

Delegated Report		Analysis sheet	Expiry Date:	15/06/2015
		N/A / attached	Consultation Expiry Date:	10/07/2015
Officer			Application Number(s)	
Jonathan McClue			2015/1293/P	
Application Address			Drawing Numbers	
50 Haverstock Hill London NW3 2BH			Refer to Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of first, second and third floor extensions above the ground floor surgery to provide two residential units (Class C3) or additional surgery rooms (Class D1).				
Recommendation(s):	Refuse Planning Permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	18	No. of responses	00	No. of objections	00
Summary of consultation responses:	<p><u>Transport for London (TfL) Planning:</u> Cycle parking needs to comply with the London Plan (2015) and should be secured by planning condition. At least one of the proposed car parking spaces shall be equipped with an electrical vehicle charge point and blue badge parking made available.</p> <p>The host building is in close proximity to the London Underground tube network. Due to the risk of slippage during excavation it would need to be demonstrated to London Underground Limited engineers that the proposal would not impact on their transport infrastructure. A pre-commencement condition is recommended.</p> <p><u>Thames Water:</u> A planning condition is recommended requiring a drainage strategy to ensure that the wastewater infrastructure can accommodate the proposal. No objection is raised regarding water infrastructure capacity.</p>					
CAAC/Local groups* comments: *Please Specify	None consulted and no comments received.					

Site Description

The application site consists of an irregular shaped plot fronting the north-eastern side of Haverstock Hill. It contains a single storey building housing a dental surgery (D1) and car parking spaces to the front. The host building is attached to 50a Haverstock Hill and extends to the rear in an 'L' shape along the shared boundary with Haverstock School and adjacent to the rear gardens of 189-195 Prince of Wales Road. Apart from the parking area to the front and rear dogleg of the building, the site and single storey building is narrow in comparison to the adjoining properties.

The adjacent building at 50a is a double fronted property which effectively forms the end of a terrace at 50a-58 Haverstock Hill. It has a blank gable with chimney stacks on the side elevation and is visually prominent within the street scene.

Relevant History

A number of historic permissions exist on the application site but have now expired and not been implemented. These include:

PL/8400247/R2: The erection of a part one and part three storey building to provide a doctors surgery on the ground floor with a residential maisonette on the upper floors together with a roof terrace at rear first floor level. – Granted on 15/05/1984

PL/8401301: The erection of a part single storey and part four storey building comprising a doctors surgery on the ground floor and residential maisonette above with a roof terrace at the rear of the first floor – Granted on 19/09/1984

PL/8700573: Erection of a rear extension at first and second-floor levels to provide additional living space, including a roof terrace at first-floor level – Granted on 14/10/1987

PL/8802717/R3: The erection of a part single storey and part four storey building comprising doctors surgeries – Granted on 18/05/1989

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2015, consolidated with alterations since 2011

Camden LDF Core Strategy 2010

CS5 (Managing the impact of growth and development)

CS6 (Providing quality homes)

CS10 (Supporting community facilities and services)

CS11 (Promoting sustainable and efficient travel)

CS14 (Promoting high quality places and conserving our heritage)

Camden Development Policies 2010

DP2 (Making full use of Camden's capacity for housing)

DP5 (Homes of different sizes)

DP6 (Lifetime homes and wheelchair homes)

DP15 (Community and leisure uses)

DP18 (Parking standards and limiting the availability of car parking)

DP19 (Managing the impact of parking)

DP22 (Promoting sustainable design and construction)

DP23 (Water)

DP24 (Securing high quality design)

DP26 (Managing the impact of development on occupiers and neighbours)

DP28 (Noise and vibration)

Camden Planning Guidance

CPG1 (Design)

CPG2 (Housing)

CPG3 (Sustainability)

CPG6 (Amenity)

CPG7 (Transport)

CPG8 (Planning Obligations)

Assessment

1.0 Proposal

1.1 Planning permission is sought for first, second and third floor extensions above part of the ground floor surgery building. The proposed development would be attached to the neighbouring building at 50a Haverstock Hill with a first floor element extending over much of the existing ground floor wing. The application seeks permission for two alternative uses, either two residential flats or additional space for the existing dental surgery.

