

Delegated Report		Analysis sheet	Expiry Date:	03/07/2015
		N/A / attached	Consultation Expiry Date:	21/08/2015
Officer			Application Number	
Kate Phillips			2015/2598/P	
Application Address			Drawing Numbers	
21 Princess Road London NW1 8JR			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal				
Change of use of lower ground floor from office (Class B1a) to create 1 no. self-contained 2 bed flat (Class C3), creation of front lightwell and erection of railings, and erection of two storey rear extension to provide additional floor space at lower and upper ground floor levels.				
Recommendation:		Refuse		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	8	No. of responses	4	No. of objections	3
			No. electronic	00		
Summary of consultation responses:	<p>The owner/occupiers of No. 23a Princess Road objected to the original set of plans (received 08/05/2015) and the revised plans (received 02/07/2015) on the following grounds:</p> <ul style="list-style-type: none"> • Disturbance over period of time <p>The owner/occupier of No. 5 Calvert Street objected to the original set of plans (received 08/05/2015) on the following grounds:</p> <ul style="list-style-type: none"> • Overlooking • Loss of daylight/sunlight • Impact on car parking in the area <p>A local resident has objected on the following grounds:</p> <ul style="list-style-type: none"> • Shortage of decent sized offices in Primrose Hill <p>Officer comment:</p> <p><i>See Section 1 of the Officer's Report which relates to the principle of development. The proposal retains 42.2 square metres of office space, which is considered to be acceptable.</i></p> <p><i>Disturbance during the construction period is not a valid reason to refuse this application, however, if the application was otherwise considered to be acceptable a planning condition could require the submission and approval of a construction management plan prior to the commencement of works. An Informative could also remind the applicant of their responsibilities under the Control of Pollution Act 1974.</i></p>					
Primrose Hill Conservation Area Advisory Committee (CAAC)	<p><u>Original response (Objection)</u></p> <ul style="list-style-type: none"> • Recognised as making a positive contribution to the character and appearance of the conservation area. • The shopfront is one of a group which retains the original paved area in front of the shop. • CPG 1 para 7.12 states: "<i>Creating open lightwells with railings in front of a shopfront is not generally acceptable as in prevents window shopping and disrupts the buildings relationship to the rhythm of the street. This is also the case if the shopfront has been converted into residential accommodation</i>". • Other lightwells have been created within this group, but these all predate the new CPG1, and, therefore, do not constitute valid precedents. 					

- On Calvert Street, the proposed back additions are harmful to the character and appearance of the conservation area because the proposal moves the dominant rear addition from one side of the elevation to the other.

Second response (Objection)

- We attach an extract from the Ordnance Survey map of the area dated 1894-95 which shows clearly that these shops, as a consistent group, had no front areas. The absence of front areas to the shops in Princess Road is historically established, original, and where surviving, is a feature of the original streetscape.
- CPG 1 states that this original form should be preserved.
- We note the applicant's statement that without the opening of the front area it would not be possible to use the basement/lower floor for residential purposes, but this is not the case because of the rear access from Calvert Street.

Site Description

No. 21 Princess Road is a three storey, mid-terrace, brick building with a roof extension and roof-level terrace on the western side of the road. The building is painted blue.

Currently, the lower and upper ground floor levels are in office use (Class B1a), with a traditional shopfront at the ground level, and the upper floors are in residential use (Class C3). There is off-street parking for 2 no. cars at the rear of the building, accessed from Calvert Street.

The application site is within the Primrose Hill Conservation Area and Nos. 1-65 (odd) are identified as making a positive contribution to the character and appearance of the conservation area. The application site is also covered by an Article 4 direction which removes permitted development rights for certain works.

Relevant History

No. 21 Princess Road (Application site)

PEX0000788 - Use of the ground floor for food and drink use within Class A3. - Refuse Planning Permission 21-11-2000.

9003390 - Construction of a glazed infill extension at rear basement level - Grant Permission with Conditions 18-07-1991.

8600330 - The addition of a 3rd storey roof extension for residential purposes. Revised on 15th April 1986. - Grant Full Planning Permission 23-04-1986.

