

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	26/11/2013
		N/A		<b>Consultation Expiry Date:</b>	14/11/2013
<b>Officer</b>			<b>Application Number</b>		
Aysegul Olcar-Chamberlin			2013/4969/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
67 Bayham Street London NW1 0AA			See decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal</b>					
Conversion of existing house into 3 x self-contained units (Class C3) including erection of three storey rear extension, basement excavation to extend existing basement, excavation of rear lightwell, alterations to front elevation and associated landscaping.					
<b>Recommendation:</b>		Refuse permission			
<b>Application Type:</b>		Full Planning Permission			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>
<b>Informatives:</b>	

### Consultations

<b>Adjoining Occupiers:</b>	No. notified	<b>03</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
			No. electronic	<b>00</b>		

<b>Summary of consultation responses:</b>	<p>A site notice was displayed from 16/10/2013 to 06/11/2013. A press notice was advertised on 24/10/2013.</p> <p>No response from the adjoining occupiers has been received.</p>
-------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<b>CAAC/Local groups comments:</b>	<p><b>Camden Town CAAC</b> objected to the proposal. In summary, the grounds of their objection are:</p> <ul style="list-style-type: none"> <li>• The application property is in a largely unspoiled early 19<sup>th</sup> C terrace and needs to be maintained in a more sensitive way.</li> <li>• The proposed three storey extension would cover the full width of the house and is too high and none of the other house in this terrace has extension of this height. A precedent would be set if allowed.</li> <li>• The excessive bulk of the proposed extension would dominate the two neighbouring houses.</li> </ul>
------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

### Site Description

The application site is a mid-terrace three-storey plus basement property on the western elevation of Bayham Street in the Camden Town Conservation Area. The property is part of a terrace of fairly formal appearance and is identified within the Camden Town Conservation Area Appraisal and Management Strategy as making a positive contribution.

The property was in use as a 3-bedroom single family dwelling. The rear garden backs onto nos. 6/7 Pratt Mews, which is in use as a meeting hall for religious gatherings. The Conservation Area includes commercial and residential sub-areas and encompasses a range of architectural styles.

### Relevant History

#### Application Property:

**2014/1048/P** – Planning application was received on 12/03/2014 for the excavation of basement and rear lightwell, insertion of new front windows at basement level, erection of two storey rear extension and alterations to rear elevation all in connection with conversion of existing house into 2x self-contained residential units. No decision has been made yet.

**2012/4746/P**- Planning permission was refused on 31/10/2012 for the erection of three storey rear extension and alterations to fenestration in connection with change of use from single-family dwellinghouse to 3 x 1 bedroom flats (Class C3). Reasons for refusal:

1. *The proposed rear extension, by reason of its scale and height, would result in an extension that is not subservient to the main building. As such it would harm the character and appearance of the building and the Camden Town Conservation area, contrary to London Borough of Camden Local Development Framework Core Strategy, with particular regard to*

policies CS5 (*Managing the impact of growth and development*); and CS14 (*Promoting high quality places and conserving our heritage*) and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP24 (*Securing high quality design*); and DP25 (*Conserving Camden's heritage*).

2. *The proposed development, by reason of its proposed mix of dwelling units, would fail to provide a range of self-contained homes of different sizes. As such it is contrary to policies CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies DP5 (Homes of different sizes) of the London Borough of Camden Local Development Framework Development Policies.*
3. *The proposed development, in the absence of a legal agreement securing car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to policies CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP18 (Parking standards and the availability of car parking) of the London Borough of Camden Local Development Framework Development Policies.*

**2012/2519/P** – Planning permission was refused on 12/07/2012 for the erection of two-storey rear extension, mansard roof extension and alterations to windows/doors all in connection with change of use from a single-family dwellinghouse to 2 x 1-bedroom and 1 x 2-bedroom self-contained flat (Class C3). Reasons for refusal:

1. *The proposed mansard roof extension, by virtue of its height, bulk, mass and design would harm the unimpaired roofline of this group of buildings and the character and appearance of the streetscene and the wider Camden Town Conservation Area, contrary to London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS5 (Managing the impact of growth and development); and CS14 (Promoting high quality places and conserving our heritage) and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP24 (Securing high quality design); and DP25 (Conserving Camden's heritage).*
2. *The proposed development, in the absence of a legal agreement securing car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to policies CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP18 (Parking standards and the availability of car parking) of the London Borough of Camden Local Development Framework Development Policies.*

An appeal was logged in and dismissed on 05/03/2013. In summary, the planning inspectorate made the following comments:

- Despite the examples of mansard roof extensions at Nos.55 and 57 in the same terrace as the application site the properties along this side of Bayham Street appear retain much of their original form.
- The roofs concealed behind a parapet wall remain an important, positive feature within the street scene.
- The substantial alterations to the form of the roof as proposed would erode the architectural integrity of the terrace

**2008/1398/P** – Planning permission was refused on 13/05/2008 for the erection of a two storey rear extension and a mansard roof extension with front and rear dormer windows together with the change

of use from a single dwellinghouse to two self-contained flats and one self-contained maisonette.