1.2 The resulting building would have a 4 storey element to match the height (12.3m) and depth (4m) of the building at 50a. This part of the extension would have a gable end pitched roof facing southeast. It would include a 3 storey bay window to the front with a gable feature within the roof and a gable end dormer in the rear roof slope. A first floor rear extension would extend beyond the 4 storey element with a depth of 10.67m. The rear extension would have a flat roof with mono-pitched elements.

1.3 The proposal would include a first floor roof terrace above the existing ground floor surgery and a second floor roof terrace above the proposed first floor extension.

1.4 Bin and cycle stores would be provided within the front parking area adjacent to the main building. These would be located within a single storey detached structure with a flat roof.

1.5 The residential use includes a 2 bedroom flat on the first floor and a 2 bedroom flat over the second and third floors.

1.6 The dental surgery use includes receptions, waiting rooms, treatment rooms and a bathroom over floors 1-3.

2.0 Land use

Principle of residential development

2.1 Policy DP2 seeks to maximise additional homes in the borough and expects the majority of the contribution to come from vacant or underused sites. The surrounding development, including the adjoining terrace that the proposed extension would be attached to, is mainly comprised of residential units and it is considered that the creation of residential flats would be acceptable in principle. The acceptability of the units would be subject to them providing an adequate standard of living accommodation, an appropriate mixture of housing and the amenities of the prospective occupiers must be protected from the existing community facility on the ground floor.

Quality of residential accommodation

2.2 The 2 bedroom unit on the first floor (Flat 1) would have a gross internal floor area of 62sq.m and the second and third floor 2 bedroom unit (Flat 2) would provide 62sq.m. The proposed units would conform with table 3.3 of the London Plan which requires at least 61sq.m for a 2 bedroom 3 person flat and paragraph 4.14 of CPG2 (Housing).

2.3 The units would both have multiple aspects with windows on the front, side and rear elevations. The rooms are of a good size and the layout of each unit is functional. Despite this, bedroom 2 of Flat 1 is only served by a velux window that is located at a right angle with the rear of 50a Haverstock Hill. This is not ideal as it would not provide a proper level of outlook for that bedroom but given that it is a 2nd bedroom, it would be difficult to sustain a reason for refusal on this basis alone as it does not result in a seriously substandard level of living accommodation.

2.4 Policy DP5 seeks to ensure that new housing is in line with the housing priorities for the borough. The housing priority for market 2 bedroom units is very high and the proposed development is in accordance with this.

2.5 A full Lifetime Homes assessment has been submitted with the application. The details have indicated that the proposed units comply with Part M of the Building Regulations. If the application were to be approved, this would be secured by way of planning condition requiring the details to be implemented.

2.6 The proposed units would be located above a dental surgery which could create noise and general disturbance through customers visiting the premises and from machinery used as part of the facility. DP28 states that the Council will not grant planning permission for development sensitive to noise, unless appropriate attenuation measures are provided. A noise assessment has not been provided as part of the application and no attenuation measures have been submitted. Officers consider that this could be controlled by a planning condition if permission were to be granted. Therefore, this does not form part of the reasons for refusal.

Additional dental surgery space

2.7 The proposal includes the option to provide additional dental surgery space for the existing ground floor use. As it would expand an existing use which is accessible to the community it serves in accordance with policy DP15, no objection is raised to the increase in floorspace to the community use in principle.

3.0 Design and Impact on Character and Appearance of the Locality

3.1 The existing building at 50 Haverstock Hill is a single storey structure that extends across the narrow frontage of the site, the entire depth and it wraps behind the rear garden of 50a Haverstock Hill. It is a low level flat roofed structure that is attached to the side of 50a. While the building is poor in design by way of its shape and form, it is considered subservient to the terrace it is attached to and not visually prominent within the streetscene. The existing building extends about halfway up the ground floor front window of 50a and is partially obscured from surrounding views by the boundary treatment and landscaping along Haverstock Hill (to the northwest and southeast), the car park area and the adjacent Haverstock School.

