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| Delegated Report | | Analysis sheet | Expiry Date: | 30/10/2015 |
| | | N/A / attached | Consultation Expiry Date: | 09/10/2015 |
| Officer | | | Application Number(s) | |
| Fergus Freaney | | | 2015/5041/P | |
| Application Address | | | Drawing Numbers | |
| 70 Churchway London NW1 1LT | | | See decision notice | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
| | | | | |
| Proposal(s) | | | | |
| Demolition of existing building and erection of 4 storey building plus basement, comprising 4x Residential units (3x2 bed & 1x1bed unit) (C3 Use Class). | | | | |
| Recommendation(s): | Refuse Planning Permission | | | |
| Application Type: | Full Planning Permission | | | |

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| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | No. notified | 35 | No. of responses | 01 | No. of objections | 01 |
| | | | No. electronic | 00 | | |
| Summary of consultation responses: | <p>Site notice: 18/09/2015 – 09/10/2015 AO letters: 16/09/2015 – 07/10/2015</p> <p>1 objections in total from resident of Churchway, summarised as follows:</p> <ul style="list-style-type: none"> - Sunlight/Daylight report omits a number of properties on Churchway – 62, 64, 66 and 68 Churchway. The report does not include an assessment of the sunlight/daylight/privacy for these properties. - The report only takes into account the individual impacts of the proposal at 55 Chalcot Street/60 Churchway and the other application at 70 Churchway. The report does not take into account the combined impact. - There is no consideration on the impact on rubbish, sewage and other waste handling. - Increased disturbance and noise. | | | | | |
| CAAC/Local groups* comments: *Please Specify | No CAAC or local groups. | | | | | |

Site Description

The site is located on the north side of Churchway on a narrow pedestrianised section of the street. It comprises a two storey semi vacant building which was a former fish-works (B2 Use Class) and is now in use as a self contained flat.

The site is not listed and is not within a conservation area.

Relevant History

2014/2245/P- Erection of 4 storey building with basement to provide 5 self-contained flats (3 x 2, 2 x 1 bed) (following the demolition of building). *Withdrawn 30/03/2015*

2004/0615/P - The redevelopment of the site to provide a 3 storey building to be used as two self-contained residential units (Class C3). *Granted 24/05/2004*

PSX0205101 - The demolition of the existing residential and industrial (former fish processing works) floorspace and the redevelopment of the site by the erection of part 3 storeys (front) and part 2 storeys (rear) building to provide a provide 4x1 self contained dwelling units. *Refused 17/10/2003*

PSX0005341 - The change of use of the ground and first floor from a fish factory (Class B2) to a Bengali Community Centre on the ground floor and a self contained flat on the upper floor. *Granted 20/03/2001*

Concurrent applications

2015/5015/P- Demolition of existing building (C3 and A1 Use Class) and redevelopment comprising 5-storey, 56 room hotel (C1 Use Class) fronting Chalton Street and Churchway in association with neighbouring application at 70 Churchway (ref: 2015/5041/P). *Decision pending*

Relevant policies

LDF Core Strategy and Development Policies

CS1 – Distribution of growth

CS5 – Managing the impact of growth and development

CS6 – Providing Quality Homes

CS11 – Promoting sustainable and efficient travel

CS13 – Tackling climate change through promoting higher environmental standards

CS14 – Promoting high quality places and conserving our heritage

CS16 – Improving Camden's health and wellbeing

CS17 – Making Camden a Safer Place

CS18 - Dealing with our waste and encouraging recycling

CS19 - Delivering and monitoring the Core Strategy

DP2 Making full use of Camden's capacity for housing

DP5 Homes of different sizes

DP6 Lifetime homes and wheelchair homes

DP16 The transport implications of development

DP17 Walking, cycling and public transport

DP18 Parking standards and limiting the availability of car parking

DP19 Managing the impact of parking

DP20 Movement of goods and materials

DP12 Development Connecting to the highway network

DP23 Water

DP24 Securing high quality design

DP27 Basements and Lightwells

Camden Planning Guidance

CPG1: Design

CPG2: Housing

CPG4: Basements and Lightwells

CPG6: Amenity

CPG7: Transport

CPG8: Planning obligations

NPPF

London Plan 2015 (consolidated with amendments from 2011)

Assessment

Proposal:

Permission is sought for the redevelopment of the site to demolish the existing buildings and erect a 4 storey plus basement building comprising 3x2bed and 1x1bed units.

