

Delegated Report		Analysis sheet	Expiry Date:	26/08/2014
		N/A / attached	Consultation Expiry Date:	
Officer			Application Number(s)	
Nanayaa Ampoma			2014/4058/P	
Application Address			Drawing Numbers	
85 Jamestown Road London NW1 7DB			Refer to decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Mansard roof extension to create additional floor to 3rd floor flat and infill extension at side.				
Recommendation(s):	REFUSE PLANNING PERMISSION			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	10	No. of responses	01	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	<p>Adjoining neighbours have been notified. An objection has been received from 60 Gilbey House, 38 Jamestown Road. These comments can be summarised as follows:</p> <ul style="list-style-type: none"> - Development would lead to a loss of light and overshadowing - Scale unacceptable. - Height would overwhelm adjoining buildings - Over development of site - Dangerous precedent <p><i>Officer response: Flat 60 Gilbey House, 38 Jamestown Road is a Listed building that sits across the road from the application site.</i></p>					
CAAC/Local groups* comments: *Please Specify	No comments received. The site is not within a conservation area.					

Site Description

The application site relates to a four storey property at the corner of Jamestown and Oval Road. The property is currently derelict. Previously, it was commercial at ground floor and residential above. However recently permission was granted for the use of the ground floor as a self-contained studio flat. This has not yet been implemented.

The area around the property is also characterised by residential properties. Across the road from the site is the Grade II listed building Gilbey House (formally 38 Jamestown Road). Additionally, nos.14-18 Oval Road are locally listed properties.

The site is not within a conservation area however it sits between both the Primrose Hill Conservation Area and the Regents Canal Conservation Area.

Relevant History

2014/0635/P - Change of use of part ground floor from B1 office to self-contained studio flat and three storey side infill extension to extend residential flats on 1st, 2nd and 3rd floor levels and associated use of basement vault as cycle storage. - **Granted Subject to a Section 106 Legal Agreement 31-01-2014**

2013/4389/P - Change of use at ground floor level from office (class B1) to coffee shop (Class A3).- **Pending consideration**

9300371 - Retention of the change of use of the ground floor at No. 85 Jamestown Road from cafe (Class A3) to office for the design and printing of labels (Class B1) as shown on three un-numbered plans. - **Grant with Condition 29-03-1993**

8500927 - Change of use and works of conversion to provide 3 self-contained flats including the erection of a rear extension at 1st floor level as shown on drawing nos. GE/100 101A and 102B and as revised on 29th October and 25th November 1985. – **Grant, 25-11-1985**

CTP/J11/2/11/14184/R1 - Erection of 2 floor rear extension and self-containing of 3 dwelling units at – **Grant, 20-07-1972**

CTP/J11/2/11/13427 - Erection of rear extension at first, second and third floors and self-containment of dwelling units to provide 3 self-contained flats – **Refuse, 18-04-1972**

Relevant policies

London Plan (2011)

National Planning Policy Framework (2012)

LDF Core Strategy and Development Policies

Core Strategy (2010)

CS5 Managing the impact of growth and development

CS11 Promoting sustainable and efficient travel

CS14 Promoting high quality places and conserving our heritage

CS19 Delivering and monitoring the Core Strategy

Development Policies (2010)

DP18 Parking standards and limiting the availability of car parking

DP19 Managing the impact of parking

DP24 Securing High Quality Design

DP26 Managing the impact of development on occupiers and neighbours

Supplementary Planning Policies (last updated 2013)

Camden Planning Guidance 1 Design

Camden Planning Guidance 6 Amenity

Assessment

- 1.1 The application follows a recently approved permission for the infill extension north of the site at the frontage looking towards Jamestown Road and for the change of use of the ground floor from commercial to residential. The current application incorporates those approved elements and adds an additional mansard roof. In relation to the infill extension, the main difference between the current application and the already approved scheme is the set back at third floor which is deemed acceptable.
- 1.2 As much of the works have already been approved under permission 2014/0635/P, the main areas for consideration under the current application is the proposed mansard roof. Particularly in relation to the design, impact on the amenity and highways matters.