3.2 The building to which the application building is attached, 50a Haverstock Hill, is a wide double fronted property with a gable end pitched roof. It forms part of a terrace of buildings at 50a-58 Haverstock Hill which stagger in height and have varied widths. 50a is considered to form the end of the terrace with its blank gable prominent from surrounding views. The single storey building at 50 is largely screened on the side elevation by boundary treatment and ancillary buildings at Haverstock School.

3.3 An extension to the attached building at 50a is considered acceptable in principle, subject to it having an appropriate height, depth and detailed design. However, the development as proposed would be unacceptable, for the reasons stated below, as the proposal is considered to be a dominant, bulky, incompatible and out of scale addition to the building at 50a, the adjacent terrace (50a-58 Haverstock Hill) and harmful to the character and appearance of the streetscene.

3.4 The development is considered unacceptable firstly due to its overall height as it would continue the ridge and eaves height of 50a, which already provides a wide frontage within the terrace of staggered heights and varying widths. It is considered that a building stepped down from its neighbour

with a lower height would be more appropriate as it would appear as a subservient extension to 50a and be in keeping with the articulated and stepped pattern of the terrace.

3.4 The proposed full height gable-fronted bay is harmful by reason of its height across the entire elevation, its gable feature that extends above the eaves and breaks an otherwise uninterrupted eaves line within the terrace, and its fenestration pattern which is of a different width and style to that of adjoining buildings and also at different levels to them. Similarly, the rear gable feature within the roof would be a harmful feature within the rear elevation. It would interrupt the rear eaves line within the terrace and detract from the appearance of the proposed extension.

3.5 In addition to the features above, the first floor flat roofed rear extension is materially harmful by way of its form, bulk, design and excessive depth. Due to the location of the host building at the end of the terrace, the rear element would be visually prominent and detrimental to the character and appearance of the townscape. It would also be incompatible with the surrounding development as there are no first floor rear extensions of this scale, design and excessive depth.

3.6 Overall, the proposal would appear as an incongruous and poorly designed addition to the terrace. It is noted that there is no objection to the single storey flat roofed building proposed that would contain the bike and bin store.

4.0 Neighbouring Amenity

Impact from additional built form and residential use

4.1 The proposed three storey additions would align with the attached building at 50a and would lie adjacent to the car park of Haverstock School. The first floor rear element has been designed so that it would not significantly harm the living conditions of the neighbouring residential buildings. It would be set back from the parapet of the ground floor part of the building and would include a mono-pitch roof so that it would slope away from upper level windows, so that it would not disrupt sightlines or daylight angles from the adjoining 1st floor window at 50a and thus would not harm light and outlook to lower ground and ground floor windows of adjoining buildings. Due to the location of the extensions and their setback from surrounding properties, it is not considered that they would result in a significant loss of light, outlook, or have an overbearing impact on adjoining occupiers.

4.2 Rear terraces are proposed on the first and second floors. These would include privacy screens to the side to prevent overlooking towards residential properties. Due to their orientation and large setback from the properties on Prince of Wales Road, it is not considered that any loss of privacy or daylight would result. No upper floor level windows are proposed on the side elevation facing the residential properties along Haverstock Hill and it is not considered that the proposed additional windows would result in a significant level of overlooking into residential properties.

4.3 Due to the location of the residential units within a densely populated area, with the surrounding properties benefiting from multiple flats, it is considered that the provision of two more units would be acceptable here and that they would not lead to significant levels of noise or general disturbance for neighbouring occupiers.

Proposed dental surgery use

4.4 The intensification of the dental surgery is considered acceptable in principle, subject to further details of noise insulation (to prevent noise and vibration transferring through the walls), hours of operation and the scale of the use (including numbers of staff and patients). As these matters could be controlled by planning conditions if the proposal were to be considered acceptable, the lack of details submitted regarding the above will not form part of the reasons for refusal. It is likely that visitors to the surgery would be local and come by public transport thus not generate excessive traffic and parking pressures.

