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| Delegated Report (Members Briefing) | | Analysis sheet | | Expiry Date: | 28/08/2007 |
| | | N/A / attached | | Consultation Expiry Date: | 3/8/2007 |
| Officer | | | Application Number(s) | | |
| Hugh Miller | | | 2007/2860/P | | |
| Application Address | | | Drawing Numbers | | |
| Site at rear of 210 Kentish Town Road London NW5 2AD | | | Refer to draft decision notice | | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | | |
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| Proposal(s) | | | | | |
| Erection of a 2-storey building to provide 2 self-contained flats at the rear of 210 Kentish Town Road. | | | | | |
| Recommendation(s): | | Granted Subject to a Section 106 Legal Agreement | | | |
| 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 | 26 | No. of responses | 05 | No. of objections | 02 |
| | | | No. Electronic | 01 | | |
| Summary of consultation responses: | <ul style="list-style-type: none">Concern that the drawings are inaccurate and the measurements are not shown on the drawings. <i>Response: All drawings are to scale, and appear to be accurate. There is no requirement to add measurements if the drawings are to an identified scale.</i>No provision for refuse storage <i>Response: Details have been illustrated on the drawings, and would meet the guidance set out in the Camden Planning Guidance. A condition is recommended to ensure these details are implemented, and retained/ maintained thereafter.</i>The front door of the building would open directly onto a narrow road <i>Response: The front door is recessed by 900mm and would not encroach onto the public highway.</i>Concern about the health impact on the occupiers of the new building given its proximity to the Electricity sub-station. <i>Response: Refer to Health and Safety Executive advice. Discussed within the assessment part of the report.</i>Christchurch House, Wolsey Mews – Concern about overloading of the drainage system and potential for flooding. <i>Response: This is covered by Building Control Regs BS EN 12056.</i> | | | | | |
| CAAC/Local groups comments: | <p><u>Bartholomew Estate CAAC</u>: Object and comment.</p> <p>It would appear that the previous refusal (2007/4126/P) only related to the lack of an agreement relating to the S106/Car Free Housing. If this is the case ad the applicants are now willing to sign, presumably we have no other grounds on which to object.</p> <p>However, if this is not the case we would still like to object as the proposal is too close to the electrical sub-station. We are not sure of the safety of the occupants living and are concerned to know that the health and safety issues have been sufficiently taken into consideration.</p> <p><i>Response: As above:- Refer to Health and Safety Executive advice. Discussed within the assessment part of the report.</i></p> | | | | | |

Site Description

The application site is a vacant plot of land to the rear of 210 Kentish Town Road. It is accessed from Wolsey Mews, which lies due east and is parallel to Kentish Town Road.

210 Kentish Town Road comprises part single-storey, part 2-storey and 4 storeys. It contains a shop at ground floor level with residential units above at first, second and third floor levels. The residential units are accessed from the rear of Kentish Town Road in Wolsey Mews, via steps leading to walkways at the rear of 212-216 Kentish Town Road. The residential units form part of a wider block that includes 210-216 Kentish Town Road.

The application site is within the Bartholomew Estate Conservation Area.

To the southeast is located no.2 Gaisford Road, a basement plus 3-storey attic semi-detached dwellinghouse. It is converted into self-contained flats. This property has a 3-storey rear closet wing which lies opposite the application site.

The rear of 212-216 Kentish Town Road also includes a brick single-storey electricity sub-station immediately adjacent to the north application site. Immediately adjacent on the southern side of the application site, at the rear of 208 Kentish Town Road, is a two storey plus roof storey industrial building which now appears to be being used as residential accommodation. This building has bars over the windows and is constructed from London stock brick.

The western side of Wolsey Mews between Gaisford Street and Caversham Road includes only two sites that have not been built upon, including the application site. The sites that have been built upon are generally low quality design, with buildings of 1-2 storeys.

Relevant History

Withdrawn- July 2006 application for the erection of a 2-storey building to provide 2 self-contained flats at the rear of 210 Kentish Town Road, ref. 2006/2002/P.

May 2007 Pp **refused** for the erection of a 2-storey building to provide 2 self-contained flats at the rear of 210 Kentish Town Road, ref. 2006/4125/P as follows:

The proposed development, in the absence of a legal agreement for car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area to the detriment of highway and pedestrian safety contrary to policies T8 (Car free housing and car capped housing), T9 (Impact of parking) and SD2 (Planning obligations) of the London Borough of Camden Replacement Unitary Development Plan 2006 and Camden Planning Guidance 2006.