It is proposed that the existing 4x flats would be re-provided as an off-site agreement in relation to a newly constructed hotel at 55 Chalton Street & 60 Churchway (which would see 3x residential flats displaced). The hotel is subject to application 2015/5015/P.

The main planning considerations for this application are:

- Land use;
- Standard of residential accommodation;
- Design / visual impact;
- Amenity;
- Transport;
- Other matters

Land use

Residential

At present the site consists of a disused former fish processing works (B2 Use Class) at ground floor level with a 2bedroom flat at first floor level.

The principle of losing the B2 Use Class has been established under previous permissions granted in 2001 for a change of use to a community centre (PSX0005341) and in 2004 for redevelopment of the site to provide 2 self contained residential units. The B2 Use was not in use for some time prior to these applications and does not appear to have been in use during the following period. The area is currently in very poor vacant condition.

Policy DP13 advises that the Council will retain land and buildings that are suitable for continued business use unless it can be justified otherwise to the council's satisfaction. In this instance the space suffers from a poor layout, with small rooms and uneven levels, and is in a very poor state of repair. The character of the street is one of residential units. Given that the site has not been used as a B2 Units for at least 15 years, its current state of repair and poor layout, and that the loss has already been established in previously approved applications, its loss is considered to be acceptable.

Housing is regarded as the priority land-use of the Local Development Framework, and the Council will make housing its top priority when considering the future of unused and underused land and buildings. The Council will seek to minimise the loss of housing in the borough by protecting residential uses from development that would involve a net loss of residential floorspace and resisting

development which involves the net loss of two or more homes.

DP5 states that the council will “expect a mix of large and small homes in all residential developments” and contribute to meeting the Council's dwelling size priorities. The scheme proposes 3x2 bedroom and 1x1 bedroom flats. DP5 prioritises 2 bedroom market flats very highly, with 1 bedroom units having a low priority. As 75% would be 2bed properties the scheme is considered to be an acceptable mix of units.

The recently introduced Nationally Described Space Standards outlines minimum spaces standards for new dwellings.

The proposed flats would be laid out as follows:

- Basement and ground floor duplex: 2bed 4person – 114sqm (minimum requirement 79sqm)
- First floor: 2bed 3person – 61.3sqm (minimum requirement 61sqm)
- Second floor: 2bed 3person – 61.3 (minimum requirement 61sqm)
- Third floor: 1bed 2person – 50.9sqm (minimum requirement 50sqm)

This proposal relates to a concurrent application at a neighbouring site (55 Chalton Street and 60 Churchway) for its redevelopment to provide a 56 room hotel . This site (70 Churchway) would be used to off-set the loss of 3x dwellings on hotel site.

The principle of using this site to off-set the loss of housing on a neighbouring site is addressed further in the report for application 2015/5015/P

As a stand alone scheme it would be acceptable in terms of mix of unit sizes and minimum space standards.

Design:

Permission is sought for a townhouse style 4 storey building with basement, it would contain a front lightwell and the top floor would appear as a mansard with large front dormer. It would be constructed from brickwork, rendered ground floor and slate roof.

At present the existing building sits within a row of relatively low buildings of mostly 2 stories in height, bookended by larger 4/5 storey buildings at each end of Churchway. To the north of Churchway this pattern is somewhat repeated.

Churchway is a very narrow road which, even with the current situation of lower buildings running along its length, feels somewhat confined and tight.

The proposal would see a 4 storey plus basement townhouse style building erected in the middle of the existing group of buildings, it would be more similar in height to the buildings which bookend Churchway than the buildings which line the alleyway.

It is considered that the proposed townhouse style flat-fronted design and 4 storeys which would front Churchway would appear excessively tall and be overly dominant and incongruous when viewed in context with the surrounding buildings. It is considered that part of the character of Churchway is that of lower buildings of more modest design bookended by higher, somewhat grander buildings fronting larger streets at each end. The proposal would detract from this character appearing incongruous in its context to the detriment of the streetscene.

Furthermore the proposed front lightwell and ground floor fenestration treatment is considered to be unattractive and out of keeping with the wider area. Lightwells are not a feature in this part of Somerstown and it is considered the lightwell and subsequent void to allow light down to the basement flat would detract from the streetscene.

The ground floor elevation is also considered to be poorly articulated, with only a small opaque window serving a bathroom and the main entrance to the building being the only relief to an otherwise non-animated ground floor facade. This is out of keeping with the streetscene which generally benefits from a feeling a natural surveillance by facades animated with residential windows.