Reasons for refusal:

- 1. The proposed roof extension, by reason of its form and detailed design, would be detrimental to character and appearance of the host building, the terrace as a whole and the Camden Town Conservation Area.*
- 2. The proposed rear extensions, by reason of size, depth and bulk, would fail to be subordinate to the host building and thereby be detrimental to the character and appearance of the host building, and the Camden Town Conservation Area.*
- 3. The proposed development, in the absence of a legal agreement to secure car-free housing for the new residential units, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area.*

55/57 Bayham Street:

**35358** – Planning permission was granted on 16/03/1983 for the change of use and works of conversion, including the erection of a 4 storey rear extension, to provide a 14 bed hostel together with a warden's flat.

4-storey rear extension.

**PEX0100844** – Planning permission was granted on 19/03/2002 for the construction of a new third floor roof extension.

59 Bayham Street:

**J12/17/V/3883** – Planning permission was granted on 10/08/1967 for the erection of a rear addition at first floor level.

61 Bayham Street

**32174** – Planning permission was granted on 11/06/1981 for the change of use and works of conversion to provide three self-contained flats including the construction of a three-storey rear extension.

65 Bayham Street

**PEX0100681** – Planning permission was granted on 02/10/2001 for the construction of a two-storey rear extension plus railings to the front of property and other minor elevational alterations.

71 Bayham Street

**8802051** – Planning permission was granted on 10/01/1989 for the Change of use and works of conversion including the erection of a two storey rear addition to provide two self-contained maisonettes.

**Relevant policies**

**National Planning Policy Framework 2012**

Paragraphs 133/134

**London Plan 2011**

**LDF Core Strategy and Development Policy 2011**

**Core Strategy**

CS1 (Distribution of growth)

CS3 (Other highly accessible areas)  
CS5 (Managing the impact of growth and development)  
CS6 (Providing quality homes)  
CS11 (Promoting sustainable and efficient travel)  
CS14 (Promoting high quality places and conserving our heritage)

### **Development Policies**

DP2 (Making full use of Camden's capacity for housing)  
DP5 (Homes of different sizes)  
DP6 (Lifetime homes and wheelchair housing)  
DP18 (Parking standards and limiting the availability of car parking)  
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)

### **Camden Planning Guidance (2011)**

#### CPG1 (Design)

Section 2 (Design excellence)  
Section 4 (Extensions, alterations and conservatories)

#### CPG2 (Housing)

Section 4 (Residential development standards)  
Section 5 (Lifetime homes and wheelchair housing)

#### CPG4 (Basements and lightwells)

Section 2 (Basement and Lightwells)

#### CPG6 (Amenity)

Section 6 (Daylight and sunlight)  
Section 7 (Overlooking, privacy and outlook)  
Section 9 (Access for all)

#### CPG7 (Transport)

Section 5 (Car free and car capped development)  
Section 9 (Cycling facilities)

#### Camden Town Conservation Area Appraisal and Management Strategy (CAAMS) (October 2007)

Page 44 (Rear extensions)

## Assessment

### Background

An application for a similar proposal was refused in 2012 (ref: 2012/4746/P). The proposed rear extension with the refused scheme included a new full width ground floor extension with a partial width first and second floor extension. The height of the proposed rear extension was slightly below the highest point of the existing roof and blocked the rear butterfly parapet. The ground floor element of the proposed extension measured as 5m (width) x 1.6m (depth). The first and second floor elements of the proposed rear extension measured as 3.4m (width) x 3m (depth).

The proposed mix of the residential units with the refused scheme was 3x1 bed units.

### Proposal

It is propose to convert the existing house into 1x 2 bed maisonette on basement and floor levels and 2x 1 bed flats on first and second floor levels (Class C3) including the following extensions and alteration:

- Three storey rear extension - The proposed extension would be full width with a depth of 3.3m and replace the existing ground floor extension. It would be approximately 1.2m below the eaves height and would be approximately 2.2m lower than the highest point of the roof.
- Basement excavation - This will extend the existing basement by 1.9m towards the rear garden and provide a rear lightwell with depth of 2m and a width of 2.75m to serve the second bedroom of the proposed maisonette . The proposed lightwell would be 2.5m below the garden level. As part of the proposal the floor level of the existing basement level would be lowered by 0.7m to allow an adequate head room to the proposed basement level accommodation.
- Alterations to front elevation - This would include insertion of high level windows below the ground floor window to allow daylight to the proposed basement level.

