

Delegated Report		Analysis sheet		Expiry Date:	01/02/2016
(Members Briefing)		N/A / attached		Consultation Expiry Date:	12/01/2016
Officer			Application Number(s)		
Kate Phillips			2015/6822/P		
Application Address			Drawing Numbers		
15-17 Goodge Street London W1T 2PQ			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Change of use of 3rd and 4th floor levels from restaurant and ancillary office use (Class A3) to create 1 no. self-contained flat (Class C3); three storey rear extension following removal of fire escape stairs; mansard roof extension and creation of roof terrace above; relocation of metal railings; relocation of plant; alterations to fenestration; and associated works.					
Recommendation(s):		Granted Subject to a Section 106 Legal Agreement			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	10	No. of responses	00	No. of objections	00
			No. Electronic	00		
Summary of consultation responses:	A site notice was displayed on 18/12/2015 and a press notice was displayed on 22/12/2015. No comments were received.					
Charlotte Street Association	<p>The comments are summarised below:</p> <ul style="list-style-type: none"> • The ventilation plant will cause serious noise nuisance - the applicant's consultants have recorded a night time minimum noise level of 47db, this is considerably higher than levels previously recorded in the immediate vicinity and can be only explained by a nearby malfunctioning installation. • The council's usual response is the installation will be conditioned by the usual noise clause is no consolation to nearby residents since it takes the resource-strapped enforcement team years to resolve such problems; far better to resolve them at the design stage. • Alternatively the matter could effectively be dealt with by an hours limitation. • On a design matter; we think the proposed condition that the terrace handrail should be black is mistaken. Based on evidence elsewhere we feel that a cloud grey colour minimises the impact more effectively than black. <p>Officer comment</p> <p><i>The application proposes the relocation of existing plant, rather than new plant. The original permission for the plant (2011/6145/P) included conditions to mitigate the impact on the wider area. Suitable planning conditions can be attached to this permission to mitigate against noise impacts, including a condition to limit the hours of operation of the plant/equipment (0000 hours to 1000 hours).</i></p> <p><i>This application relates to the conversion of the upper floors of the building from restaurant and ancillary restaurant use to residential use. It would not be appropriate, as part of this application, to place limitations on the opening hours of the already established restaurant.</i></p> <p><i>The metal railing around the roof terrace would be barely visible in the public realm. As such, it is not considered to be necessary to request a different colour.</i></p>					

Site Description

The application site is Nos. 15-17 Goodge Street; a 5-storey 1950's building with a basement and a mansard roof, which occupies a corner plot on the southeast corner of Whitfield Street and Goodge Street. The building has a curved edge and continuous fenestration wraps around each level of the building. On the Whitfield Street elevation there are porthole-style windows to serve the stairwell.

The building is currently occupied by a Spaghetti House restaurant and there are outdoor eating areas associated with the restaurant on the pavements on each side of the building.

The application site is within the Charlotte Street Conservation Area. It is also within the designated Goodge Street Central London Area Neighbourhood Centre.

Relevant History

15-17 Goodge Street

2011/6145/P - Replacement of windows with enlarged windows at ground floor level to Whitfield Street and Goodge Street elevations, replacement of entrance door, installation of 3x condenser units to main roof, 1x condenser unit at ground floor on rear elevation and new extract duct from basement to ground floor level of existing restaurant (Class A3) (Retrospective). – Granted 15/10/2012.

2011/4631/TC - 7 Tables, 14 Chairs and 3 Barriers Monday to Saturday 10:00 am until 23:00 pm Sunday 10:00am until 22:30pm Renewal application - Granted 21/10/2011.

9500081 - The installation of kitchen extract duct work on the roof as shown on drawing numbers 9064B as revised by letter dated 8 September 1995. - Granted with conditions 15/12/1995.

11-13 Goodge Street

2013/6456/P - Erection of 1st to 4th floor levels above retained ground floor to form a 5 storey building following demolition of upper floors, including new mansard across 11-13 Goodge Street to provide 3 x 2bed flats and 1 x 3bed flat and erection of 3 storey rear extension at first to third floor. (APPLICATION A: SINGLE COLOUR BRICK) - Granted subject to a Section 106 legal agreement 13/02/2015.

2013/6455/P - Erection of 1st to 4th floor levels above retained ground floor to form 5 storey building following demolition of upper floors, including new mansard across 11-13 Goodge Street to provide 3 x 2bed flats and 1 x 3bed flat and erection of 3 storey rear extension at first to third floor. (APPLICATION B: 2 COLOUR BRICKS). – Granted subject to a Section 106 legal agreement 13/02/2015.

2006/3769/P - Redevelopment of the site involving the demolition of 11-13 Goodge Street and construction of a new 5 storey building comprising 7 self-contained residential flats (Class C3) (6x1 bed and 1x2 bed units) on the upper floors and provision of retail (Class A1) at ground and basement levels. – Refused 06/12/2006.