To the rear the development would extend across 5 stories (including an excavated basement level. Given the highly overlooked nature of the rear of the site by adjoining properties the development the rear elevation is considered to be incongruous and out of scale with the adjacent 2/3 storey buildings.

Amenity

Policy DP26 of the LDF and supplementary advice set out in CPG6 seeks to ensure that proposals protect the amenity of neighbouring occupiers with regards to loss of privacy, daylight/sunlight or increased sense of enclosure.

The proposed building would be 4.3m higher than the existing building as viewed from the front, whilst at the rear a basement would be excavated to a depth of approx. 2.8m, to include excavation to create a rear garden area. Projecting balconies are proposed from ground floor up to third floor at the rear measuring 1.6m in depth x 3.7m in width.

The proposed projecting balconies would not only have the potential to overlook the rear windows and amenity spaces of properties on Chalton Street and Churchway, particularly those in 62-64 Churchway and 57 & 59 Chalton Street , but also future occupiers of the proposed scheme would be exposed to overlooking while using their only outdoor amenity space

Whilst outdoor space for new flats is encouraged the proposed balconies in their current form will result in harm to both the amenity of existing neighbouring occupiers and future occupiers and as such are unacceptable.

A sunlight/daylight report has been submitted which indicates that there would be minimal impact on the surrounding properties,

The report concludes that all habitable rooms within properties assessed would pass the Vertical Sky Component (VSC) test with the exception of some windows within 64 and 72 Churchway, however they only fall slightly short of the recommended VSC target. The BRE guide is intended to be used flexibly, particularly in urban locations.

Report also concluded that direct sunlight to windows would broadly be acceptable and that there would be no additional external amenity spaces created which would receive less than two hours of sunlight on 21st March.

Concerns have been raised by a neighbour that some windows within properties at 62-68 Churchway have been omitted from the report's assessment. Nonetheless surrounding windows were assessed and found to have minimal impact on sunlight/daylight levels.

It should also be noted that the rear of adjacent properties face in a southerly direction therefore benefiting from a good aspect despite the confined nature of the area.

The proposed flats benefit from dual aspect and a generally good layout. A duplex flat would be laid out across basement and ground floor level with bedrooms contained at basement level. Although outlook from the basement bedrooms would be minimal it is not considered so poor as to warrant refusal given that the ground floor would contain all the main living areas. Given that all flats would have a south facing aspect it is considered that they would benefit from acceptable levels of sunlight/daylight.

Transport

The site has a PTAL rating of 6b with excellent transport links very close by. In order to ensure there is no impact on the existing parking in the area a car free development would need to be secured as a Section 106 planning obligation. In the absence of a legal agreement to secure this the development would be contrary to Core Strategies CS11 and CS19 and Development Policies DP18, DP19 and DP21.

In order to ensure the highway and pedestrian network and the amenity of neighbours is not unduly impacted upon during construction a construction management plan will be required. The applicant would also be required to cover the cost of repairing any damage done to the highways network during construction, this would need to be secured by way of a s106 legal agreement. Should the scheme be acceptable in all other regards, a legal agreement would be required to secure these obligations.

The scheme proposes 4 cycle spaces at ground floor level within the building on what appears to be a vertical rack storage type. The London Plan would require 7 spaces for a development of this size, however as the basement maisonette is a fully accessible disabled unit officers consider that 5 spaces could be acceptable.

Nonetheless, the proposed number of cycle spaces falls below this and is of an unacceptable type. The only acceptable cycle parking type are Josta, Sheffield or Camden stands, to accord with CPG7: Transport. These spaces would need to be covered and secure. In the absence of appropriate cycle parking the application is unacceptable in this respect.

Other matters

Basement development

The proposed basement excavation would be across the entire site and measure approx. 109sqm and be approx. 2.8m below natural ground level. The site is not identified as having any underground development constraints.

A basement impact assessment has been submitted which identifies that the overall risk from the proposed development is considered to be low as the site is not in a designated flood plain, nor is it at risk from any type of flooding, and there would be an increase in permeable areas to allow for run off.

The BIA was carried out in accordance with the structure identified in CPG4 and DP27 and it was not necessary to process past the scoping stage (the screening stage identified only positive outcomes which lead to further details being provided in the screening stage).

Given the low risk of the site the submitted BIA is considered to be acceptable.

CIL

The proposal would be liable for both the Mayor of London's CIL and Camden's CIL as it exceeds 100sqm.

Summary

It is considered that the proposed scheme by reason of the bulk, scale, mass and detailed design would appear incongruous and out of character with the pattern of development in the area.

Recommendation: Refuse Planning Permission.