

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	16/01/2007
		N/A / attached		<b>Consultation Expiry Date:</b>	20/12/2006
<b>Officer</b>			<b>Application Number(s)</b>		
Hugh Miller			2006/5049/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
138 Eversholt Street London NW1 1BL			Site Location Plan 10124/11; 12; 17; 20; 21; 22; Covering Letter		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		<b>Date</b>
<b>Proposal(s)</b>					
Erection of a second floor extension to create a self-contained 3 x bedroom flat.					
<b>Recommendation(s):</b>		Grant subject to S106 legal agreement “car-free” housing.			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	41	No. of responses	01	No. of objections	01
Summary of consultation responses:	<p>1 objection from occupiers of Irene Barclay House, 152 Eversholt Street:</p> <p>The extension will destroy the appearance of the building. The extension would impact on the daylight of the basement flat at no.152 Eversholt St.</p> <p>The size /height of the proposed addition is not appropriate. Rubbish from the adjacent flats is being thrown.</p> <p><b>Officers' comments:</b> <i>The application building is located approximately 40 metres to the south of the objector's residence (no.152). The addition is lower in height than the principle building and in view of its relatively low height &amp; distance it is unlikely to cause loss of daylight or sunlight to the habitable rooms or to the rear garden at no. 152.</i></p> <p><i>The proposed addition would match the footprint of the side addition. It would use matching materials with that of the existing main building and would be acceptable in its design and appearance.</i></p> <p><i>The issue of rubbish being thrown into the rear garden at 152 is not a material consideration relevant to the determination of this application.</i></p>					
CAAC/Local groups* comments: *Please Specify	Not in C.A.					

### Site Description

A basement part 3-storey, part 2-storey building located at the end of terrace building on the corner of Eversholt and Aldenham Street. The existing building is in use as Class A2 offices for a financial and professional service on the lower ground and ground floors and a residential flat at part first floor with unauthorised offices at second floor level. The site is not located within a conservation area.

### Relevant History

2005/4596/P Application withdrawn following officer advice for mansard roof extension, side and rear extension, change of use from Class A2 at basement and ground floor to C3 and conversion of building to 5 flats.

In April 2006 Pp was granted and subject to S106 legal agreement for change of use of lower and upper ground floors from financial and professional services use (Class A2) to residential use (Class C3), and conversion of building to create 4 x self-contained flats, involving alterations to elevations, ref. 2006/0582/P

### 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.

#### RUDP:

SD1 Quality of life  
B1 General design principles  
B3 Alterations and extensions  
SD6 Amenity for occupiers and neighbours  
H1 New housing  
H7 Lifetime Homes and wheelchair housing  
H8 Mix of units  
T8 Car free housing and car capped housing  
R7 Protection of shopping frontages and local shops

## Assessment

### Background

In April 2006 planning permission was granted for the change of use of lower and upper ground floors from financial and professional services use (Class A2) to residential use (Class C3), and conversion of building to create 4 x self-contained flats, involving alterations to elevations. The approval was subject to S106 legal agreement for carfree housing. The approved scheme remains extant.

The approved scheme comprised 2 x 2 bed & 2 x 1 bed s/c units.

The current proposal is as follows:

- ❑ the erection of an additional floor to provide a 3 bedroom self-contained unit, (ground, 1<sup>st</sup> & 2<sup>nd</sup> floor levels)
- ❑ amendment to the unit mix of the extant approved scheme

### Land Use and mix of units:

The Council has already accepted the principle of the change of use from (Financial & Professional Services) Class A2 to residential use, as noted above. Moreover, there is no policy, which seeks to protect Class A2, uses and given that the site does not fall within any designated shopping area, the loss is considered acceptable.

The proposed scheme has revised and the mix of units are as follows:

- ❑ Lower ground Unit 1 (68sqm) 1 bed
- ❑ Upper ground Unit 2 (50sqm) 1 bed
- ❑ First floor Unit 3 (33 sqm) 1 bed
- ❑ Second floor Unit 4 (33sqm) 1 bed
- ❑ Ground 1<sup>st</sup> & 2<sup>nd</sup> floors Unit 5 (93sqm) 3 bedrooms.

The proposed s/c flats meets their minimum floorspace required and are in compliance with Consultation Draft SPG residential development standards. Each unit has more than adequate light and outlook and they are acceptable.

In terms of the mix provided, there would be no 2-bed units however, this proposal includes a 3-bed maisonette at ground and first floors, which is welcomed.