### Land use

The application property is owned by All Saints Greek Orthodox Cathedral and is currently occupied by a homeless charity (the Pillion Trust) as a means of protection. The Council's Empty Property Team keen to see this-long term empty property brought back into productive use.

The proposed conversion/change of use to create separate self-contained flats is considered acceptable in principle and in line with policies CS6 and DP2. These policies seek net additions to housing stock. Additionally, policy DP5 sets the Councils priorities for homes of different sizes and requires a mix of large and small units with the highest priority for market housing being the provision of 2 bedroom units. According to "Dwelling Size Priorities" Table of policy DP5 there is a higher need for supplying three and two bedroom units than one bedroom units in private developments (see page 38 of LDF Development Policies). The table also aims for 40% of 2 bed units in developments.

Policy DP5 encourages conversions to retain or re-provide 2-bedroom flats and provide family homes in particular where access to private amenity space is accessible, such as would be at ground floor level (sections 5.9-5.10).The proposal includes 1x 2 bed and 2x 1 bed units. The proposed mix in terms of percentages would be 33% 2 bed and 67% 1 bed units. Given the central location of the site and the constraints of the building the proposed mix is considered to comply with the aims of policy DP5.

### Standard of Accommodation

The proposed units will all receive adequate natural light and ventilation. The basement level would accommodate a bedroom at the rear served by a new lightwell and a study/games rooms served by

high level windows. The retaining wall of the lightwell would block the daylight to the windows of the basement level bedroom. Given the rest of the habitable rooms of the proposed basement and ground floor maisonette would receive adequate daylight and have acceptable outlook it is considered that the proposed maisonette would provide acceptable living standards for the future occupiers. The rest of the flats would be on the upper floor levels therefore would benefit from an acceptable outlook and daylight.

The Council's space minimum internal space standards for new self-contained dwellings in accordance with section 4 of Camden Planning Guidance for housing (CPG2) are:

Number of Persons	1	2	3	4	5	6
Minimum floorspace (sq m)	32	48	61	75	84	93

The proposed maisonette would have a floor area of 76sqm with one double bedroom and one single bedroom. The proposed one bed flats would have a floor area of 38sqm with a single bedroom each. All of the proposed residential units would comply with the Council's space standards.

Overall, the proposed residential units are considered to provide acceptable living standards for the future occupiers.

### **Design and Impact on Conservation Area**

Policy DP24 states that the Council will require all developments, including alterations and extensions to be of the highest standard of design and respect character, setting, form and scale of the neighbouring properties and character and proportions of the existing building. Policy DP25 seeks to preserve and enhance important elements of local character in order to maintain the character of the conservation areas.

#### Rear Extension:

CPG1 provides specific advice on the assessment of applications for extensions that states that extensions should not be unduly prominent, they should be subservient to the existing building, and the detailed design should complement the host building. It advises what types of extensions would be unacceptable (para 4.8-4.13).

CPG1 states that in order to avoid a new extension that dominates the original building, existing building heights should be respected. CPG1 also states that where a taller extension is proposed a reduced depth is generally preferred to reduce visual mass and bulk, which does not address in this proposal. Ground floor extensions are generally considered preferable to those at higher levels, extensions that are higher than one full storey below roof eaves/parapet level, or that rise above the general height of neighbouring projections and nearby extensions, will be strongly discouraged.

The proposed rear extension would be approximately half storey below the eaves height and would retain the butterfly parapet feature but it would still not be a subservient addition to the existing building by reason of its width, bulk and detailing. The proposed extension would alter entire window patterns of the existing rear elevation and would not respect the symmetrical pattern of windows of the adjoining properties.

It is noted that majority of the rear extensions above ground floor level are half width in this terrace. The proposed rear extension would be full width and would significantly alter the existing rear elevation. It would still be too high and bulky and its fenestration detailing would not respect the existing rear elevation. Therefore, the proposed extension is considered not to overcome the design related reason for refusal of the previous scheme (ref: 2012/4746/P) and would harm the character

and appearance of the existing building and the Conservation Area.

The proposal further conflicts with the National Planning Policy Framework. This is because the heritage asset (a historic building within a conservation area) would not be preserved and the harm caused by the rear extension would not be outweighed by the additional residential units that would be created in this development.

#### Basement extension and lightwell:

The proposed basement extension and rear lightwell would take up small proportions of the rear garden and would not harm the garden settings of the Conservation Area. The associated external alterations to the front and rear elevation at basement level would also be discreet and on their own would be minor alterations and would not significantly affect the character of the existing building.

