

Delegated Report		Analysis sheet		Expiry Date:	29/06/2016
		N/A		Consultation Expiry Date:	16/06/2016
Officer			Application Number(s)		
Tessa Craig			2016/2507/P		
Application Address			Drawing Numbers		
150 Haverstock Hill London NW3 2AY			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Change of use from shop (Class A1) to provide a 2 storey, 2 bed dwelling (Class C3) with roof terrace including partial demolition of existing building, alteration to front façade, erection of front boundary wall and erection of first floor extension.					
Recommendation(s):		Refuse Planning Permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	12	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	<p>A site notice was displayed 26/05/2016- 15/06/2016 and a press notice was advertised on 26/05/2016. Objections were received from:</p> <p>2A Upper Park Road; 148 Haverstock Hill; 150a Haverstock Hill; 152c Haverstock Hill.</p> <p>The objections relate to:</p> <ul style="list-style-type: none"> • Overlooking into gardens; • Loss of light; • Overshadowing; • Maintenance access; • Obscure views of listed building; • Daylight/sunlight report inaccurate; • Noise and air pollution from bathroom; • Inaccurate drawings; • Neighbouring windows missing from drawings; • Design of privacy screen; • Privacy; • Sense of enclosure; • Solar panels; • Loss of commercial property; • Cycle and bin store in front elevation 					
CAAC/Local groups* comments: *Please Specify	Parkhill CAAC- no response received.					

Site Description

The subject site is located on the north east side of Haverstock Hill and is a single storey A1 commercial unit in a group of three commercial frontages stretching from the subject site to the corner of Upper Park Road. The property is within the Parkhill and Upper Park Conservation Area and is a building which makes a positive contribution to the Conservation Area.

To the north of the site the buildings are four storeys high with front dormer windows. To the south is 148 Haverstock Hill a Grade II listed building which abuts the subject property. Above ground level the properties to the north are residential and to the south, the properties are residential. 150a Haverstock Hill is tucked in behind 150 Haverstock Hill and has access via a side passageway.

Relevant History

None.

Relevant policies

National Planning Policy Framework 2012

Paragraphs 14, 17, 56-66 and 126-141

London Plan March 2015

Policies 3.3, 3.5, 7.4, 7.6 and 7.8

LDF Core Strategy and Development Policies

CS1 - Distribution of growth

CS5 - Managing the impact of growth and development

CS8 - Promoting a successful and inclusive Camden economy

CS14 - Promoting high quality places and conserving our heritage

CS11 - Promoting sustainable and efficient travel

CS18 - Dealing with our waste and promoting recycling

DP2 - Making full use of Camden's capacity for housing

DP5 - Homes of different sizes

DP6 - Lifetime homes and wheelchair homes

DP13 - Employment premises and sites

DP14 - The transport implications of development

DP17 - Walking, cycling and public transport

DP18 - Parking standards and limiting the availability of car parking

DP20 - Movement of goods and vehicles

DP24 - Securing high quality design

DP26 - Managing the impact of development on occupiers and neighbours

DP28 - Noise and vibration

Camden Planning Guidance

CPG1 (Design) Pages 9-14 and 35-38

CPG2 (Housing) Pages 59-68

CPG5 (Town centres, retail and employment) Pages 83-87

CPG6 (Amenity) Pages 25-38

CPG7 (Transport) Pages 25-28

Parkhill and Upper Park Conservation Area Appraisal and Management Strategy 2011

Assessment

1.0 Proposal

- 1.1 Planning permission is sought for the change of use of the unit from an A1 commercial use to C3 residential use and the erection of a first floor extension with rear roof terrace to form a two bedroom single dwelling house. Part of the front elevation of the existing unit would be demolished (4.2m²) to form a 1.2m setback from the street where a front boundary wall will be erected and a small forecourt will serve as a waste and cycle storage space.
- 1.2 The proposed first floor extension shall be 10m deep, 2.9m high, 4.2m wide and tapering back to 2.8m at the rear, three front elevation windows and two rear elevation glazed doors and a sedum roof are proposed. The extension shall have a flat roof and a rooflight near the middle. The terrace at the rear shall include a walk on rooflight, a 1.6m high opaque privacy screen on all sides and shall be 9.5m². The proposed materials are London stock brick and timber framed windows.