Design

- 2.1 Policies CS14 of the Core Strategy and DP24 of the Development Policies state that the Council will require all developments including alterations and extensions to existing buildings, to be of the highest design standard in terms of the character, sitting, context, form and scale.
- 2.2 Policies CS5 (Core Strategy) and DP25 (Development Policies) states that the Council will only give permission to developments in conservation areas if they preserve or enhance the character and appearance of the area. Although the site is not within a conservation area it does fall near two and therefore its relationship to these areas is important.
- 2.3 The supplementary design guidance CPG 1, states that roof alterations or additions will be considered unacceptable if they are likely to have an adverse impact on the skyline, the appearance of the building or the surrounding street scene. In addition, as the property is situated very close to two conservation areas and several listed buildings, it is important that the impact of the development is considered in wider terms.
- 2.4 The addition of the mansard roof would see the property become two additional levels above the main building line in the area and in relation to nos 14-18 Oval Road. There are a number of mansard roofs on the road however these are at a lower level than what is being proposed here and they also relate better to the main building lines.
- 2.5 As the property is a corner site its fenestration, design and development would have a significant impact on two street scenes. Officers are of the opinion that the proposed mansard addition would add too much to the property's height, would create an incongruous and odd building line and would harm the setting of the overall appearance of the street scene (especially at Oval Road) by overwhelming the existing locally listed buildings there. These design issues are amplified by the position of the property being at a corner.
- 2.6 In line with policy CS5 and DP25, as well as supplementary guidance CPG1, officers are concerned that the designs of the mansard roof does not respect the nearby conservation areas as well as it could and therefore fails to take into account the context of the site.
- 2.7 As such, Officers are of the opinion that the principle of developing a mansard roof is not acceptable given the relationship the property has with the locally listed buildings next door.

Amenity

- 2.8 Under planning guidance CPG 6 which focuses on amenity, all developments are required to have some regard for the amenity of existing and future occupants. Policies CS5 (Core Strategy) and DP26 (Development Policies) state that the council will protect the quality of life of existing and future occupiers and neighbours by only granting permission for those developments that would not have a harmful effect on amenity. Such issues include visual privacy, overlooking, overshadowing, outlook, sunlight, daylight and artificial light levels.
- 2.9 The site shares a boundary with nos.18 Oval Road and 83 Jamestown Road. An objection has also been received from Flat.60 Gilbey House (38 Jamestown Road), on the grounds that the development would lead to the loss of light and create overshadowing to nearby properties.
- 2.10 A visit to the site demonstrated that no.18 Oval Road is south of the proposed dormer and given that the development would be at roof level, its impact would be minimal for this locally listed property. The property at no.83 Jamestown Road is east of the application site and the proposed dormer. However the dormer will be 5 metres away from this property. Therefore any increased overshadowing is unlikely to be significant. Additionally, officers are not of the opinion that there would be any other loss of amenity issues in regards to the property at no.83 Jamestown Road. In regard to the residence at Gilbey House, this property (Gilbey House) is north of the application site, which is 9 metres away. Gilbey House is also higher than the proposed dormer. It can be argued that the additional height would create an even greater shadow for those at ground level, however this is unlikely to be significant enough to render refusal since any impact is unlikely to be pronounced when compared to the existing height of the property at 85 Jamestown. Therefore there are no significant loss of light, overshadowing or general loss of amenity issues for this neighbouring property either.

Highways

- 2.11 The Council as a Highways Authority has recognised that there are significant pressures on the current parking facilities throughout the borough, especially in dense residential areas close to Town Centres. In the interest of sustainable transport practices, the Council has established highways policies that strongly discourage the use of private motor vehicles and aim to control any future unnecessary increase in off street parking (CS11 – Core Strategy, also DP16, DP17, DP18, DP19, DP22 – Development Policies).
- 2.12 The application is supported by the Highway Officer subject to a S106 agreement for car free development.
- 2.13 *Car free*: The site is within the Swiss Cottage: West End Lane Parking Zone (CAR-Ra). All CPZ's are identified as suffering from a high level of parking stress with more than 100 permits issued for every 100 parking bays and overnight demand exceeding 90%.
- 2.14 Policy DP18 states that the Council expects new developments in areas of high on-street parking stress to be either car free or car-capped. The reasons for this are to facilitate sustainability and to help promote alternative, more sustainable methods of transport and stop the development from creating additional parking stress and congestion. This is also in accordance with policies CS11, CS19, DP18 and DP19.
- 2.15 The application site has a Public Transport Accessibility Level (PTAL) of 6a (excellent). In light of the above, a car free development should be secured by the means of a Section 106 legal agreement as a planning obligation is considered the most appropriate mechanism for securing the development. This is because it relates to controls that are outside of the development site and the ongoing requirement of the development to remain car free. The level of control is considered to go beyond the remit of a planning condition. This obligation is worded to comply

with S106 of the Town and Country Planning Act.

2.16 As such, it is the Council's position that securing car-capped accommodation is policy compliant and accords with the requirements of Section 106 as it is necessary to make the development acceptable and is directly related to the development. It is also felt that the powers required to deal with this matter cannot be significant to be dealt with under a condition. This is in accordance with Circular 11/95, where it states at Appendix B as an example of an unacceptable condition, is one requiring loading and unloading and the parking of vehicles not to take place on the highway, as it purports to exercise control in respect of a public highway which is not under the control of the applicant.

Conclusion:

3.1 In light of the above design concerns, the application is recommend for refusal on the grounds that the development would have a harmful impact on the property, its relationship to the nearby locally listed buildings and its impact on the street scene.

RECOMMENDATON: REFUSE PERMISSION.