

Delegated Report		Analysis sheet		Expiry Date:	19/05/2016
		N/A		Consultation Expiry Date:	30/05/2016
Officer			Application Numbers		
Samir Benmbarek			2016/1476/P		
Application Address			Drawing Numbers		
29 Chalton Street London NW1 1JD			29CH-01; 29CH-02; 29CH-03; 29CH-04; 29CH-05; 29CH-06; 29CH-07; 29CH-08 (OS Map); 29CH-09; Design and Access Statement		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of 4 th floor roof and rear extension and alterations at 3 rd floor level to form a 2 bedroom flat.					
Recommendation:		Refuse Planning Permission			
Application Type:		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	29	No. of responses	03	No. of objections	03
Summary of consultation responses:	<p>Neighbour consultation letters were sent to adjoining properties on 09 May 2016. Two objections have been received to date from the following addresses:</p> <ul style="list-style-type: none"> • Flat 5, Avigail House, 25 Chalton Street • Flat 4, Lamia House, 31A Chalton Street • 25 Chalton Street (by way of their Building Surveyor) <p>The above have objected/commented on the following grounds:</p> <ol style="list-style-type: none"> 1. Previous application led to reduction in sunlight and an extra storey as well as extending outwards would heighten loss of sunlight 2. Privacy due to overlooking into bedrooms at the upper floors 3. Development upon a party wall 4. Building works disrupting quality of life and privacy <p>Officer's Comments</p> <ol style="list-style-type: none"> 1. Please refer to paragraph 3.1. 2. Please refer to paragraph 3.2. 3. Although a consideration, party wall issues do not substantiate a reason for refusal in this instance. The Party Wall Act 1996 provides framework for party wall issues. 4. Although a consideration, complying with building regulations does not substantiate a reason for refusal in this instance. 					
CAAC/ National Amenity Society comments:	N/A					

Site Description

The application relates to a four storey building on the western side of Chalton Street. The property is not within a Conservation Area, nor is it a Listed Building.

The building is within close proximity to several locally listed buildings along Chalton Street (Nos. 37, 39, 41 & 43).

Relevant History

No. 29 Chalton Street (application site):

(Ref 2013/3876/P)- Planning Permission refused (12/09/2013) and allowed on appeal (22/04/2014) for the erection of a part one part three storey rear extension to enlarge existing first, second and third floor flats with associated balcony and roof terraces with railing and fence enclosures.

Planning permission was refused for the following reasons:

1. *"The proposed part one part three storey rear extension, by reason of its excessive scale, height and bulk in this location, would be detrimental to the character and appearance of host building, the group of buildings it forms a part of, and the wider area generally, contrary to policies CS14 (Promoting high quality places and conserving our heritage) and DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Core Strategy and Development Policies."*

2. *"The proposed roof terraces, by reason of their size and location without the erection of appropriately designed and located privacy screens, would result in overlooking to adjoining properties to the detriment of their residential amenities, contrary to policies CS5 (Managing the impact of growth and development) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Core Strategy and Development Policies."*

In the Planning Inspectorate report, the Inspector commented in regards to design:

"...in this instance given the building's already extended form, its original rear façade profile has been lost... Due there for to its current appearance, the contextual setting and its relationship to the neighbouring buildings, particularly the presence of No. 25, I do not consider that the proposed additions would be to an excessive height, bulk or scale. As such, the building's character and appearance would not be compromised by the development. Neither do I consider that the proposal would be detrimental or prejudicial to the character and appearance of the neighbouring buildings and the immediate area because of the dense urban setting and the surrounding building's differing styles age and form."

The Inspector further commented on overlooking:

"Nonetheless, the issue of privacy could be addressed with the imposition of a planning condition requiring for the installation of suitable boundary screening."

I conclude that, subject to such preventative measures, the living conditions of neighbouring occupiers would not be harmed and, thereby, there would be no conflict with CSDP Policies CS5 and DP26".

(Ref 2013/0755/P)- Planning Permission granted subject to S106 Legal Agreement (04/06/2013) for the change of use of front basement area from office (Class B1) to studio flat (Class C3), and formation of lightwell with glass balustrading to front elevation.

(Ref 2012/2048/P)- Planning Permission refused (13/07/2012) and dismissed on appeal (02/01/2013) for the change of use from retail (Class A1) to 2-bed self-contained flat (Class C3) at ground floor level, retention of studio flat at basement level, creation of light well to front of property with associated railing, replacement of shop front with 2x windows and 1x door at ground floor level and installation of 1x window and 1x door at basement level to front elevation and 2x windows at ground floor level to rear elevation.

(Ref 2005/4593/P)- Planning Permission granted subject to S106 Legal Agreement (23/12/2005) for the erection of a rear second floor and mansard roof extension and internal works of conversion in association with the creation of 2x1 bed flats at basement and roof level and 2x2 bed flats at first and second floors.