Relevant policies

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 UDP 2006:

SD2 Planning obligations
SD6 Amenity for neighbours and occupiers
SD7B Noise / vibration pollution
SD9 Resources and energy
H1 New housing
H7 Lifetimes homes and wheelchair housing
H8 Mix of units
B1 General design principles
B7 Conservation areas

T3 Pedestrians and cycling
T4 Public transport
T7 Off street parking, city car clubs and bike schemes
T8 Car free housing and car capped housing
T9 Impact of parking

Camden Planning Guidance 2006:

Section – Residential development standards
Section – Lifetimes homes and wheelchair housing
Section – Cycle parking and storage
Section – Car free and car capped housing
Section – Planning obligations
Section – Overlooking and privacy

Bartholomew Estate C.A. Statement: New Development

Assessment

The principal consideration material to the determination of this application and summarised as follows:

- the principle of residential use.
- the residential mix
- the design and impact on the appearance of the new building and the C.A.
- traffic and parking Servicing, Cycling Parking and Refuse Storage
- Section 106 legal agreement

Background to proposal

In July 2006 a similar planning application was submitted for the “*Erection of a 2-storey building to provide 2 self-contained flats at the rear of 210 Kentish Town Road* “. This application was withdrawn following discussions between officers and the agents/architects. The concerns were as follows:

- The proposed building was taller than the adjacent 2-storey mews building at rear of 208 Kentish Town Road
- Poor elevational design in terms of relating to context and general poor quality of detailed architectural design
- Poor quality materials, such as UPVC windows.

In May 2007 an identical planning application was refused due to failure to complete the associated legal agreement for car free housing (see history section above).

The majority of the sites to the rear of Kentish Town Road on Wolsey Mews between Gaisford Street and Caversham Road have been built on. The majority of buildings are one–two storeys in height, which also includes the adjacent mews buildings rear of no.208.

The application was heard at members briefing earlier in 2007, as members were concerned about the proximity of the substation to the proposed building. The proposed building would abut an existing electricity sub-station in the adjacent site to the north. There are objectors concerns about its impact on occupiers’ health. As there is no published evidence that such equipment is detrimental to general health, it would be unreasonable to refuse the application on this basis. Notwithstanding this, comments were sought from EDF Energy and the Health and safety executive, and neither organisation have objected to the proposal moreover, neither operate a minimum distance separating a residential building from an electrical sub-station.

Land Use – the principle of residential use

Policy H1 states “*The Council will grant planning permission for development that increases the amount of land and floorspace in residential use and provides additional accommodation, provided that the accommodation reaches acceptable standards*”. The proposal would create two additional

self-contained units, which would be in accordance policy H1 (new housing) and HG8 (mix of units).

With regards to Policy H7 (Lifetime homes and wheelchair housing) *“The Council will encourage all new housing developments, including changes of use and conversions, to be accessible to all. All new housing should be built to ‘Lifetime Homes’ standards... or easily adaptable for residents who are wheelchair users”*.

Ground floor flat –the ground floor unit has some of the Lifetime Homes elements (*low-level threshold entrance, wheelchair accessibility, 900mm width entrance door, doorways & hallways, bathroom layout, tracking hoist route, controls fixtures and fittings*). Given the units’ size and location, these elements are considered satisfactory and are in compliance with H7. The front elevation appears to show a stepped entrance and a condition would need to be attached to any permission to require details showing level access.

First floor studio flat – the first floor studio flat would be accessed by communal staircase from the ground floor level, which would impede accessibility and therefore would not be lifetime homes compliant. Notwithstanding this, the studio flat would comprise some lifetime homes features, (*wheelchair accessibility, doorways & hallways, bathroom layout, tracking hoist route, controls fixtures and fittings*). As noted by policy justification paragraph 2.47 states *“... new housing should allow less mobile residents to live as independently as possible. Accessible homes give them greater choice about where to live and mean people are less likely to need to move when they become less mobile. The less mobile can include the elderly, people with disabilities, people with injuries and pregnant women. Improved accessibility in the housing stock can also help people with small children who need to use pushchairs or prams”*. Whilst it is accepted that new buildings should comply with policy H7, it is recognised that where there are site constraints, the provision of all the essential features of Lifetime Homes provision may not be possible and in this instance the proposal is considered acceptable in this respect. As CPC states para.24.8, Lifetime Homes are not designed specifically for disabled people. They simply allow for accessibility features to be easily incorporated at a later date if needed. Lifetimes Homes enhance choice, enable independent living and help to create more balanced and inclusive communities.

New residential accommodation & mix

Policy H8 states that the Council will only grant planning permission for residential development that provides an appropriate mix of unit sizes, including large and small units. The mix and sizes of the units will depend on site conditions and the locality, and the requirements for special needs housing.

The dimensions of the units are:

Ground floor - Unit 1 – 1 x 2 bedroom 46.4sqm net floor area,
First floor - Unit 2 – Studio flat 37.12sqm net floor area.

