

Delegated Report		Analysis sheet		Expiry Date:		26/03/2014	
		N/A		Consultation Expiry Date:		13/03/2014	
Officer				Application Number			
Alex McDougall				2013/7572/P			
Application Address				Drawing Numbers			
31 Percy Street London W1T 2DD				Refer to draft decision notice.			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposals							
Erection of part one, part two storey lower ground floor rear extension to form 2 bedroom maisonette (Class C3) following demolition of existing single storey lower ground floor rear extension and associated excavation.							
Recommendation(s):		Grant Planning Permission subject to s106 legal agreement					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	26	No. of responses No. electronic	05 05	No. of objections	05
Summary of consultation responses:		<p>Site Notice: 19/02/14 – 12/03/14. Press Notice: 20/02/14 – 13/03/14.</p> <p>Objections were received from the 3 existing office units and 1 existing residential flat at No. 31 Percy Street and No. 30 Percy Street.</p> <p>The grounds of objection are summarised as follows:</p> <ul style="list-style-type: none"> <i>Principle</i> – It is not appropriate for residential and office to share the same access (Officer Comment: No changes are proposed to the existing access arrangements as the access is already shared between office and residential. See site description and paragraph 2.2 below for more information.) <i>Basement Impact</i> – The proposed foundations would extend beyond the boundary of the site (Officer Comment: The exact location and specifications of the footings would be subject to a future party wall agreement.) <i>Design</i> – The proposal is not in keeping with the character of the area (Officer Comment: refer to paragraph 3.1.) <i>Amenity</i> – The construction phase would have a deleterious effect on 					

	<p>adjoining properties via noise, vibration, general disturbance and loss of income (Officer Comment: refer to paragraph 5.1d).</p> <ul style="list-style-type: none"> • <i>Amenity</i> – The proposal would result in a loss of sunlight to the ground and first floor of the current building (Officer Comment: refer to paragraph 5.1a). • <i>Amenity</i> – The proposal would result in a loss of privacy to the existing 3rd floor flat (Officer Comment: refer to paragraph 5.1c). • <i>Amenity</i> – The proposal will affect the security of the office uses (Officer Comment: refer to paragraph 5.1f).
Charlotte Street CAAC:	<p>An objection was received from the Charlotte Street CAAC, summarised as follows:</p> <ul style="list-style-type: none"> • <i>Design</i> – Overdevelopment, would relate poorly to the host building, unacceptable impact on the character of the area, and unacceptable impact on the setting and special interest of listed building (Officer Comment: refer to paragraph 3.1).

Site Description

The application site is a four-storey plus basement mid-terrace building on the north side of Percy Street in the Charlotte Street Conservation Area. The building is identified as a positive contributor to the appearance and character of the Conservation Area. The site is currently occupied by 3 offices at basement, ground and first/second floors and a residential unit on the third floor.

The attached buildings to the east and west are Grade II listed buildings.

The site is within an area with a Public Transport Accessibility Level of 6b (excellent).

Relevant History

31 Percy Street (the application site)

2013/4963/P – Lawful Development Certification for rear extension at ground and 1st floor (Class B1a office use). Granted 18/10/2013.

29 Percy Street (nearby site)

2012/6350/P - Erection of three storey rear extension at lower ground, ground and first floor level (following demolition of existing three storey closet wing) all in connection with existing dwellinghouse (Class C3). Granted 05/02/2013.

28 Percy Street (nearby site)

2013/5608/P - Erection of a single storey rear extension at third floor level above existing roof terrace and insertion of new windows on rear elevation in connection to residential flat (Class C3). Granted 04/11/2013.

Relevant policies

National Planning Policy Framework 2012

National Planning Practice Guidance 2014

London Plan 2011

London Housing SPG

Camden LDF Core Strategy 2010

- CS1 Distribution of growth
- CS2 Growth areas
- CS5 Managing the impact of growth and development
- CS6 Providing quality homes
- CS8 Promoting a successful and inclusive Camden economy
- CS11 Promoting sustainable and efficient travel
- CS13 Tackling climate change through promoting higher environmental standards
- CS14 Promoting high quality places and conserving our heritage
- CS16 Improving Camden's health and well-being
- CS17 Making Camden a safer place
- CS18 Dealing with our waste and encouraging recycling

Camden Development Policies 2010

- DP1 Mixed use development
- DP2 Making full use of Camden's capacity for housing
- DP5 Homes of different sizes
- DP6 Lifetime homes and wheelchair homes
- DP13 Employment premises and sites
- DP16 The transport implications of development
- DP17 Walking, cycling and public transport
- DP18 Parking standards and limiting the availability of car parking
- DP22 Promoting sustainable design and construction
- DP23 Water
- DP24 Securing high quality design
- DP25 Conserving Camden's heritage
- DP26 Managing the impact of development on occupiers and neighbours
- DP27 Basements and lightwells
- DP28 Noise and vibration
- DP29 Improving access

Fitzrovia Area Action Plan 2014

Camden Planning Guidance (updated 2013)

- CPG1 Design
- CPG2 Housing
- CPG3 Sustainability
- CPG4 Basements and Lightwells
- CPG6 Amenity
- CPG7 Transport
- CPG8 Planning Obligations

Charlotte Street Conservation Area Appraisal and Management Plan 2008

Assessment

1. Detailed Description of Proposed Development

- 1.1. Demolition of existing single storey lower ground floor rear extension. The extension is currently in use as a staff room, wc and shower room for the existing ground floor office. The proposal results in the loss of approximately 25sqm of office space. The existing ground floor office will retain approximately 75sqm of floor space.