Relevant policies

National Planning Policy Framework (2012)

London Plan 2015 consolidated with alterations

LDF Core Strategy and Development Policies 2010

CS1 Distribution of growth

CS2 Growth areas

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS7 Promoting Camden's centres and shops
CS8 Promoting a successful and inclusive Camden economy
CS11 Promoting sustainable and efficient travel
CS14 Promoting high quality places and conserving our heritage
CS18 Dealing with our waste and encouraging recycling

DP1 Location and management of Camden's growth
DP2 Making full use of Camden's capacity for housing
DP5 Homes of different sizes
DP12 Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses
DP13 Employment sites and premises
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
DP21 Development connecting to the highway network
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

Camden Planning Guidance

CPG1 Design (2015)
CPG2 Housing (2015)
CPG3 Sustainability (2015)
CPG5 Town centres, retail and employment (2013)
CPG6 Amenity (2011)
CPG7 Transport (2015)

Fitzrovia Area Action Plan (March 2014)

Charlotte Street Conservation Area Appraisal and Management Strategy (2008)

Assessment

1. Proposal

1.1 This application seeks planning permission for a change of use of the upper floors of the building (third and fourth floors) from restaurant and ancillary office use (Class A3) to residential use (Class C3) to create 1 no. self-contained 2-bed flat.

1.2 The proposal involves a three storey rear extension following the removal of the fire escape stairs; an extension to the existing mansard roof and the creation of a roof terrace above; the removal of the lift overrun; the relocation of metal railings and the relocation of plant; and alterations to the fenestration.

2. Amendments

2.1 The following amendments have been made during the course of the application:

- Provision of 2 no. cycle spaces instead of 1
- Omission of fourth floor porthole window

3. The principle of development

3.1 The application site is within the designated Goodge Street Central London Area Neighbourhood Centre. CPG5 notes that uses such as food and drink uses can make a positive contribution to the character, function, vitality and viability of such centres.

3.2 This application involves the loss of A3 floorspace at the third and fourth floors of the host building; however, the restaurant would continue to occupy the basement, ground, first and second floors of the building and the proposed self-contained residential unit would occupy the third and fourth floors. Insofar as there are no specific policies in the LDF that specifically seek to protect food, drink and entertainment uses above ground floor level, the loss of the A3 floor space is considered to be acceptable.

3.3 Housing is regarded as the priority land-use of the LDF. The principle of the development is therefore considered to be acceptable, subject to the detailed considerations below.

4. Dwelling mix and living standards of future occupiers

4.1 The proposal would provide 1 no. 2-bedroom-4-person unit. The proposal therefore contributes to the priorities set out in the Dwelling Size Priorities Table (Policy DP5), insofar as 2- bed units have very high priority.

4.2 The proposed new residential unit would far exceed the Government's current technical housing standards for a 2-bed-4-person, two storey dwelling: the requirement is 79sqm, whereas the new unit would measure 145sqm (plus an extra 33sqm of space on the roof terrace).

4.3 The new dwelling would provide a good standard of residential accommodation in terms of layout; space and room sizes; storage and utility spaces; daylight and sunlight; privacy and security. The dwelling would be dual-aspect and would enjoy a good outlook onto both Goodge Street and Whitfield Street. The provision of outdoor space (the roof terrace) is also welcomed.

4.4 Subject to suitable planning conditions, the new dwelling would provide a good standard of residential accommodation in terms of noise / fumes transfer from the restaurant below and external noise sources.

5. Impact on the conservation area

5.1 The application site is located within the Charlotte Street Conservation Area, wherein the Council has a statutory duty, under section 72 (Conservation Areas) of The Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

5.2 The proposal involves an extension to the existing mansard roof and the creation of a roof terrace above; alterations to the fenestration; the relocation of plant; and the removal of the lift overrun and the rear fire escape stairs.

5.3 The proposed alterations to the mansard roof would match the approved works at Nos. 11-13 Goodge Street, which is acceptable. Lengthening the windows is also acceptable and will provide extra light to the new dwelling.

5.4 The proposed roof terrace with the metal balustrade is unlikely to be visible, except in long distance views of the application building (for example, from Whitfield Street or Goodge Street). Nevertheless, when viewed against the backdrop of other buildings, it is not considered that it would detract from the character and appearance of the host building or the wider area.

5.5 The relocation of the plant and the removal of the lift overrun and the rear fire escape stairs are welcomed.

5.6 Overall, it is considered that the proposal would preserve and enhance the character and appearance of the Charlotte Street Conservation Area. The proposal is therefore considered to be acceptable in this respect.

6. Impact on the visual and residential amenities of nearby and neighbouring properties

6.1 It is not considered that the proposal would cause undue harm to the visual and residential amenities of nearby and neighbouring residential properties by way of visual privacy and overlooking, overshadowing or outlook or sunlight/daylight.

6.2 The application proposes the relocation of existing plant. The original permission for the plant (2011/6145/P) included conditions to mitigate the impact on the wider area. Suitable planning conditions can be attached to this permission to mitigate against noise impacts, including a condition to limit the hours of operation of the plant/equipment (0000 hours to 1000 hours).

6.3 A further condition can require the submission and approval of details of a suitable cleaning schedule and/or maintenance contract for the extract system and odour control system, to mitigate against the transfer of cooking smells into the new residential unit.

7. Transport considerations

7.1 The application site has a Public Transport Accessibility Level (PTAL) of 6b and is within a Controlled Parking Zone (CA-E: Bloomsbury & Fitzrovia). Policy DP18 expects development to be car-free in the Central London Area. This permission is therefore subject to a legal agreement to ensure the dwelling is car-free. The legal agreement will also secure a contribution towards highways works that are required as a result of the proposal.

7.2 Two cycle parking spaces will be provided within the flat, which is acceptable.

Recommendation: Grant Planning Permission subject to conditions and a section 106 legal agreement.

DISCLAIMER: Decision route to be decided by nominated members on *Monday 29th February 2016*. For further information please go to www.camden.gov.uk and search for 'members briefing'.