2.0 Assessment

- 2.1 The main issues for consideration are:

- Land use;
- Quality of accommodation;
- Design;
- Residential Amenity;
- Transport;
- Waste/refuse;
- Sustainability;
- CIL/other matters

Land Use

- 2.2 CS8 and DP13 (Employment premises and sites) seek to retain land and buildings that are suitable for continued business use and will resist a change to non-business use unless it can be demonstrated that the site is no longer suitable for its existing business use or there is evidence that the possibility of retaining, reusing or redeveloping the site has been fully explored over time.
- 2.3 The existing unit is currently occupied by hairdressers and is 42m². The property is outside of a town/neighbourhood centre and is one of a group of three commercial units. 152 Haverstock Hill has recently (2015/2016) been granted permission for change of use from A1 to D1 (dental practice) and A1 to A3 (restaurant) although neither of these permissions have been implemented yet. 154 Haverstock Hill has been given permission for change of use from A3 to C3 (residential). Given the unit is outside of a neighbourhood centre, the loss of the A1 unit is considered acceptable in this case.

Priority Dwelling sizes

- 2.4 The Council's LDF sets out priorities for dwelling sizes in policy DP5. This seeks to ensure that all residential development contributes to the creation of mixed and inclusive communities by securing a range of homes of different sizes. The new residential unit is two bedroom. The policy sets out that the highest priority in this tenure is for 2 bedroom units. A one bedroom unit is a low priority within the priority table. The proposed unit size is therefore acceptable in terms of number of bedrooms.

Standard of accommodation

- 2.5 Policy 3.5 of the London Plan promotes high quality design of housing development that takes into account its physical context, local character, density, tenure and land use mix and relationship with, and provision for public, communal and open spaces taking into account the needs of children and older people.
- 2.6 From 1st October 2015 the planning authority are no longer able to apply Lifetime Homes Standards, housing designed in line with our wheelchair design guide, and our space standards for dwellings in CPG2. New build residential developments now must comply with the national space standards (reflected in the London Plan) and access standards in Part M of the Building Regulations.
- 2.7 New development should conform to the minimum space standards set out in Table 1 of the 'Technical housing standards- nationally described space standards March 2015'. For a two bedroom three person dwelling over two floors the minimum space requirement is 70sqm. The proposed residential unit measures 66.2sqm and is therefore below the minimum space requirement for a two bed, three person dwelling with a shortfall of 3.8sqm. Furthermore the bedroom would fall short of the required 11sqm for double and first bedrooms. It is therefore considered the proposed accommodation would be substandard in terms of space. The London plan Housing SPG notes the space standards are the minimum requirements and should be exceeded, due to this shortfall the proposed unit is not considered a suitable size.
- 2.8 Furthermore in respect of daylight, sunlight, outlook and sense of enclosure for future occupiers of the unit. Within the ground floor level, the living room to the front would be served by a single window which would provide sufficient outlook and daylight for that room. However to the rear would be the kitchen/dining area, measuring 6.4m deep and 2.4m wide and would be served only by a rooflight to the rear elevation. This is considered to be a habitable room and is likely to be where future occupiers would spend a large portion of their time when within the unit, it is considered the proposed area would not have sufficient outlook nor would they received sufficient daylight and sunlight within this room. The applicant has not provided a daylight and sunlight assessment to demonstrate this room would receive a sufficient level of light. It is therefore considered that the proposed kitchen/dining area would not achieve an acceptable level of light and would have poor outlook to the detriment of future occupiers.
- 2.9 With regard to privacy, it is considered future occupiers would have a suitable level of privacy when within the unit.

Design

- 2.10 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within Policy DP24 are relevant to the application - the development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials used.
- 2.11 Camden Planning Guidance 1 (Design) paragraphs 4.10-4.15 states that extensions should be designed proportionally in relation to the existing buildings and groups of buildings and in

particular should be secondary to the building being extended in terms of form, scale and proportions.

- 2.12 At present, the gable end of the listed building, an important early 19th-century house, and the side elevation of its two-storey side extension are fully visible above ground-floor level, with the existing shop forming a modest link between them and the larger corner building. The upper parts of the front of the listed building are also visible at wide angles from along the street. The structure 150 is a modest lock-up shop of neo-Classical influence, featuring a substantial fascia atop pilasters crowned with a heavy, splayed cornice, and considered to be a positive contributor to the conservation area. While currently in poor condition and marred by garish plastic signage, the underlying shopfront is attractive and could be restored to its former splendour. Furthermore, 150 Haverstock Hill is noted as a positive contributor, which means that there is a strong presumption against its total or substantial demolition.
- 2.13 The proposal would obscure the side elevation and the long diagonal views of the front of the Grade II listed building, to the detriment of its setting and of the character and appearance of the Parkhill and Upper Park Conservation Area, to which the listed building makes a positive contribution. There would also be disruption to the drainage of the roof of the listed building's side extension, which currently overhangs the shop, while the view of the clapboard rear of 2 Upper Park Road would be interrupted. It is considered that the proposed development would harm the setting of the Grade II listed building as it would fail to pay regard to its character and proportions and would infill the gap between No.148 and No.150a and 152, causing harm to the historic character and setting of the listed building, contrary to DP25.
- 2.14 Consequently, the proposal would harm the setting and special interest of 148 Haverstock Hill, destroy the positive contributor at 150 and detract from the character and appearance of the Parkhill and Upper Park Conservation Area, contrary to DP24 and 25, and CS14.