#### **Lifetime homes and wheelchair housing**

The applicant has submitted a Lifetime Homes Assessment to justify why certain lifetime homes criteria cannot be achieved. Given the site constrains it would be unreasonable to expect the proposed units to meet all Lifetime Homes criteria. A level access and clear door opening width of 950mm or over 300mm nibs would not be possible as the proposed units would be accessed via the existing entrance door. The reason for the retention of entrance steps and the justification why the development cannot achieve 300mm to the side edge of doors is considered reasonable as the proposal relates to a conversion where physical constraints of the existing building apply. Certain features such as living room and WC on entrance level and adequate circulation space would be achieved. It is considered that reasonable affords have been made to address Lifetime Homes criteria in accordance with policy DP5.

#### **Neighbouring Amenity**

Policy DP26 seeks to ensure that the amenity of occupiers of neighbouring properties is protected. It states that planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of loss of daylight, sunlight, outlook and result in overlooking. The proposed rear extension would be adjacent to the rear windows of no. 69 and no.65. It appears that both of these properties are laid out same as the application property. As a consequence windows of no.69 immediately adjacent to the shared boundary serve a staircase and therefore the proposed extension would not have a significant impact on the daylight and outlook amenities of this property.

The proposed rear extension would project approximately 2.4m beyond the immediately adjacent rear windows of no.65. These rear windows appear to serve habitable rooms and daylight to these windows would be affected by the proposed extension (in particular ground floor and first floor windows). In the absence of a daylight assessment it is not possible to establish extend of loss of daylight to no.65 therefore the proposal is considered to contradict to the aims of policy DP26.

#### **Transport**

There is no vehicular access to the site and access to public transport is excellent (PTAL 6a). The two additional residential units should be made car-free through a Section 106 planning obligation for the following reasons:

- The site has a Public Transport Accessibility Level of (PTAL) of 6a (excellent) and is within a Controlled Parking Zone.
- Not making the development car-free would increase demand for on-street parking in the Controlled Parking Zone (CPZ) the site is within. Camden Town South (CA-F(s)) CPZ



operates Mon-Fri 08:30 - 18:30 and Saturday 09.30 – 17.30, and has a ratio of parking permits to available parking bays of 1.16:1. This means that more parking permits have been issued than spaces available.

In the absence of S106 for car free development the proposal would be unacceptable in transport terms.

Camden's Parking Standards for cycles states that one storage or cycle parking space is required per residential unit. Only the proposed maisonette would have a cycle storage area which is internal at ground floor level. No cycle parking or storage facilities are proposed for the proposed flats above. Given the site constrains and the nature of the proposed scheme it would be difficult to provide cycle parking or storage facilities for all of the proposed units. Therefore, the cycle parking requirement for the proposed flats is waived.

### **Basement Impact**

Policy DP27 states that the Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. CPG4 also provides details of information should be contained within a Basement Impact Assessment (pages 9-22).

The proposed basement would be 3.3m beyond the original footprint of the house and the proposed courtyard would project 2m beyond the basement level. The restricted headroom of the existing basement would be lowered.

The applicants submitted a Basement Impact Assessment addressing structural issues and hydrological conditions. According to the report the walls would be constructed in circa 1m sections and in a staggered sequence similar to that type of typical underpinning and the retaining walls below the party walls would be underpinned. The report confirms that no site investigation has been carried out and a detailed site investigation will need to be carried out prior to works commencing on site to determine the structural characteristics of the soil and any contamination. The report also states that it is unknown at this stage if the London Clay is the shallowest strata at the site, the site is quite near to the boundary of previously worked ground and the proposed basement significantly increase the differential depth of foundations relative to neighbouring properties.

The submitted basement impact assessment is considered to be inadequate as no site investigation has been carried out and the impact of the construction works on the adjoining structures or building has not been fully assessed in accordance with CPG4.

### **CIL**

Given the additional floorspace is less than 100sqm the proposal would not be liable to the MoL's CIL.

### **Refuse Storage**

It should also be noted that residential developments of fewer than 6 dwellings could be serviced by a kerbside waste and recyclables collections, whereby sacks are left on kerbside on collection days.

### **Conclusion**

The proposed rear extension by reason of its width, depth, bulk and detailed design would be an

obtrusive addition which would detract from the character and appearance of the existing building and rest of the terrace and the Conservation Area. The proposed rear extension could also harm the amenities of the neighbouring property at no.65 in terms of loss of daylight.

The submitted basement impact assessment is also considered to be insufficient.

**Recommendation:** Refuse planning permission