5.0 Highways Considerations

Car parking

5.1 Policy DP18 states that the Council seeks to ensure that developments provide the minimum necessary car parking provision. The Council expects development to be car free in the Central London Area, the town centres of Camden Town, Finchley Road/Swiss Cottage, Kentish Town, Kilburn High Road and West Hampstead, and other areas within Controlled Parking Zones that are easily accessible by public transport. The site is located in the Camden Town: North West controlled parking zone (CA-F(nw)) which operates between 0830 and 2330 hours on Monday to Friday and 0930 to 2330 on Saturday and Sunday. In addition, the site has a PTAL rating of 5 (excellent) which means it is highly accessible by public transport. A car free development for the new residential units therefore needs to be secured as a Section 106 planning obligation. This would allow the proposal to be in accordance with Core Strategies CS11 and CS19 and Development Policies DP18, DP19 and DP21. In the absence of a S106 agreement to secure car-free housing this forms a further reason for refusal of the application.

5.2 It is noted that the surgery benefits from two car parking spaces to the front of the site. The Council would accept the retention of these for the surgery use, whether the residential or dental surgery use is implemented. The plans do not indicate that the car parking spaces would be used for the dental surgery only; however, this could be controlled via a planning condition if the development were to be approved.

Cycle parking

5.3 Policy DP18 (Paragraphs 18.12 and 18.13) requires development to provide cycle parking facilities in accordance with the minimum requirements of our cycle parking standards. Camden also expects development to provide cycle parking facilities in accordance with the minimum requirements of the London Plan. The proposed residential development consists of 2 units with 2 bedrooms or more. Therefore 4 cycle parking spaces for residential use are required to meet the London Plan's minimum cycle parking requirement. The ground floor plan indicates that 4 covered and secure cycle parking spaces would be provided at ground floor level, which is welcomed. In regard to the dental surgery use, the London Plan requires 1 space per 5 staff. The provision of 2 spaces is considered acceptable. Further details of the cycle parking facilities are required such as the type of stands to be provided. These details could be requested by planning condition.

Construction Management Plan

5.4 Policy DP20 states that Construction Management Plans should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). Policy DP21 relates to how a development is connected to the highway network. For some development this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP).

5.5 The site is located directly adjacent to Haverstock School which raises concerns over public safety and the need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality). The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. A CMP must therefore be secured as a Section 106 planning obligation. As the scheme is considered to be unacceptable in other aspects, the failure to secure this through legal agreement constitutes a further reason for refusal of the application.

Highway and Public Realm Improvements directly adjacent to the site

5.6 The summary page of policy DP21 states that 'The Council will expect works affecting Highways to repair any construction damage to transport infrastructure or landscaping and reinstate all affected

transport network links and road and footway surfaces following development'. The vehicular crossover directly adjacent to the site could be damaged as a direct result of the proposed works. The Council would therefore need to secure a financial contribution for highway works as a section 106 planning obligation if planning permission is granted. This would allow the proposal to comply with Development Policy DP21.

6.0 Sustainability

6.1 A sustainability report has been submitted indicating a commitment to achieve a minimum of Code for Sustainable Homes Level 4. Following the withdrawal of Code for Sustainable Homes (within a Ministerial Statement dated 25/03/2015) this is no longer a requirement. All applications are now asked to demonstrate that they meet sustainable design principles as noted in policy DP22.

Sustainability statements are required to show that the development, among other things, is capable of achieving a maximum internal water use of 105 litres per day (5 litres for external water use). The submitted statement as part of this application confirms that the development would meet this and other objectives within policy DP22. If the application were to be approved, a condition would be attached confirming that the applicable measures be implemented.

7.0 Community Infrastructure Levy (CIL)

7.1 Due to the size and type of development proposed it would be CIL liable if approved. The London Borough of Camden's Community Infrastructure Levy (CIL) was introduced on the 1st April 2015 to help pay for local infrastructure and the Mayoral CIL which helps fund Crossrail was introduced on 1st April 2012. The development would be liable for both payments.

8.0 Other Matters

8.1 If the proposed development were deemed acceptable, a Section 106 Agreement would be required for the construction of the extension (through the CMP) and the resulting residential units (car-free). It is considered that the applicants would need to enter into a legal agreement with the Council to confirm which use (i.e. residential or dental surgery) they intended to implement if they were both deemed acceptable and subject to further details.

Recommendation: Refuse planning permission.