Residential Amenity

- 2.15 Policy CS5 seeks to protect to the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore, policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 seeks for developments to be 'designed to protect the privacy of both new and existing dwellings to a reasonable degree' and that the Council 'aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers'.
- 2.16 The applicant has provided a daylight/sunlight assessment to accompany the application. The report has numbered the neighbouring windows to the north and south of the site to explain the impact on daylight and sunlight. The report concludes that there will be a reduction in daylight and sunlight to neighbouring properties, however that the impact will be negligible under BRE guidance. The proposed development would result in a two storey building with blank flank walls approximately 1.2m away from existing windows to the north at 152 and 150a Haverstock Hill. Whilst the proposed extension does not extend fully to the rear of the site, the 1.6m high opaque screen will also impact on sense of enclosure for neighbours to the north. It is considered the proposal would be harmful in terms of loss of light and outlook for these properties and would therefore be unacceptable in terms of impact on residential amenity. This is due to the introduction of built form in such close proximity to those impacted windows.
- 2.17 The proposed development would result in overlooking from first and second floor side windows and the second floor level rear balcony of Flat 2 along with the lower ground level courtyard serving Flat 1. Prospective occupiers of the subject units would be able to overlook the

surrounding properties at 76 Crediton Hill and 324-326 to the north in particular. The development would therefore result in a significant loss of privacy for those neighbouring occupiers. It is noted the side elevation windows could be opaque glazed to overcome overlooking, however, there would still be concern due to the significant amount of overlooking and loss of privacy resulting from use of the rear terrace and lower courtyard. The current site has a commercial use and Officers consider that the introduction of a residential use along with the above would introduce a significant level of overlooking that currently does not exist.

Transport

Car parking

- 2.18 The site is located on Haverstock Hill and has a public transport accessibility level of 3. In accordance with policy DP18 as the site has moderate public transport and is located within a controlled parking zone and in order to prevent the development from adding to existing parking stress in the surrounding area, the proposed residential unit would be secured as car free by means of the Section 106 Agreement. Given the context of the recommendation this consequently forms a further reason for refusal of the application, although an informative will also specify that without prejudice to any future application or appeal, this reason for refusal could be overcome by entering into a legal agreement in the context of a scheme acceptable in all other respects.

Cycle parking

- 2.19 The Council expects cycle parking at new developments to be provided in accordance with the standards set out in the London Plan of March 2015. For residential developments this requires the provision of 2 spaces per unit.
- 2.20 The proposal includes two cycle stores on the front forecourt; however these are next to the refuse bins. The proposal should be amended so that separate cycle parking and refuse stores are provided, if possible. Locating the cycle parking next to the refuse bins would discourage residents from owning a bicycle and therefore from cycling. Details of the cycle parking facilities, access routes and cycle store would need to comply with the guidance provided within CPG7.
- 2.21 Therefore, the proposed cycle parking plans are unacceptable in their current format. As this matter could be overcome by a planning condition requiring further details of cycle parking, if the scheme was considered acceptable, this matter does not form a reason for refusal.
- 2.22 Given the level of works involved it is considered necessary to secure a financial contribution towards highways works, to make good any damaged caused as a result of the development. Such a contribution would be secured via a Section 106 legal agreement, given permission is to be refused a reason for refusal in regard of the absence of a Section 106 agreement shall be used.

Waste and Refuse

- 2.23 A bin store has been proposed at ground level in the front forecourt and this is considered to be acceptable for a single residential unit.

Sustainability

- 2.24 With regard to Sustainability, the applicant has provided a sustainability report which acknowledges that Code for Sustainable Homes is no longer in existence, however the proposal has been designed in a manner to achieve Code Level 4, and thereby would provide a sustainable development. As with all new developments a Section 106 legal agreement would

be used to secure the Sustainability Plan to ensure the appropriate energy and resource efficiency measures are employed in the detailed design and build of the development. Given permission is to be refused a reason for refusal shall be used in the absence of a Section 106 legal agreement.

CIL

- 2.25 As the proposal would involve the creation of new residential uses, it may be liable for the Mayor's and Camden's Community Infrastructure Levy (CIL). A standard informative would normally be attached to any approved decision notice drawing CIL liability to the Applicant's attention.

3.0 Recommendation

Refuse planning permission.