The proposed residential mix of studio and two- bed flat is appropriate for this Town Centre location given the constraints of the site. The proposed net floor area would not be compliant with the SPG floorspace standards, which is site constraint related. Notwithstanding the room sizes, the proposed units would be in compliance with other UDP housing policies and the proposed units are satisfactory.

The proposed building is located opposite the rear gardens of properties in Gaisford Street (nos. 2-14) and the habitable rooms of the proposed development would be adequately lit because there are no physical obstructions to reduce day/sunlight. The proposal is acceptable.

Design

The small single-storey rear addition would be demolished to accommodate the proposed new dwellinghouse.

The proposed building measures 99.377sqm. The dimensions of the proposed building are 6.35m

width x 8.65m depth, x 7.3m height. The proposed building would align with the roof ridge and gable parapet of the adjacent mews building. The roof would comprise slates whilst the elevation would comprise bricks to match adjacent buildings. In terms of its height it would match the gable design roof profile of the adjacent mews buildings and is considered acceptable.

The proposed front elevation would replicate design features characteristic of the adjacent mews buildings. The proposed building would include features such as stone finish window lintels, brick-on-edge window sill with matching bricks and concrete banding have all been carried through from the building at the rear of 208 Kentish Town Road to the proposed mews building. The proposed windows would be black powder coated aluminium framed and there will be black painted finish cast iron downpipes. These are considered acceptable and appropriate for the mews context. The proposal would be in keeping with the streetscene in terms of storey heights, window proportions and detailed design.

Given the satisfactory design, size and use of materials the proposed building would not detract from the appearance of the Bartholomew Estate conservation area. The proposal is in compliance with policies B1, B7 and SPG residential development standards. Conditions requiring a sample panel and window details would be necessary.

Garden amenity space

The occupiers of the proposed flats would not have access to either communal or individual garden amenity space. However, this should not be considered detrimental because family sized units are not proposed and therefore the non-provision of amenity garden space is not so materially detrimental to refuse the application in this instance and is on balance acceptable. Moreover, the size constraints of the site would prevent the provision of amenity garden space. Neither is it possible to provide any roof terrace or balcony.

Neighbour amenity

The proposed windows at first floor level within the front elevation would be approx. 7.0m from the 3-storey rear closet wing at 2 Gaisford street. This extension has windows at first and ground floor levels orientated due north, with views into the rear garden and Wolsey Mews. However, due to the acute angle between these windows there would be no direct overlooking or loss of privacy. At the rear first floor level, there would be 8.0m gap between the proposed obscure glazed window and existing windows at no.210 Kentish Town Road. However, due to the differences in height plus the walkway screen there would be no loss of privacy or overlooking of adjacent habitable rooms from the proposed mews building.

Given the differences in height, the proposed building would not cause any loss of sun/daylight to adjacent occupiers habitable rooms. The proposal accords with SD6.

Traffic and parking Servicing, Cycling Parking and Refuse Storage

Replacement UDP policy T8 states that the Council will grant permission subject to car free housing in areas of on-street parking control. The development is located within a controlled parking zone and is easily accessed by public transport and is located close to a wide range of amenities. Moreover, the introduction of residential use would have the potential to impact on available on-street car parking.

In this instance, the site is located close to Kentish Town Centre, which is served by excellent public transport. It is approximately 5-minute walk to the Kentish Town Road station served by the North London line and Northern line Underground train. The site is considered to be suitable for car-free housing.

Almost as many parking permits (94 percent) have been issued as spaces are available and existing occupiers in the area are still able to apply for additional parking permits. Therefore it is considered that on-street parking is at capacity and additional parking would be likely to contribute unacceptably to parking stress and congestion in the surrounding area to the detriment of highway and pedestrian

safety contrary to policies T8 and T9.

The applicant has accepted the principle of a car free legal agreement and has agreed to sign a legal agreement for car-free housing, the proposal is considered acceptable.

Refuse Storage

The ground floor unit has refuse storage facility at the rear; whilst the top floor units refuse storage facility would be provided along the existing walkway. The existing walkway is sufficiently spacious to accommodate both access and storage without having any detrimental impact on the existing occupiers. The refuse storage facility is considered satisfactory.

Archaeology

The application site lies within an Archaeological Priority Area and a condition would need to be attached to any consent requiring a desk-based impact assessment and site investigation.

Sustainability

The applicant has expressed willingness to incorporate sustainable features in keeping with policy and CPG on sustainable development, such as, the provision of photovoltaic cells and grey water collection. The proposed development would be in compliance with SD9C, a) –designs for energy efficiency and c) –optimising energy supply.

Recommendations

Approval is recommended and subject to S106 legal agreement.