

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>06/12/2006</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		09/12/2006	
<b>Officer</b>				<b>Application Number(s)</b>			
Thomas Smith				2006/4272/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
17-21 Kings Terrace London NW1 0JP				See decision			
<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 rear extension at first floor level, a mansard roof extension and alterations to front entrances to facilitate a change of use from light industrial (Class B1) to alternative light industrial (Class B1) or storage (Class B8) uses at ground floor level and 4 self contained flats (Class C3) above.							
<b>Recommendation(s):</b>		<b>Granted Subject to a Section 106 Legal Agreement</b>					
<b>Application Type:</b>		<b>Full Planning Permission</b>					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	37	No. of responses	03	No. of objections	01
Summary of consultation responses:	An adjacent occupier to the rear on Camden High Street has written in support of the application.					
CAAC/Local groups* comments: <small>*Please Specify</small>	<p>Camden Town CAAC objected to the proposal on the grounds that it would lead to overcrowding in the area. They state that ideally the façade should look like three individual single width buildings and that the current variety in openings should be retained as far as possible. They also object to the replacement of the steel windows with aluminium framed windows.</p> <p><i>Response: Housing is the priority use in the UDP and it is not considered that the proposal would result in 'overcrowding'. The proposal has been amended to retain the position of the existing openings at first floor level, the lintels and the steel window frames.</i></p> <p>Camden Town Unlimited have written in support of the application as they believe that the proposal will have a positive effect in regenerating the area and encouraging further business activity around Mornington Crescent underground station.</p>					

## Site Description

The site is located on the west side of King's Terrace immediately to the rear of 34-36 Camden High Street and comprises a two storey building in storage use facing the mews with roller shutter doors at ground floor level and ancillary space above. The site is within the Camden Town CA, the Camden Town Special Policy Area and the Camden Town Major Shopping Centre as designated in the UDP. The building on site and surrounding buildings are not listed.

## Relevant History

Planning application 2005/3989/P for the erection of a rear extension at first floor level, a mansard roof extension and the remodelling of the front elevation to facilitate a change of use from storage use (Class B8) to a mix of business/storage use (Sui Generis) at ground floor level and 3x 2 bedroom maisonettes (Class C3) at first and second floor levels was refused in November 2005 for the following reasons:

- 1. The proposed remodelling of the front elevation, in particular the replacement of the first floor Crittal windows with metal framed double glazed units, would detract from the appearance of the building and the industrial character of the 'mews' area, and would fail to either preserve or enhance the character and appearance of the Conservation Area, contrary to Policies EN1 (General environmental protection and improvement, EN13 (Design of new development), EN21 (Alterations to existing buildings) and EN31 (Character and appearance of conservation areas) of the London Borough of Camden Unitary Development Plan 2000.*
- 2. The proposed residential use would result in a net loss of existing employment space within Class B8 to the detriment of sustainability objectives of protecting employment floorspace in accessible locations, contrary to Policies EC3 (Retention of employment use) and EC5 (Accommodation for small firms) of the London Borough of Camden Unitary Development Plan 2000.*
- 3. The proposed residential use of the first and second floors incorporates rear windows, access doors and usable rear roof terrace space which would afford direct views into private habitable rooms of existing residential flats on the upper floors of properties facing Camden High Street to the detriment of residential amenity and the level of privacy hitherto enjoyed, contrary to Policies RE2 (Residential amenity and environment), EN19 (Amenity for occupiers and neighbours), and HG12 (Visual privacy and overlooking) of the London Borough of Camden unitary Development Plan 2000.*
- 4. The proposed residential units would not incorporate off-street parking, which would give rise to additional on-street parking in an area with identified parking stress and result in loss of amenity to existing residential occupiers contrary to Policies RE2 (Residential amenity and environment), TR11 (On-street parking controls) and TR17 (Residential parking standards) of the London Borough of Camden Unitary Development Plan 2000.*

Planning application 2005/2145/P for construction of rear extension at first floor level and mansard roof extension to provide additional Class B1 accommodation was granted in August 2005 subject to conditions including that the new rear windows be obscure glazed.

Planning application PEX0200302 for the change of use and conversion of the first floor from an ancillary office (within Class B2 use) to provide a 2-bed flat, the erection of a mansard roof extension to provide a 3- bed flat, the use of the ground floor for Class B1 purposes and the creation of separate entrances to first/second floor flats from the ground floor was refused in October 2002 for the following reason:

- 1. The loss of employment use on the first floor and reduction in employment floorspace on the ground floor would be contrary to policies EC3 (Retention of employment uses), and EC5 (Accommodation for small firms) of the London Borough of Camden Unitary Development Plan (2000) which seek to retain employment use floorspace and accommodation suitable for small firms.*

A subsequent appeal against this refusal was dismissed in July 2003.

Planning permission PEX0000033 for the erection of a roof extension and rear extension for ancillary office use to the existing building within Class B2 was granted in November 2000 subject to conditions including that the new rear windows be obscure glazed.

