding neighbours.</li><li>- The roof terrace would have detrimental impacts upon the rear garden and window of number 8.</li><li>- This application must be reported to the Development Control Committee as it involves the demolition of a detached structure within the Conservation Area.</li></ul> <p>Officers response;</p> <ul style="list-style-type: none"><li>- The proposed third floor has been described as a mansard roof in the Design and Access Statement, despite whether the proposal is a true mansard roof the proposed bulk and harmony of the third storey will be discussed within the main body of this report.</li><li>- The proposed dwelling will be assessed in accordance with the</li></ul>					

	<p>London Borough of Camden replacement Unitary Development Plan (June 2006).</p> <ul style="list-style-type: none"> <li>- Any impacts of overshadowing or overlooking upon no's 6, 7 and 8 Canteloves Road and 48 Augustine's Road are discussed in the main body of this report.</li> <li>- A condition would be attached to any permission granted requesting that all trees on the adjoining sites shall be protected from damage to the satisfaction of the council for the next 5 years.</li> <li>- Conditions would be attached to any permission granted requesting details of how green and brown roofs would be incorporated into the development, that provisions should be made for rain water harvesting and grey water recycling and that provisions should be made for recycling.</li> <li>- The application form does refer to Hotel space; this is a discrepancy in the application form. However, the description of the proposed residential development is correct; therefore the application is not invalid.</li> <li>- This application solely seeks full planning permission for the redevelopment of the application site. Conservation Area Consent has previously been granted to demolish the garage (2005/3487/C); therefore this application does not need to be reported to a Development Control Committee.</li> </ul>
<p><b>CAAC/Local groups* comments:</b> *Please Specify</p>	<p>Camden Square Neighbourhood Association</p> <ul style="list-style-type: none"> <li>- The floor area is not considered to be sufficient for a single family dwelling house.</li> <li>- Two petitions have in the past been presented to the Council by local residents who live in the area.</li> </ul> <p>Officer response;</p> <ul style="list-style-type: none"> <li>- The proposed amount of floor space meets the requirements as set out in Camden Supplementary Planning Guidance.</li> <li>- No petition has been submitted objecting to this application</li> </ul>

## Site Description

The application site accommodates a single storey former garage. The garage building is currently used for storage however it could accommodate up to four cars. The building is situated adjacent to a terrace of five ground and two storey mid Victorian properties, with stucco ground floor, moulding window surrounds and roof parapet cornices.

Similar terraced, or semi detached, Italianate villa style properties dating from a similar period surround the site to the rear, flank, and opposite side of St Pauls Crescent to the south. The site is within the Camden Square Conservation Area, but is not identified within the statement as making any specific contribution to the area.

## Relevant History

**2007/4700/C** – Conservation Area Consent to demolish the existing garage – Withdrawn as a valid Conservation Area Consent is extant on the application site.

**2005/3486/P and 2005/3487/C** were originally granted under delegated powers. The applications however, should have been determined by Members at the Development Control Sub-Committee as they proposed the demolition of a structure in a Conservation Area. This was an officer oversight. A Judicial Review was sought by neighbours and the applications were subsequently quashed and presented to Members in June 2006 for consideration. Conservation Area Consent (to demolish the existing garage) and Full Planning Permission (to erect a new dwelling) were granted subject to conditions.

**2005/3484/P, 2005/3485/C** – Planning applications and Conservation Area Consent for the redevelopment of the existing garage with a dwelling house were withdrawn

**August 2005:** Two planning applications and Conservation Area Consent schemes for the redevelopment of the existing garage with a dwelling house were withdrawn (refs: 2005/2341/P, 2005/2345/C; 2005/2345/P, 2005/2345/C). The two schemes differed in terms of elevational design and were withdrawn on officer advice regarding the inclusion of a carport and front railings.

**September 2002:** Planning permission and Conservation Area Consent (refs: PEX0200424, CEX020427) were **refused** for demolition of the existing garage and the erection of a new 3-storey dwelling house.

Reason: The proposed new dwelling is considered unacceptable on account of its excessive height and bulk, which unduly compromises the dominance of the existing Victorian buildings and garden space between them. It therefore fails to preserve or enhance the character and appearance of this part of the conservation area.

**Feb 1990:** The appeal of the below application was allowed. The inspector stated that the proposal would *“align with the terraced properties in St Paul’s Crescent and would not in my view dominate nearby properties or appear overdeveloped...The proposal would not cause any sufficient harm through overdevelopment”*.

With regard to amenity the inspector noted that: *“distances from the proposed roof terrace and from windows of habitable rooms at the rear from Houses in St Augustine’s Road would in my opinion be sufficient to avoid any loss of privacy to these properties”*.