35131 - The rebuilding and enlargement of the garage at the rear. - Conditional permission 21-12-1982.

No. 29 Princess Road

8600627 - Change of use including works of conversion to form one self-contained flat at basement level with access from Calvert Street including the erection of a rear extension – Granted 25/09/1986

No. 27 Princess Road

PEX0000670 - Change of use of basement ancillary retail/storage to a self-contained flat together with the erection of a conservatory to the rear and excavation of the front area to create a light-well. – Appeal allowed 02/01/2001.

PEX0000130 – Change of use of lower ground floor from offices to a self-contained flat, the erection of a conservatory to the rear and the insertion of pavement lights to the front forecourt – Refuse Planning Permission 11-04-2000.

No. 19 Princess Road

5198 - The change of use of ground floor and basement to use as fish and chip restaurant - Permission 30-05-1968

J10/8/2/1375 - The use of the basement and ground floor of 19 Princess Road, Camden as a restaurant; the erection of an extension at the rear at ground floor level and the installation of a new shopfront - Permission 09-02-1966

No. 15 Princess Road

J10/8/5/9260 – Conversion of 15 Princess Road, N.W.1. into two flats and a maisonette - Permission 05-08-1970.

Relevant policies

LDF Core Strategy and Development Policies

National Planning Policy Framework (2012)

London Plan 2015 consolidated with alterations

LDF Core Strategy and Development Policies 2010

CS1 Distribution of growth

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS7 Promoting a successful and inclusive Camden economy

CS11 Promoting sustainable and efficient travel

CS14 Promoting high quality places and conserving our heritage

DP2 Making full use of Camden's capacity for housing

DP6 Lifetime homes and wheelchair homes

DP13 Employment sites and premises

DP16 The transport implications of development

DP18 Parking standards and limiting the availability of car parking

DP19 Managing the impact of parking

DP22 Promoting sustainable design and construction

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

DP30 Shopfronts

Camden Planning Guidance

CPG1 Design (2015)

Chapter 2 - Design excellence

Chapter 3 - Heritage

Chapter 4 - Extensions, alterations and conservatories

Chapter 7 - Shopfronts

CPG2 Housing (2015)

Chapter 4 - Residential development standards

Chapter 5 - Lifetime Homes and Wheelchair Housing

CPG5 Town Centres, Retail and Employment (2013)

Chapter 7 – Employment sites and business premises

CPG6 Amenity (2011)

Chapter 6 - Daylight and sunlight

Chapter 7 - Overlooking, privacy and outlook

Chapter 9 – Access for all

CPG7 Transport (2011)

Chapter 5 – Car free and car capped development

Chapter 6 – On site car parking

Chapter 9 – Cycling facilities

Conservation Area Statement – Primrose Hill (2000)

Main building types (page 14)

Shops, small business and public houses (page 14)

Guidelines for rear extensions (page 33)

Guidelines for basement lightwells, railings and vaults (page 34)

London Housing Design Guide (2010)

Chapter 4 – Dwelling Space Standards

Chapter 5 – Home as a Place of Retreat

Assessment

1. Proposal:

1.1 This application seeks planning permission to change the use of the lower ground floor from office use (Class B1a) to residential use (Class C3) to create 1 no. self-contained, 2-bedroom flat. The proposal also involves the creation of a lightwell with railings at the front (on the Princess Road side) and a two storey extension at the rear (on the Calvert Street side), to provide additional floor space at the lower and upper ground floor levels.

1.2 The proposed lightwell at the front would extend out from the edge of the building by 1.2 metres and it would measure 3.1 metres wide. The lightwell would be 2.2 metres deep and would include a staircase to access the lower ground floor (i.e. the new dwelling). The proposed metal railings around the edge of the lightwell would measure 1.1 metres tall.

1.3 At the rear, the existing single storey extension at the lower ground floor level would be removed. The lower ground floor element of the new extension would extend out from the original rear wall by 4.4 metres and it would measure up to 5.6 metres wide (the same width as the host building and the building plot). The upper ground floor element would have the same depth but would only measure 3.1 metres wide and it would be sited on the left-hand side of the building (when viewing the building), adjacent to the existing upper ground floor rear projection. The two storey part of the rear extension would measure 5.3 metres high and the single storey element would measure 2.9 metres high.

