

Delegated Report		Analysis sheet		Expiry Date:		22/04/2016	
		N/A / attached		Consultation Expiry Date:		29/04/2016	
Officer				Application Number(s)			
Kate Phillips				2016/0001/P			
Application Address				Drawing Numbers			
159 Queen's Crescent London NW5 4EA				Site Location Plan at 1:1250; 437815/21; 437815/22			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Change of use of part of ground floor from ancillary retail use (storage area) (Class A1) to create 1x studio flat (Class C3)							
Recommendation(s):		Refuse					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	15	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		No consultation responses have been received.					
CAAC/Local groups comments:		N/A					

Site Description

No. 159 Queen's Crescent is a mid-terrace, 3 storey building on the north side of the road. The building comprises a retail unit on the ground floor with residential accommodation on the upper floors. At the time of the officer's site visit (06/05/2016) the retail unit was empty with shutters on the front elevation, and the fascia had been painted blank.

The application site is within a designated Neighbourhood Centre (Queen's Crescent). Nos. 155-163 Queen's Crescent are locally listed. The Local List description notes that the buildings have architectural, historical and social significance. The shops have retained elements of good quality historic shopfronts, including decorative console brackets, timber mullions and fascias. No. 159 retains a retractable awning and is the site of the first branch of Sainsbury's (John and Mary Sainsbury and 6 of their children lived over the shop). It survived as a Sainsbury's store until after WWII.

The application site is also within a Local Flood Risk Zone and a Neighbourhood Planning Area (Fortune Green and West Hampstead).

Relevant History

2016/1793/P – Prior approval - Change of use from retail (Class A1) to residential (Class C3) to create 2x studio flats (Class C3) – Prior Approval Required – Approval Refused 16/05/2016.

2015/5116/P - Erection of mansard roof extension to provide 1 x studio apartment – Granted 18/12/2015.

2008/3587/P - Erection of a mansard roof extension to provide an additional 1-bedroom flat – Granted 31/03/2009.

2007/5428/P - Erection of mansard roof extension, plus additional storey to existing three-storey rear extension to create a 2-bedroom self-contained flat, plus replacement of roof over existing yard to create additional retail floorspace at ground floor level – Refused 26/02/2008.

PEX0300103 - Change of use at ground floor from class A1 (retail) to class A2 (betting Office) – Refused 16/04/2003.

8500527 - Change of use including works of conversion to form two self-contained flats on the first and second floors and the roofing of the rear ground floor workshop – Granted 17/07/1985.

23490 - Roofing over rear yard to provide an extension to the plate-making area, and a new roof to part of the existing back addition – Granted 16/11/1976.

Relevant policies

LDF Core Strategy and Development Policies

National Planning Policy Framework (2012)

London Plan 2015

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
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
DP28 Noise and vibration

Camden Planning Guidance

CPG1 Design (2015)
CPG2 Housing (2015)
CPG5 Town Centres, Retail and Employment (2013)
CPG6 Amenity (2011)
CPG7 Transport (2011)
CPG8 Planning Obligations (2015)

London Housing Design Guide (2010)

Assessment

Proposal

- 1.1 This application seeks planning permission to change the use of part of the ground floor from ancillary retail use (storage area) (Class A1) to create 1x studio flat (Class C3).
- 1.2 No external changes to the front of the host building are proposed.
- 1.3 At the rear, the proposal involves the erection of a 1.8 metre high close boarded fence in the rear courtyard. The external wall of the existing storage area adjacent to the courtyard would be brought forward by approximately 0.4 metres and French doors would be installed in this elevation, to provide access to the rear courtyard.
- 1.4 The new studio flat would be accessed from a communal hallway in the host building. The main entrance to the building is on Queen's Crescent, adjacent to the shopfront.
- 1.5 The studio flat would comprise of a kitchen/dining room, a lounge/bedroom and a bathroom.
- 1.6 The works also involve the creation of a new WC in the rear part of the retail unit.

The principle of development

- 1.7 The application would involve the loss of ancillary Class A1 floor space at ground floor level; however, the retail unit fronting onto Queen's Crescent would remain and it would still benefit from a room at the back which is separate from the main shopping area. On balance, this is considered to be acceptable and would not harm the viability of the A1 unit to the front of the site.
- 1.8 Housing is a key priority of the LDF and therefore the creation of an additional residential unit is considered to be acceptable in principle, subject to the detailed considerations below.

