

Delegated Report (Members' Briefing)		Analysis sheet		Expiry Date:	02/06/2006
		N/A / attached		Consultation Expiry Date:	19/05/2006
Officer			Application Number(s)		
Grant Leggett			2006/1691/P		
Application Address			Drawing Numbers		
81, 81A and 81B Bayham Street Camden Town London NW1 0AG			Site Location Plan; PAN/101 A; 102A; 103A; 104A; 105A; 106A; 107B; 108A; 109; 110A; 111A; 112A; Land Registry.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		Date:
Proposal(s) Construction of 2 additional floors and conversion of existing first floor flat to create 5 x self-contained residential flats (1 x 3-bed, 4 x 1-bed) including extending the side access stairway and minor alterations.					
Recommendation(s):		Grant Planning Permission subject to a s.106 agreement (car-free)			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	21	No. of responses	03	No. of objections	03
Summary of consultation responses:	<ul style="list-style-type: none">The construction of the development would cause disruption to a neighbouring restaurant. Response: <i>It is not appropriate to consider construction-related effects as a planning consideration.</i>The extensions to the rear would protrude unreasonably beyond the established rear building line, and fails to respect the form of the existing building and affecting daylight and sunlight to a terrace used for dining. Response: <i>The effect on the non-residential terrace is not unreasonable. It would be unreasonable to refuse the development on the grounds that the terrace warrants protection.</i>The development introduces rear residential windows at 1st, 2nd and 3rd floor level which could be affected by noise and overlooking from the existing dining terrace at no.83 Bayham Street. Response: <i>The position of the potentially affected windows is such that the potential for noise disturbance is minor. Internal solutions could be incorporated to overcome potential noise nuisance problems.</i>The development would enable overlooking of windows at the rear of 12A Pratt Street, and reduce light to that property. Response: <i>12A Pratt Street could not possibly be overlooked by the proposed development. It is in a different block to the proposed development. Similarly, no effect is possible on daylight or sunlight.</i>The ground floor restaurant would emit odours to the neighbour at no.12A Pratt Street. Response: <i>The restaurant is existing. It appears the objector has mis-interpreted the plans as his property is in an entirely different block.</i>					
CAAC/Local groups' comments:	Camden Town CAAC. No response.					

Site Description

The application relates to a two-storey building on the west side of Bayham Street. The building is occupied by a restaurant.

The site is within the Camden Town Conservation Area and Camden Town Major Centre.

Relevant History

1989: Planning permission **granted** for change of use of ground floor premises into a restaurant including alterations to the front elevation.

1990: Planning permission **granted** for the erection of a 2-storey rear extension in connection with continued use as a restaurant at ground floor level and the use of the first floor for office purposes within Class B1 of the Town and Country Planning (Use Classes) Order 1987.

1991: Planning permission **refused** for erection of rear and side ground floor extensions to restaurant rear and side first floor extensions and addition of second floor for use within B1 Use Class (as defined by the Town & Country Use Classes Order 1987).

2001: Planning permission **granted** for change of use of the first floor from office (class B1) to a two bedroom self-contained unit (class C3).

May 2005: Application for planning permission **withdrawn** for construction of two additional floors to create 2 x 2-bedroom self-contained flats including extending the side access stairway and minor alterations.

The application was withdrawn on officer advice.

April 2006: Planning permission **refused** for construction of 2 additional floors and conversion of existing first floor flat to create 5 x self-contained residential flats (1 x 3-bed, 4 x 1-bed) including extending the side access stairway and minor alterations.

The application was recommended for approval and Members did not raise any objection to this recommendation. However it was ultimately refused because the s.106 agreement for car-free housing was not signed.

The current application represents a revision to the withdrawn scheme and is a resubmission of the scheme refused because the s.106 was not signed.

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.

London Borough of Camden Unitary Development Plan 2000

RE2 – Residential amenity and environment
EN1 – General environmental protection and improvement
EN13 – Design of new development
EN19 – Amenity for occupiers and neighbours
EN22 – Extensions to existing buildings
EN24 – Roof alterations and extensions
EN31 – Character and appearance of Conservation Areas
HG8 – Increasing the amount of residential accommodation
HG15 – Ensuring the provision of a range of housing
TR16 – Car-free housing developments
TR17 – Residential parking standards

Revised Deposit Draft as amended by the Proposed Modifications agreed by the Council's Executive on 11th January 2006

SD6 – Amenity for occupiers and neighbours

H1 – New housing
H8 – Mix of units
B1 – General design principles
B3 – Alterations and extension
B7 – Conservation areas
T8 – Car-free housing and car-capped housing

Supplementary Planning Guidance 2002

2.3 – Internal arrangements

Assessment

Permission is sought to add two additional storeys to a building (including a mansard storey) to create two additional two-bedroom flats.

Residential use

The existing building contains 1 x two-bedroom flat. The proposed development would provide 4 x one-bedroom and 1 x three-bedroom flats. The creation of four new dwellings at the expense of a two-bed flat is generally welcomed, subject to the provisions of other relevant policies. The proposed units are of a sufficient size in relation to SPG and would provide adequate lighting and visual privacy.

Urban design

The principle of the additional floors is acceptable, as there is a similar building next door which has a second floor and mansard third floor. The proposed development would serve to mitigate the effect of the existing stand-alone mansard roof at no. 83 by softening the roofscape. The upper floors of no.81 would be set flush with the existing façade of 81A and 83 rather than protruding from the front façade as does the existing ground and first floors, which is welcomed.

The new upper floors would extend the building significantly to the rear such that they protrude 1.8m further than the existing upper floors of the neighbouring no.83. However this protrusion would unduly affect the appearance of the rear of the terrace, and given it would not be visible in the public realm it would not harm the character and appearance of the conservation area.

The development includes windows in the side elevation, which is acceptable as they are of an appropriate design. One of the side windows top the mansard floor has an awkward relationship to the mansard, but the visual harm it causes would not warrant refusal of the application. A condition should be imposed requiring the windows of the new extensions to be formed from timber, to preserve the character and appearance of the conservation area.

Residential amenity

The development would not significantly affect daylight, sunlight, outlook or privacy to any neighbouring residential building. The rear windows of the neighbouring 19 Pratt Street (which face the side of the development) are non-habitable and therefore not sensitive to light or privacy issues.

The rear extension would introduce a new flank wall that abuts the existing second floor terrace of the neighbouring restaurant, used for dining. The outlook from the terrace would therefore be affected. The effects on the amenity of the non-residential terrace caused by the proposed rear extension are not so significant as to warrant refusal of the application. It would be unreasonable to refuse permission for the development in order to preserve the amenity of a commercial terrace.

There is also concern that habitable room windows in the rear elevation of the new extension would be sensitive to noise created on the terrace. The potential for noise nuisance to be created is recognised, but it would be unreasonable to refuse permission because of this issue. Any tenant or purchaser of the flat would be aware that the flat is above a restaurant, with another restaurant next door with a terrace. Internal solutions such as double-glazing could be implemented to overcome any noise issues.

Parking

The application is recommended for approval subject to a s.106 agreement for car-free housing. The

development would therefore not result in any adverse effects on parking.

Recommendation

Planning permission should be **granted** subject to conditions and a s.106 agreement for car-free housing.

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613