1.2. Erection of a two storey rear extension at lower ground floor level to form a 2-bed maisonette including associated excavation. The extension would have the following relevant dimensions:

	Existing Extension	Proposed Extension	Change
Excavation Depth (below ground level)	N/A	0.7m	N/A
Overall Height (above ground level)	3.0m	4.3m – 4.6m	43% - 53%
Depth (from original rear elevation)	8.8m	10.1m	15%
Rear Garden Coverage	52%	75%	44%
Internal Area	27sqm	75sqm	178%

1.3. During the course of assessment the Applicant submitted amended plans to lower the rear extension and to include opaque windows to the ground floor rear windows in response to comments from Council officers.

2. Principle of Development

2.1. *Loss of Employment*

The proposal results in the loss of approximately 25sqm of office space from an existing 100sqm office; a reduction of 25%. Camden LDF Policy CS8 states that existing employment sites will be safeguarded and Policy DP13 states that Council will seek to retain buildings suitable for continued business use. However, in this case, there is no objection with relation to loss of employment space for the following reasons:

- a) Policy DP13 states that when it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential uses. The existing office is a small open plan office in an existing historic building and as such it is considered that it would be appropriate for few other business uses.
- b) The office unit itself would remain, and would be adequately sized and placed for continued office use. The floor space lost is considered to be space ancillary to the primary B1(a) office use of the ground floor office unit.
- c) The Fitzrovia Area Action Plan states that the Council will promote the development in Fitzrovia of permanent self-contained housing (in Use Class C3) unless there are strong economic reasons why such development would be inappropriate.

2.2. *Mix of Uses*

The existing building would be a mixed use building with 2 residential units (Class C3) and 3 office units (Class B1a). The existing building already contains a residential unit and the Fitzrovia Area Action Plan states that it anticipates a mix of uses within individual buildings. As such the mix of uses is considered to be acceptable in principle.

2.3. *Rear Extension*

Alterations and additions are considered to be acceptable in principle subject to a detailed assessment on the following grounds:

- a) Design
- b) Basement Impact
- c) Amenity of Adjoining Occupiers
- d) Standard of Accommodation
- e) Landscaping
- f) Transport

g) Sustainability

3. Design

3.1. *Rear Extension*

The proposed rear extension is considered to be of an acceptable design, have an acceptable impact on the character of the conservation area and the curtilage of adjoining listed buildings for the following reasons:

- a) The area to the rear of the Percy Street properties is characterised by large rear extensions with significant site coverage. Several of the adjoining and nearby properties have no rear garden space remaining. As such the proposal, which maintains 25% of the original rear garden as open space, is considered to be in keeping with the character of the area.
- b) The height and bulk of the extension is considered to be in keeping with the scale of the building.
- c) The extension is set below the first floor rear windows of the primary building.
- d) The rear garden is currently enclosed on all sides by the large walls of adjoining extensions built to the boundary. The proposal has been designed so as to be roughly in keeping with the height of these adjoining walls.
- e) The proposal would be finished in materials that are generally in keeping with the existing building and the wider conservation area. The Applicant has proposed aluminium windows, which are not considered to be appropriate. However, subject to a condition requiring matching materials, the proposal is considered to be acceptable.
- f) The rear of the site is not readily visible from any public space.
- g) The height is not considered to make the proposal overly prominent when viewed from any adjoining or nearby properties.
- h) The proposal has a solid-to-void ratio in keeping with the existing building.
- i) The proposal will maintain a garden courtyard, the proposed flat will have sole access to this courtyard.

For the reasons listed above the proposed development is considered to be consistent with LDF policies CS14, DP24 and DP25 of the London Borough of Camden's Local Development Framework as well as Camden Planning Guidance on Design.

4. Basement Impact

The proposal includes excavation to the rear of the site to provide for a two storey rear extension. The Applicant has provided a Basement Impact Assessment which provides a preliminary screening and construction methodology. The proposal is considered to satisfy the requirements of Camden Planning Guidance for basements for the following reasons:

- a) Technically the excavation is not a basement to an existing building and is not a lightwell.
- b) The excavation is minimal at a total of 0.7m.
- c) The screening exercise concludes that there are minimal constraints related to the site.
- d) The proposal includes a construction methodology.
- e) Any specific issues relating to the foundations of adjoining buildings will be subject to agreement under a Part Wall Agreement.