1.4 A patio area measuring 4.5 metres by 2.1 metres would be created at the rear of the building. Steps would lead up from the patio to the existing parking area, which measures 5.6 metres long and 5.4 metres wide.

2. The principle of development

2.1 The proposal involves the loss of the Class B1a office space at the lower ground floor level and the enlargement of the office space at the upper ground floor level. In total, the proposal would result in a net loss of 42.4 square metres of office space. The retained office would provide 51.4 square metres of floor space.

2.2 Policy DP13 generally aims to retain land and buildings that are suitable for continued business use and will resist changes of use to non-business uses unless it can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for its existing business use; and there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time.

2.3 Insofar as the proposal would retain the office use at the upper ground floor level, the proposal is considered to be acceptable and the principle of providing residential accommodation at the site can be considered. Housing is regarded as the priority land-use of the LDF and the principle of the development is therefore considered to be acceptable, subject to the detailed considerations below.

3. Impact on the character and appearance of the host building, the street scene and the wider area (including the Primrose Hill Conservation Area)

3.1 The application site is within the Primrose Hill Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

3.2 The Primrose Hill Conservation Area Statement (PHCAS) notes that a number of terraces, such as those in Princess Road, were designed to accommodate retail uses, small business and public houses on the lower floors, with residential flats above. The PHCAS notes that the retail and business units generally occupy a standard width terrace property, incorporating an original framework and shopfront at ground level and a front forecourt (as opposed to basement lightwell) with glazed pavement lights. This is true of the application building.

3.3 The PHCAS sets out guidelines for development in the conservation area and PH38 notes that where original lightwells, railings and vaults exist, these should be retained; and where altered or lost, the Council will seek reinstatement of these features. However, PH40 notes that excavation of basement lightwells is unlikely to be acceptable where this is not a characteristic of the building type or street; for example, to the forecourt of a shop or public house.

3.4 CPG1 (Design) also notes that pavement lights or small lightwells covered with metal grilles are typically found in front of shopfronts, which provide light into the areas beneath whilst allowing

shoppers close inspection of the window display. CPG1 advises that creating open lightwells with railings in front of a shopfront is not generally acceptable as it prevents window shopping and disrupts the building's relationship to the rhythm of the street (paragraph 7.12).

3.5 The applicant states that they wish to reinstate the front lightwell at the building; however, they have been unable to provide conclusive evidence that the building originally had a front lightwell and railings. In support of their claim they note the following:

- The building predates the existing pavement lights
- The change in pavement level suggests the pavement adjacent to the property was not conceived as a broad pavement for window shopping
- With the growth of London it was common for lightwells to be covered to increase the footprint of the basement
- The building's foul water flows into a manhole adjacent to the vaults which is constructed to meet external rather than internal requirements
- The lower ground floor windows/doors are of external quality and construction
- There is no evidence of any alternate means of ventilating this area

3.6 However, the Primrose Hill CAAC dispute the claim that the building originally had an open lightwell at the front and they have submitted an Ordnance Survey map of the area dated 1894-95 which suggests that the shops along Princess Road had no front areas. Furthermore, the PHCAS notes that the principal roads in the area (Chalcot Road, Gloucester Avenue, Fitzroy Road and Princess Road) are all of a consistently generous width with wide pavements and central street parking, which also suggests the buildings were originally designed without front lightwells.

3.7 On the basis that it appears the original building did not have an open lightwell and railings at the front, PH40 of the PHCAS and paragraph 7.12 of CPG1 are relevant to the determination of this application; that is, the creation of the lightwell is unacceptable because it is not characteristic of the building type or street, it would prevent window shopping and it would disrupt the building's relationship to the rhythm of the street.

3.8 It is recognised that other buildings in the same terrace have installed front lightwells. It is unclear from the planning history when the lightwell at No. 19 Princess Road was installed; however, evidence suggests it was in existence in 1966. At No. 15 Princess Road, the planning history suggests that the front lightwell and balustrading was granted planning permission in 1970 (planning reference J10/8/5/9260). Those particular lightwells both pre-date the designation of the Primrose Hill Conservation Area on 1st October 1971.