Dwelling mix and living standards for future occupiers

- 1.9 Policy DP5 seeks to ensure that all residential development contributes to meeting the priorities set out in the Dwelling Size Priorities Table (DSPT). The DSPT indicates that (for market housing) 2-bed flats have the highest priority, whereas studios have the lowest priority; however, the size of the unit is not large enough to provide more bedrooms. On this basis, the provision of a 1-bed unit is considered to be acceptable.
- 1.10 The Government's current technical housing standards require a 1-bed-1-person unit to provide 39 sqm of space (37 sqm if providing a shower instead of a bath), including 1 sqm of built-in storage space. The new residential unit would meet the Government's current technical space standards for a studio flat, insofar as it would provide 38 sqm of space (this is on the assumption that a shower is provided instead of a bath and there appears to be sufficient room in the kitchen/dining room to provide the required level of built-in storage).
- 1.11 Policy DP26 requires developments to provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space; facilities for the storage, recycling and disposal of waste; facilities for bicycle storage; and outdoor space for private or communal amenity space, wherever practical.

- 1.12 The proposed new residential unit would provide acceptable room sizes and there appears to be sufficient space to accommodate facilities for the storage, recycling and disposal of waste. The new unit would also benefit from a small amount of private outdoor space, where it may be possible to store a bicycle, in the rear courtyard.
- 1.13 However, the internal arrangement of the new unit is not considered to be acceptable. CPG2 (Housing) guides that all rooms in self-contained units should lead off a hallway or lobby so that it is possible to access any habitable room without passing through another habitable room (N.B. CPG2 classes living rooms, dining rooms, kitchen/diners and large bedrooms as habitable rooms). In this case, one would enter the studio flat via the kitchen/dining area and one must pass through this room to access the living/sleeping area and then the outdoor amenity space. This is not considered to represent an acceptable layout.
- 1.14 The outlook from the new dwelling would also be poor. CPG6 (Amenity) guides that developments should be designed so that occupiers have a pleasant outlook; and attention should be paid to the proximity of structures to windows, to avoid an overbearing or dominating effect. In this case, the kitchen/dining room window and the French doors from the living/sleeping area would face onto the private outdoor amenity space; however, the space would only measure approximately 7 sqm and the space would be enclosed by relatively high walls and the proposed close boarded fencing (1.8 metres high). The outlook from the new residential unit is not considered to be meaningful or pleasant and it is considered that future occupiers would feel a sense of enclosure as a result of the limited outlook and the high boundary treatment in the rear courtyard.
- 1.15 The proposed new dwelling would not provide an acceptable living environment for future occupiers, contrary to the requirements of Policy DP26. Furthermore, the NPPF places a presumption in favour of sustainable development; however, the development would fail to fulfil the social role necessary to achieve this. The positive elements of the scheme are not considered to outweigh the harm that would be caused and the application is therefore recommended for refusal on this basis.

Impact on the character and appearance of the host building, the street scene and the wider area

- 1.16 No external changes to the front of the host building are proposed. As such, there is unlikely to be a detrimental impact on the character and appearance of the street scene along Queen's Crescent.
- 1.17 At the rear, the external wall of the storage area would be brought forward by approximately 0.4 metres and French doors would be installed in this elevation. It is not considered that these changes would detract from the character and appearance of the host building or the wider area.
- 1.18 The proposal also involves the erection of a 1.8 metre high close boarded fence in the rear courtyard to separate the private outdoor amenity space for the new residential unit from the space belonging to the retail unit; and to prevent overlooking between the two separate uses. Whilst the subdivision of the rear yard in this way would detract from the openness at the rear of the building, the detrimental impact is not considered to be sufficient to warrant a refusal of the

application on this basis.

1.19 Overall, the proposal is considered to be acceptable in this respect.

Impact on the visual and residential amenities of the neighbouring properties

1.20 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.

1.21 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. Neither is noise transfer between the separate flats in the host building likely to pose a significant problem.

1.22 Overall, the proposal is considered to be acceptable in this respect.

Transport implications

1.23 The application site has a PTAL rating of 3 and is within the West Kentish Town controlled parking zone (CPZ). Policy DP18 expects development to be car free in areas within CPZs that are easily accessible by public transport. The provision of any parking permits to future occupants would put pressure on the availability of on-street parking in the vicinity of the site and have associated traffic impacts with vehicles searching for spaces.

1.24 Subject to a Section 106 legal agreement designating the development as 'car free', the proposal would be considered to have an acceptable impact on the highway network. However, the applicant has failed to enter into a Section 106 legal agreement and therefore the application is recommended for refusal on this basis also.

1.25 If the application was otherwise considered to be acceptable, a condition could require the submission and approval of details of cycle parking to serve the new residential unit.

Recommendation: Refuse planning permission.