**December 1988:** Planning permission refused (refs: 8802501) for redevelopment of the site to provide a single dwelling house. This application was appealed (see above).

### **Relevant policies**

SD1 – Quality of life

SD4 – Density of development

SD6 – Amenity for occupiers and neighbours

H1 - New housing

H7 - Lifetime homes and wheelchair housing

B1 - General design principles

B7 - Conservation areas

T1 - Sustainable transport

T9 - Impact of parking  
Supplementary Planning Guidance

N5 - Biodiversity

N8 – Ancient woodlands and trees

PPG15 - Planning and the historic environment

PPS1 – Delivering sustainable development

PPS3 – Housing

Camden Square Conservation Area Statement

## **Assessment**

### **Overview**

This application seeks full planning permission to erect a three storey dwelling. Conservation Area Consent to demolish the existing garage has previously been approved (2007/4700/C) and full planning permission has been granted to erect a two storey dwelling with a terrace and enclosed access at roof level (2007/3486/P). Therefore the existing garage at the application site can be demolished and a two storey dwelling erected.

The principle of a two storey dwelling has been approved on the site. This application solely seeks planning permission to add a third storey over part of the previously approved two storey dwelling. The proposed house would provide habitable accommodation at ground floor, first floor and second floor compared to the previously approved dwelling which provided habitable accommodation at ground floor and first floor and an enclosed access to a roof terrace at the second floor level.

The siting, depth and width of the proposed dwelling has not been altered compared to planning permission 2007/3486/P. The proposed third storey would be 6.7m deep, 5.2m wide and 2.3m high from the roof terrace. Its front elevation would front St Pauls Crescent however, it would be set 3.1m back from the front building line of the dwelling. The area to the front of the third storey would be utilised as a roof terrace. The rear elevation would appear as a mansard roof and the proposed third storey would have a flat roof.

### **Principle of demolition**

The garage is not identified as making any form of contribution to the character and appearance of the Conservation Area. The principle of its demolition and redevelopment has been accepted as a result of the previous inspectors appeal decision and the approval of Conservation Area Consent ref: 2007/4700/C.

### **Principle of residential use**

The principle of residential use has been accepted as a result of the previous appeal decision and planning permission 2007/3486/P. In addition the proposed residential dwelling house would be welcomed in accordance with Policy H1. The proposed dwelling would provide a three bedroom family sized unit, which would meet a specific housing need in the borough and provide a sufficient standard of residential amenity for new residential occupiers to accord with Supplementary Planning Guidance.

### **Density**

Policy SD4 and PPS3 (housing) state that proposals should make efficient use of the land. The site is approximately 0.008 hectares. Four habitable rooms (three bedrooms and a living room) would be provided within the dwelling. This would equate to a density of 500 habitable rooms per hectare. It is considered that this density would be in accordance with, Policy SD4, Table 4B.1 of The London Plan and PPS 3.

### **Appearance in street scene and Conservation Area**

This application solely seeks planning permission for an additional storey to be added to a previously approved two storey dwelling. The siting, width or depth of the dwelling approved by planning permission 2007/3486/P would remain unaltered.

The front elevation of the site is situated at the end of a terrace of mid Victorian terraced properties, generally three stories in height, displaying a certain rhythm and harmony in terms of plot widths, and elevational treatment, which is characteristic of the Camden Square Conservation Area. Other four storey villas also adjoin the site.

### Bulk and Scale

The third storey of the proposed dwelling would be no higher or closer to the front elevation compared to the external access previously approved as part of planning permission 2007/3486/P. It would span the width of the dwelling.

Considering that the proposed third storey would be set back from the front building line, have a flat roof and be no higher than the previously approved external access it is not thought that the appearance a third floor fronting St Pauls Crescent would have any detrimental impacts of bulk or massing upon the Conservation Area.

The proposed third storey would be 6.8m deep. The eastern flank elevation would be visible from vistas at the junction of St Pauls Crescent and Canteloves Road. It would be set back from the front elevation and located behind a parapet wall. It would be no deeper than the rear building line of the adjacent dwellings and have a flat roof set 2.9m below the ridge of 14 St Pauls Crescent. Therefore it would appear subordinate to the adjacent dwelling.

In general it is considered that the proposed third storey would be in keeping with the detached dwelling and would not appear as a prominent form of development within the street scene or wider Conservation Area. It is considered that the character and appearance of the Conservation Area would be preserved.