3.9 The planning history for No. 27 Princess Road suggests that the lightwell was installed pursuant to planning permission PEX0000670, which was allowed at appeal in 2001. In that particular case, the Appeal Inspector considered that the lightwells in the area now form part of the character of the retail parade and therefore the proposal would not be harmful to the character and appearance of the conservation area.

3.10 The appeal decision referenced above is a material consideration in the determination of this application. However, the planning policy context has changed since 2001 (with the introduction of the Core Strategy and the Camden Planning Guidance) and the prevailing character of the retail parade adjacent to the application site is still one of buildings that do not have open lightwells at the front: there are 11 separate plots in the frontage (between Kingstown Street and Chalcot Road) and six of those do not have front lightwells and railings. As such, the proposal to install a new open lightwell would cause harm to the character and appearance of the host building, the parade and the Primrose Hill Conservation Area, contrary to the guidance set out in CPG1.

3.11 Furthermore, it is worth noting that No. 27 (the site of the abovementioned appeal decision) has

a different type of frontage to No. 21, insofar as the entrance to the dry cleaners (on the ground floor) and the flats on the upper floors both lead from a recessed area adjacent to the main front window display. It could therefore be argued that the recessed area and the angled entrance door provide space for window shoppers that is referenced as being important in CPG1.

3.12 It is accepted that the use of the ground floor of the application building is an office rather than retail, where there is arguably less need for window shopping; however, CPG1 clearly states that the creation of front lightwells in front of a shopfront is not acceptable even if the shop has been converted into residential accommodation and this policy is therefore relevant in this case also.

3.13 In summary, the proposal to install an open lightwell and railings at the front of the building would disrupt the building's relationship with the street and the proposal would fail to reflect the historical development of the host building and the parade. It is considered that the proposal would cause harm to the character and appearance of the host building and the street scene along this part of Princess Road and it follows that the proposal would fail to preserve and enhance the character and appearance of the Primrose Hill Conservation Area, but instead would cause harm. The application is recommended for refusal on this basis.

3.14 CPG1 (paragraphs 4.9 – 4.15) and the PHCAS (PH25, PH26, PH27 and PH28) also set out guidelines for rear extensions. The proposed rear extension would be part two storey and part single storey and it would be constructed with painted bricks and white painted timber doors and windows. The rear extension would be visible from Calvert Street and it would be viewed alongside other rear extensions on the same terrace.

3.15 PH26 notes that rear extensions should be as unobtrusive as possible and should normally be no taller than one storey in height. Whilst the proposed extension would be two storeys tall, it is not considered that it would appear unduly prominent or cause unacceptable harm to the character and appearance of this part of the conservation area. This is because the rear of the host building is at a lower level than the parking area, which reduces the perceived height of the overall extension, and the two storey element would be the same height as the two storey element at the neighbouring property to the north, No. 5 Calvert Street. There are also a number of other two storey extensions along the same terrace.

3.16 Neither is it considered that the rear extension would cause undue harm to the architectural integrity of the host building or cause harm to the historic pattern of extensions with the terrace. The proposal moves the dominant rear addition from one side of the elevation to the other; however, due to the number and varied nature of other extensions in the terrace, the original pattern of rear projections has been eroded and there is no longer a rhythm along the rear of the terrace which the proposal would detract from. It is recognised that the planning policy context has changed since planning permission was granted for other extensions along the terrace; however, the potential level of harm is not considered to be so great as to warrant a refusal of the application on this basis.

3.17 The proposed sunken rear patio area is also considered to be acceptable, especially because it would be largely screened from view by metal railings and the private amenity space would not appear out of context with other roof terraces and private amenity areas in the vicinity of the application site.

4. Impact on the visual and residential amenities of the neighbouring properties

4.1 Policy DP26 notes that the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. The main residential properties that are likely to be affected by the proposal are the attached neighbouring properties: No.19 Princess Road and No.5 Calvert Street. All other nearby and neighbouring properties are considered to be sufficiently removed from the application site so as not to be unduly affected by the

proposed works.