5. Amenity of Adjoining Occupiers

5.1. *Rear Extension*

The proposed rear extension is considered to have a minimal acceptable impact on the amenity of adjoining and nearby properties for the following reasons:

- a) Due to the height and nature of the existing boundary walls in the rear garden the proposal would add minimal additional bulk when viewed from adjoining or nearby properties and as such it is considered to have no unacceptable impact on outlook or sense of enclosure;
- b) The proposal includes a Daylight and Sunlight Report which concludes that the proposal will have no impact on the daylight or sunlight of adjoining and nearby properties or other windows in the existing building;
- c) The proposal includes obscure glazing to the rear windows of the ground floor office ensuring that there is no privacy impact on the office nor towards the residential use. The proposed courtyard and windows would be three stories below the existing flat on the subject site and as such are not considered to result in any privacy impact to that dwelling. Given the height of the walls surrounding the rear of the site the proposal is not considered to result in any unacceptable privacy impact on any adjoining or nearby properties.
- d) The construction of such an extension is not likely to be particularly difficult or lengthy and as such it is not considered appropriate to impose any specific requirements for a construction management plan. The contractor will be bound by standard considerate contractor requirements. Any excessive noise or disturbance can be referred to Council's Environmental Health team. An informative will detail the standard hours of construction.
- e) The proposal includes a large flat roof which could be accessed from the first floor rear windows. Use of such space as a terrace would have an unacceptable impact on the privacy of adjoining and nearby properties. As such a condition of consent is recommended restricting such use.
- f) The proposal is not considered to result in an unreasonable increase in opportunities for crime within the site or any adjoining properties.

For the reasons listed above the proposal is considered to be in accordance with Development Policy DP26 of the London Borough of Camden's Local Development Framework.

6. Standard of Accommodation

The proposal is considered to provide an adequate standard of accommodation for the following reasons:

- a) The proposed unit would satisfy the London Plan and Camden Planning Guidance requirements for dwelling size and room sizes.
- b) The proposal includes a Lifetimes Homes assessment which demonstrates that the unit cannot achieve several of the criteria due to constraints imposed by the existing building. Given the proposal relates to an existing historic building, and the proposal is only for a single unit, this is considered to be a reasonable standard.
- c) The proposal includes a daylight and sunlight report that notes that while the proposed unit would receive limited sunlight, it would receive sufficient levels of daylight.
- d) The proposed unit benefits from a western outlook.
- e) The rear windows of the ground floor office unit would be obscure glazed ensuring the privacy of the residential courtyard.
- f) The unit will have exclusive access to an open amenity space to the rear of the property which will include several planters.
- g) The proposal includes a timber enclosure for bin storage in the internal courtyard. A condition is recommended requiring that the enclosure be provided prior to occupation.

7. Landscaping

The proposal includes several planters in the lightwell to add to the amenity of the proposed courtyard. Given the size of the space this is considered to be acceptable.

8. Transport

8.1. *Highway Network*

Paragraph 29 of the NPPF encourages sustainable transport. Camden's strategy and policies seek to encourage car-free and car-capped developments in areas of moderate or good public transport accessibility. The site has a PTAL of 6b (excellent), and as such it is considered that the proposed residential unit should be secured as car free. The applicant has indicated that they would be willing to enter into an agreement to secure the new unit as car-free. As such it is considered that the proposal would have an acceptable impact on the highway network.

8.2. *Walking, cycling and public transport*

The Council actively encourages sustainable and efficient transport and supports the provision of high-quality cycle parking in line with national planning policy. The London Plan Revised Early Minor Amendments (October 2013) cycle parking standards require the provision of 1 space for units such as that proposed. The proposal does not include details of any cycle parking. However, given the location of the unit the proposed internal courtyard is considered to provide adequate space for the storage of bicycles. As such the proposal is considered to be acceptable with regard to cycle parking.

8.3. *Construction*

Given the minor scale of the works the construction phase is not considered likely to have a detrimental impact on the highway network.

9. Sustainability

LDF Policy DP22 requires developments to incorporate sustainable design and construction measures. The proposed rear extension would be built to modern insulation and energy use requirements. The proposal includes an SAP Energy Assessment which concludes that the proposal will achieve high energy efficiency and low CO2 emissions. The proposal also includes a Code for Sustainable Homes Pre-Assessment which demonstrates that the proposal will achieve a Level 3 rating. As the proposal relates to an extension to an existing historic building the proposal is considered to achieve a sufficient level of sustainability.

10. CIL

The proposed floor space would be liable to the Mayor's Community Infrastructure Levy (CIL). The contribution for developments within Camden is set at £50 per square metre. As such this development would be liable for a contribution of £2,400.00 (48sq.m x £50). A standard informative is attached to the decision notice drawing CIL liability to the Applicant's attention.

11. Recommendation

Grant Planning Permission subject to s106 legal agreement for car-free housing.

DISCLAIMER

Decision route to be decided by nominated members on Monday 14th July 2014. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