Policy H8 states that the mix and size of units should relate to where best suited to site conditions and the locality. The replacement policy is also more flexible in terms of what mix should be provided.

The need for smaller units has been demonstrated in the Housing Needs survey and given the central London location and lack of amenity space given the site constraints, the mix is considered to be acceptable.

### Policy H7 - Lifetime homes wheelchair housing

When the scheme was approved (April 2006) Policy H7 was not formally adopted. It did however form part of the assessment of the original planning application.

The Revised UDP adopted (June 2006), Policy H7, states “The Council **will** encouraged 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.”

Also “The Council will grant planning permission for proposals designed to improve existing properties to make them suitable for people with disabilities.”

The proposal does not include, for example, accessible W.C or bathrooms, wider door width, accessible level entrance or a lift. Notwithstanding this, some features could be included, such as switches, sockets, ventilation and service controls, handrails, particularly in the bathrooms and W.C in keeping with the Lifetime Home standards. As a consequence, a condition is attached to ensure as many of these features as possible are provided.

### **Extension**

The proposed 2<sup>nd</sup> floor addition would increase the height of the existing side addition from 4.8m to 7.5m whilst setting below the height of the principal building (1.0m). It would project above the existing electrical sub-station building (5.8m height), which it abuts on the northeast side. It would comprise brickwork, rendered panelling and new timber framed windows designed to match the existing. The additional floor would not be strictly in compliance with SPG extension guidelines in that it is not set a full storey below eaves level. However, it the extension is still subordinate to the parent building and it is difficult to conclude that the extension results in harm to the existing building and the street scene and as such is considered acceptable in this instance.

Whilst it appears slightly overbearing in relation to the adjoining single – storey electricity sub-station, again, it is difficult to demonstrate harm and there is no loss of outlook. It is considered less overbearing than the existing residential building to the north east of the sub-station, (Alderman House). It is considered that in this context the recommendation is made on balance due to the fact that no unacceptable harm to the street scene results. On these grounds the proposal is considered to comply more than not with policies SD1, B1 and B3.

### **External and associated alterations:**

The existing vaults at lower ground floor, used for storage for the vacant offices, are to be converted into a bathroom for unit 1. These alterations are all internal and will not be visible from street level.

New timber casement-style windows would match the existing, so too the new door proposed at ground floor level. The new casement style window to replace the former entrance door is of similar design and proportions and is acceptable. These alterations are considered acceptable.

Due to site constraints, (limited land space) there is no provision of garden amenity space for the new occupiers, individuals or communally. Given the site's location, which would prevent provision of such space and balconies, it is considered that provision of garden space is a priority in this instance.

### **Neighbour amenity**

The adjacent properties at nos. 140 & 142 have windows oriented northeast. The proposed windows at 1<sup>st</sup> & 2<sup>nd</sup> floor levels would not cause harm through overlooking or loss of privacy due to the acute angles the occupiers would be viewing from. The proposal therefore complies with SD1 & SD6.

### **Transport:**

The applicant signed a S106 car free agreement preventing the occupiers from having access to car parking permits in the locality. The reasons for this are set out below:

Replacement UDP 2006, policy T7 – “Off Street Parking, City Car Clubs and City Bike Schemes”:

This policy seeks to manage on-street parking, reduce the supply of off-street parking through planning decisions and require parking for cycles and people with disabilities. It also encourages alternative modes of travel (cycling, walking, public transport and car and bike clubs). In this instance one cycle parking space per unit should be provided and a condition is attached to this effect.

Replacement policy T8 – “Car Free Housing and Car Capped Housing”. - The immediate side streets

are within a controlled parking zone plus there are limited opportunities for parking on Eversholt Street or Alderman St. The application site is location within walking distance of the Euston Railway & Underground Station and Mornington Crescent Underground Station. The site also has excellent access to bus routes along Eversholt St, Hampstead Rd. and Camden High St. No off-street parking would be provided and it is considered an appropriate location for car-free housing as an alternative to refusal in line with T8.

The extant approved scheme together with the current proposal (1 x 3 bed unit) would create 5 units, which would normally require the applicant to make educational and open space financial contributions. The threshold that trigger, the new contributions was not made clear to the applicant at the validation stage or during the assessment of the application. This only came to light prior to the application being presented at the members briefing panel. Given the lateness of the discovery, it is considered unreasonable to request the applicant to make additional contributions as noted.

### **Refuse & recycling**

In the absence of any provision been made to address issues related to refuse and recycling a condition is attached.

Recommend approval.