4.2 It is not considered that the proposed lightwell and railings at the front of the building would cause undue harm to the neighbouring properties. This is due to the nature and scale of the works.

4.3 At the rear, the replacement extension would not extend any further out from the original rear wall of the host building than the existing rear extension; however the proposal moves the dominant rear addition at the upper ground floor level from one side of the elevation to the other and makes it the same length as the lower ground floor element. On the basis that the upper ground floor element would sit alongside the two storey element at No. 5 Calvert Street, it is not considered that it would cause undue harm to the occupiers of this property by way of overshadowing and outlook, or loss of sunlight/daylight. The extension would be 0.8 metres longer than the rear extension at No. 5; however, this difference in length is not sufficient to cause unacceptable harm to the outlook from the upper ground floor rear-facing window at No. 5.

4.4 Neither is it considered that the new extension would cause undue harm to the occupiers of No. 19 Princess Road by way of overshadowing and outlook, or loss of sunlight/daylight. This property has a single storey extension that measures 8.8 metres long, and at first floor level the new extension at the application building would be set away from the shared boundary by 2.5 metres and it would not project into a line drawn at 45 degrees from the centre of the rear facing window nearest the shared boundary at No. 19. This means the outlook from this window would still be acceptable.

4.5 There is unlikely to be any unacceptable overlooking from the new lower ground floor windows which would serve the residential dwelling. This is due to their position and the boundary treatment between the neighbouring plots. At the upper ground floor level, the window within the existing rear projection would serve a kitchen (instead of a WC as it currently does), and there would be 1 no. side-facing window and 1 no. rear-facing window to serve the enlarged office space. The side-facing window would be obscurely-glazed, which a planning condition could ensure remains the case in the future, and the rear-facing windows would provide views over the rear parking area and towards the neighbouring plots. The level of overlooking from these windows is not considered to be harmful because some overlooking is generally expected in built-up residential areas such as this.

4.6 The use of the rear patio area is not likely to cause undue harm to the neighbouring properties. Due to its sunken position it would be partially screened from view and users of the patio area would not be able to overlook the neighbouring properties.

5. Living standards of future occupiers

5.1 Policy DP26 requires developments to provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space. It also requires the provision of facilities for the storage, recycling and disposal of waste, facilities for bicycle storage and outdoor space for private or communal amenity space, wherever practical.

5.2 The proposed new dwelling would be self-contained and it would have its own secure private entrance which leads directly from the street, via the proposed new lightwell at the front of the building (although, as discussed, this element is unacceptable in design and heritage terms). The proposed new dwelling would also provide facilities for storage and outdoor amenity space and it is considered that the new dwelling would provide satisfactory living conditions in terms daylight and sunlight, privacy and security, and noise. Furthermore, the proposed new dwelling would meet the current national space standards

5.3 The new dwelling would be dual-aspect, as encouraged by the London Housing Design Guide (2010). However, future occupiers would experience very poor outlook from the main living space. The living room measures 4.5 metres long (the kitchen measures an additional 2 metres), whereas

the proposed lightwell at the front would only extend out from the building by 1.2 metres and it would include the external staircase. As a result, the outlook from the main living space would be limited, restricted and of poor quality, contrary to the aims of the London Housing Design Guide and Policy DP26 and paragraphs 7.8 to 7.11 of CPG6 (Amenity). The application is also recommended for refusal on this basis.

6. Transport implications

6.1 The application site has 2 no. parking spaces which would be retained. The application site has a Public Transport Accessibility Level (PTAL) of 2 (0 is very poor and 6b is excellent) and is within a Controlled Parking Zone (CA-J – Primrose Hill). Policy DP18 expects development to be car-free in Controlled Parking Zones that are easily accessible by public transport. In this case, due to the availability of on-site parking and the relatively low levels of access to public transport, it is not considered necessary to use a legal agreement to make the development car-free.

6.2 FALP requires 2 cycle parking spaces per dwelling. In this case, there is no provision for secure cycle parking provision within the dwelling; however, the constraints of the site do not readily allow for this and, if the application was otherwise judged to be acceptable, it is considered that secure cycle parking at the rear of the site could be secured through a planning condition.

Recommendation: Refuse planning permission.