

Delegated Report		Expiry Date:	27/11/2014	Officer:	David Peres Da Costa
Application Address		Application Number(s)	1st Signature	2nd Signature	
Flat B, Ground Floor 148 Camden Street London NW1 9PA		2014/6189/P			
Proposal(s)					
Lower ground floor rear extension to ground floor flat					
Recommendation(s):		Refuse planning permission			
Application Type:		Full planning permission			
Consultations	Date advertised	21 days elapsed	Date posted	21 days elapsed	
Press notice	4/12/14	25/12/14	Site notice	28/11/14	19/12/14
	Date sent	21 days elapsed	# Notified	# Responses	# Objections
Adjoining Occupier letters	25/11/14	16/12/14	21	0	0
Consultation responses (including CAACs):	No consultation responses received.				
Site Description					
The site is a 4 storey end of terrace property (with basement) on the corner of Camden Street and Bonny Street. The property falls within the Jeffrey's Street Conservation Area but is not listed.					
Relevant History					
EN14/0717: Building work has been underway at the address to construct a ground floor rear extension as shown on planning consent 2013/3462/P. Workmen onsite are now constructing external walls at lower ground / basement level adjacent to our party wall, none of which is shown on the approved drawings. Enforcement case opened 14/07/2014 and ongoing.					
2013/3462/P: Erection of a rear ground floor extension with rooflights for the provision of an additional bedroom to form 1 x 2 Bed flat in connection with existing ground floor residential flat (Class C3). <u>Granted</u> 05/08/2013					
8700598: Change of use and works of self-containment to provide 5 1-bedroom flats. <u>Granted</u> 01/10/1987					

Relevant policies

NPPF 2012

London Plan 2011

LDF Core Strategy and Development Policies

CS1 (Distribution of Growth)

CS5 (Managing the Impact of Growth and Development)

CS6 (Providing Quality Homes)

CS14 (Promoting High Quality Places and Conserving Our Heritage)

DP24 (Securing High Quality Design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the Impact of Development on Occupiers and Neighbours)

Camden Planning Guidance CPG2 Chapter 4

Jeffrey Street Conservation Area Statement

Assessment

Proposal: Retrospective permission is sought for a lower ground floor extension. The extension measures 2.4m (width) by 3.57m (length) and 2.3m high. It is located directly under the oversailing ground floor extension granted planning permission 05/08/2013 (ref: 2013/3462/P).

Assessment:

Design:

The extension is built directly underneath the previously approved ground floor extension and so is tucked away. It would still allow a reasonable amount of amenity space for the basement flat. The extension is finished in white render which is in keeping with the basemen elevation and the neighbouring boundary wall. The white render has a sympathetic relationship with the side elevation of the approved extension which adjoins it above. The extension does not harm the appearance of the host property or the conservation area.

Amenity:

The extension has a single window which is not shown on the submitted basement plan. This window directly faces the bathroom window of the existing basement flat. As the window in the extension faces a bathroom window with obscure glazing there would be no harmful overlooking or loss of privacy to the occupiers of the basement flat. Nevertheless, if permission were granted a condition would be included requiring the window in the extension to be obscure glazed and the lower part of the window to be fixed shut.

Quality of accommodation:

Planning permission was granted 05/08/2013 for the erection of a rear ground floor extension with rooflights for the provision of an additional bedroom to form 1 x 2 Bed flat in connection with existing ground floor residential flat (ref: 2013/3462/P). The approved plans show the '2nd bedroom' accessed from a corridor to the side of the existing bedroom, all within the self-contained ground floor flat.

The above planning permission has not been implemented according to the approved plans. The plans submitted with the current application indicate the ground floor extension is a '2nd bedroom' for the ground floor flat with an ensuite bathroom in the basement extension (the subject of this

application). The ensuite bathroom is accessed via a staircase from the '2nd bedroom'. The '2nd bedroom' is shown as not being self-contained within the ground floor flat. The submitted ground floor plan suggests that access to the '2nd bedroom' can only be made via the communal hallway.

A site visit revealed that the '2nd bedroom' is actually set out as a self-contained flat with a living room / bedroom kitchen at ground floor level and bathroom below. The flat has a floorspace of 22sqm and is therefore considerably below the minimum floorspace for a flat for 1 person (32sqm). Therefore, the flat (within the extension at basement and ground floor) would not meet the Council's residential development standards and is contrary to policy CS6 (providing quality homes). It would also not meet the minimum floorspace standard for a 1 person flat as set out in the London Plan (37sqm). It would therefore be contrary to policy 3.5 of the London Plan.

Conclusion

The design of the extension and its impact on neighbouring amenity is considered acceptable (subject to a condition requiring obscure glazing). However the extension creates a self-contained studio flat which provides sub-standard accommodation in terms of its size (22sqm floorspace). For this reason, it is recommended the application be refused and an enforcement notice served requiring the ground floor flat to be laid out as shown on the approved plans.

Recommendation: Refuse planning permission and warning of enforcement action

That the Head of Legal Services issue an Enforcement Notice under section 172 of the Town & Country Planning Act 1990 as amended, and officers be authorised in the event of non-compliance to prosecute under section 179 or appropriate power and/or take direct action under section 178 in order to secure cessation of the breach of planning control.

The Notice shall allege the following breach of planning control:

Without Planning Permission:

The unauthorised erection of an extension at basement level and creation of studio flat at ground and basement level.

The Notice shall require that, within a period of six months of the Notice taking effect, the extension shall be completely removed and the ground floor shall be laid out as shown on the approved plans for planning permission granted 05/08/2013 (ref:2013/3462/P).

Reasons for Issuing the Notice:

It appears to the Council that the above breach of planning control has occurred within the last 4 years.

The unauthorised development by reason of the lack of adequate floorspace creates poor quality accommodation. The development is therefore contrary to policy CS6 (Providing Quality Homes) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the Impact of Development on Occupiers and Neighbours) of the London Borough of Camden Local Development Framework Development Policies.