### Elevational Design

The front elevation of the two storey dwelling approved by planning permission 2007/3486/P comprised reclaimed stock bricks and an area of timber panelling. The main two storey element of the proposed dwelling would use reclaimed stock brick and include an area of painted render in the centre of the front elevation; this would replace the previously approved timber panelling. The adjacent terraced dwellings include white painted window cills. It is considered that the proposed area of painted render on the front elevation would be in character with the appearance of dwellings within the Conservation Area and preferable to timber panelling. A condition would be attached to any permission granted requesting that details of the proposed materials be submitted and agreed in writing by the Council.

The ground floor and first floor fenestration details on the front elevation have not been altered since planning permission 2007/3486/P. The proposed window on the front elevation at third storey would only be partly visible behind a parapet wall. This window would be in a similar position to the previously approved access at roof level. The roof of the proposed third storey would be constructed

from pre weathered zinc roof and the front elevation would comprise a window and polyester powder coated aluminium panelling. It is not considered that the limited appearance of the third storey from the street scene would have any detrimental impacts upon the character and appearance of the Conservation Area.

### **Impact upon residential amenity**

The proposal would appear as an 8.9m high flank wall, when viewed from the rear windows of no's 6, 7 and 8 Cantelowes Road. It would be 6.3m higher than the existing garage. Concerns have been raised regarding the impact that this increased scale of development would have on the amenities of these properties in terms of loss of daylight, sunlight, visual intrusion and privacy. These impacts are considered below.

#### Daylight and Sunlight:

Policy SD6 states that developments, which result in, a significant loss of daylight or sunlight should be resisted, and will be considered in relation to Building Research Establishment Guidelines. However given the distance of the development from the nearest affected windows of approximately 11m, the increased height of the proposal is not considered to result in sufficient loss of daylight to justify the refusal of the scheme on these grounds.

A 25 degree splay has been taken from a point approximately in the centre of the ground floor windows on the rear elevation of no. 6 Cantelowes Road. The proposed third storey would marginally contravene this 25 degree splay. This would not result in any significant impacts upon the daylight received into the windows on the rear elevation of no's 6, 7 or 8 Cantelowes Road.

#### Visual Intrusion :

The proposed increased width and depth of the third storey element would not result in a significantly higher level of enclosure than the previously approved roof terrace. The application site is within an inner London location and this level of enclosure would not be dissimilar to others situated within the Conservation Area, such as Murray Mews and Camden Mews.

As such the proposed development is not considered to result in harm to the amenities of adjoining properties in terms of visual intrusion, in accordance with Policy SD6.

#### Privacy:

The proposed roof terrace to the front of the third storey would be approximately 11m from windows of no's 6 & 7 Cantelowes Road and would have the potential to allow overlooking views into windows of these properties. However an obscured screen is proposed which would prevent overlooking in this direction. A condition would be attached to any permission granted stating that this screen be erected prior to the occupation of the dwelling and retained permanently thereafter.

The terrace and second floor window on the front elevation would be a sufficient distance from properties on the opposite side of St Pauls Crescent to prevent overlooking in this direction, in accordance with Policy SD6. It is also noted that a terrace in the same position as proposed, was



approved as part of the previous planning permission 2005/3486/P.

The window on the rear elevation of the proposed third storey would have no further impacts of overlooking compared to the proposed first floor rear windows and the existing rear windows at third storey of the adjacent terraced dwellings.

Access:

Considering that this application solely seeks to erect an additional storey to a previously approved two storey dwelling it is not considered reasonable to request that Lifetime Homes Standards are applied to the proposal.

**Transport**

The proposal would involve the loss of a site, which at some stage was capable of providing off street parking. However the loss of the original parking spaces and the principle of residential use have been accepted as a result of the previous appeal decision and planning permission 2007/3486/P. In addition the site does not appear to have been used as a garage for approximately 15 years, and its demolition is not therefore considered to result in an increase in parking stress on surrounding streets. The proposal would necessitate the removal of the existing crossover and reinstatement of an on street parking space. This would help to replace any loss in off street parking provision, in accordance with Policy T9. The removal of the existing crossover would be required by a condition.

The scheme would not therefore be required to be designated as car free through a S106 legal agreement.

**Trees:**

The proposal is in close proximity to a number of mature trees within the gardens of no's 6 & 7 Cantelowes Road. No information has been provided to demonstrate that the trees would not be harmed by the proposal. The submission of a tree report detailing how the trees will be protected during construction is therefore required by condition.

**Conclusion:**

Conservation Area Consent (2005/3487/C) has previously been granted allowing the demolition of the existing garage.

It is considered that full planning permission should be granted to alter the fronting material of the dwelling from timber cladding to painted render and to erect a third storey covering part of the previously approved roof terrace area. It is not considered that these alterations to planning permission 2007/3486/P would have any detrimental impacts upon the character and appearance of the Conservation Area or any further impacts upon the amenity of surrounding properties compared to planning permission 2007/3486/P.