## **Relevant policies**

### **Replacement UDP 2006**

SD1, SD2, SD6, H1, H7, H8, B1, B3, B7, E2, T3, T8, T9, T12

### **Camden Planning Guidance: Consultation Draft 2006**

## Assessment

### Proposal

This application proposes the following:

- Erection of a rear extension at first floor level measuring 5.5m x 5.5m to square the building off;
- Erection of a mansard roof extension;
- Change of use at first and proposed second floor level from Class B1 to alternative light industrial (Class B1) or storage (Class B8) uses;
- Alterations to the front openings at ground floor level and the provision of a separate residential access together with cycle and refuse storage entrances;
- New skylights to the flat roof above the ground floor towards the rear of the site.

### Consideration

#### Proposed change of use

Previous planning applications have been refused in the past on the grounds of loss of employment floorspace at first floor level and this stance has also been upheld on appeal. Those schemes were considered against the previous UDP and specifically policies EC3 (Retention of employment uses), and EC5 (Accommodation for small firms). The Replacement UDP has now been adopted and the equivalent policy E2 (Retention of existing business uses) is more flexible in that it recognises when a site is not suitable for continuation of any business use other than B1(a) offices then a change to other uses may be allowed.

The first floor can only be accessed by stairs as there is no goods lift and the ceiling height also limits the attractiveness of this space for use as anything other than offices ancillary to a business use at ground floor level. It is considered that the recent change in policy allows the proposed loss of employment floorspace in these particular circumstances, despite the planning history of refusals.

Conversely, the ground floor has higher ceilings with level access through large openings directly from the street and is clearly suitable for a range of light industrial (Class B1) and local storage (Class B8) uses. The applicant has indicated that he would prefer to use the ground floor for residential purposes although this does not form part of the current application. This would clearly be contrary to policy E2 and would be strongly resisted.

Residential is the preferred use of the Replacement UDP and therefore the use of first and second floors as flats is welcomed. National guidance and local policy seeks efficient re-use of land and it is considered that the introduction of 4 flats accords with this policy thrust and that refusal on the grounds of over-crowding would be unjustifiable.

The proposed mix of 2 x 2-bed units and 2 x 1-bed units is considered acceptable given the location so close to Camden Town and the absence of any amenity space.

The authorised use of the property is somewhat ambiguous, as the applicant has previously claimed that it is Class B2 whereas the Council has maintained that it is Class B1. In any event, the proposed use of the ground floor as alternative light industrial (Class B1) or storage (Class B8) uses accords with the Council's employment policies and would provide flexibility for the applicant to let this area for a range of uses over the next 10 years. The use of the ground floor 10 years from the date of the decision would become the authorised use and any further change of use would require planning permission.

#### Design

The application proposes a mansard roof, similar in design to that consented under planning permission 2005/2145/P. The windows have been amended so that they are steel framed and aligned with the existing windows at first floor level, which is acceptable.

The proposed rear extension is also the same size and location as that consented under planning permission 2005/2145/P and is acceptable in design terms. The proposed rear window frames would match the existing

on that elevation.

It was originally proposed to replace the existing 5 front windows at first floor level with 6 aluminium framed windows and to remove the existing lintel. This has now been amended so that the existing windows and lintel would be retained as they are considered to be characteristic of this type of mews property, which is welcomed.

At ground floor level, it is proposed to replace the centre openings to the front elevation with entrances to the residential accommodation, refuse store and cycle store. It is also proposed to widen the southernmost opening and increase the height of the northernmost opening to allow for flexible B1 use. It is not considered that these alterations would significantly detract from the character or appearance of the building.

#### Amenity

The windows at the rear of the proposed flats would directly face the rear windows of residential accommodation in Camden High Street and would result in an unacceptable loss of privacy contrary to policy SD6. To overcome this issue the applicant is prepared to obscure glaze these rear windows but this results in no outlook from the rear rooms of these flats, which would be habitable rooms, which is far from ideal. However, the flats are generous in size and well laid out and it is considered that, on balance, they provide an acceptable standard of residential accommodation.

There are flat roofs to the rear of the site, which could potentially be used as terraces, which would result in unacceptable overlooking of the residential properties on Camden High Street. However, the application proposes windows rather than doors (as proposed by a previous application) to the rear and the applicant is willing to accept a condition to prevent use of these areas as terraces.

A B1 use, by definition, should not result in any disturbance to neighbouring occupiers and any storage use would be low-key local storage, possibly for nearby retailers, given the size and location of the unit. Therefore it is not considered likely that these uses would create a significant disturbance to occupiers of the flats above subject to a condition restricting hours of operation from 08:00 hours to 19:00 hours on Mondays to Saturdays with no operation on Sundays or bank holidays.

#### Parking

No off-street parking can be provided and therefore the proposed flats are likely to result in an increase in on-street parking pressure and congestion to the detriment of highway safety. To mitigate this all of the flats are to be car-free so that occupiers would not be eligible for a residents parking permit in the locality, to be secured by legal agreement.

4 cycle parking spaces are provided at ground floor level which accords with the cycle parking standards. A condition is attached to ensure their provision and retention.

#### Highways

The proposal would result in part of the existing crossover being made redundant and therefore the footway needs to be reinstated in the interests of highway and pedestrian safety. The cost of these works is to be met by the applicant and secured within the legal agreement.

#### Refuse

Adequate refuse storage is provided at ground floor level and a condition is attached to ensure its provision and retention.

#### Lifetime homes

A statement has been submitted demonstrating how the proposal complies with lifetime homes standards as far as practicable and the proposal has been amended to provide level access at ground floor level.

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