No. 31 (A-D) Chalton Street

(Ref 2007/0170/P)- Planning permission granted (31/05/2007) for the erection of mansard roof extension and rear extensions at basement to first floor levels to create 2 additional self-contained flats (Class C3) together with new doors and windows to front and rear elevations.

No. 31A Chalton Street (Lamia House)

(Ref 2016/0826/P)- Planning Permission granted (26/05/2016) for erection of first floor extension including second floor

roof terrace, erection of balustrade and installation of rooflight (revised).

Relevant policies

National Planning Policy Framework, 2012

The London Plan 2016

LDF Core Strategy, 2010

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS6 (Providing quality homes)

CS11(Promoting sustainable and efficient travel)

CS14 (Promoting high quality places and conserving our heritage)

CS13 (Promoting climate change by promoting higher environmental standards)

CS19 (Delivering and monitoring the Core Strategy)

Camden Development Policies, 2010

DP2 (Making use of Camden's capacity for housing)

DP5 (Homes of different sizes)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards and limiting the availability of car parking)

DP19 (Managing the impact of parking)

DP22 (Promoting sustainable design and construction)

DP23 (Water)

DP24 (Securing high quality design)

DP26 (Managing the impact of development on occupiers and neighbours)

DP28 (Noise and vibration)

Camden Supplementary Planning Guidance

CGP1 Design, 2015 – paragraphs 5.7- 5.10, 5.14-5.20

CPG2 Housing 2015 – section 4 and 5

CPG6 Amenity 2013 – section 6 and 7

CPG8 Planning obligations 2015 – section 3 and 10

Assessment

1. Proposal

1.1 Permission is sought for the erection of an additional mansard roof level and rear extension at fourth floor level to form a 2 bedroom flat and associated external alterations.

1.2 The main issues for consideration are:

- The impact of the proposal upon the character or appearance of the host building and the terrace of which it forms part of;
- The impact the proposal may have upon the levels of amenity of the occupiers of the neighbouring properties.
- The quality and standard of the proposed living accommodation
- Transport implications

2. Assessment of Impact on Host Building and Surrounding Area

2.1 Along the western side of Chalton Street, there are multiple examples of three storey buildings which have been extended upwards with an extra storey in the form of a mansard extension. This includes the host building and neighbouring buildings 31, 33 & 35 which reads as a small group and defines the consistent characteristic in this street. Throughout the terrace however, larger purpose built buildings, such as No. 25 (Avigail House) and Nos. 39 & 41 and No. 57 Chalton Street, which have punctured this pattern, rise up to 5 and 6 storeys. These buildings are however not considered 'of' the terrace in terms of character and are newer purpose built additions.

2.2 The group (Nos. 29, 31, 33 & 35) is bounded to the south by the Avigail House (No. 25 Chalton Street) which is a 6 storey residential block and to the north by the 4 storey No. 39 Chalton Street which is currently in use as restaurant on the ground floor with residential above. These buildings are larger and taller in profile and break up the consistent small group of buildings along Chalton Street.

2.3 Within this context, the pattern of the existing roofscape along the western side of Chalton Street is characterised with a variety of building heights ranging from 4 to 6 storeys. The majority however, are 4 storeys in height as a result of later mansard roof extensions, which form a continuous row, albeit punctured with a few instances of much taller purpose built buildings.

2.4 In regards to LDF policies, respecting the local character is an intrinsic aim. In particular DP24 require careful consideration of the characteristics of the site, features of local distinctiveness, and the wider context to be demonstrated in order to achieve high quality development which integrates into its surroundings.

2.5 In considering the proposal against CPG1 (Design), roof alterations or additions are likely to be unacceptable in the following circumstance:

- Buildings or terraces which already have an additional storey of mansard

2.6 Within this policy context, the western side of Chalton Street is characterised with three storey buildings which have been extended upwards with an extra storey in the form of a mansard extension.

2.7 The proposal would remove this consistency at third floor level by introducing an extra storey at fourth floor level which would go against this character by featuring a mansard roof extension above the consistent height established along the terrace. Therefore, the mansard extension by virtue of its location within a terrace and group of buildings which already have mansard roof extensions would be contrary to DP24 and would justify a reason for refusal on this reason alone.

2.8 In regards to its detailed design, CPG1 states that the preferred for a mansard roof addition is 60-70 degrees. The pitch of the proposed mansard extension is 80 degrees which is considered to increase its visual prominence along the streetscene, however this would match the existing mansard at third floor level and the other buildings within the group and would therefore be acceptable in this instance. The materials for the proposed mansard are considered appropriate and in keeping with the existing roofing material.

2.9 In respect of the rear extension, the existing arrangement has been adjudged by the Inspectorate as acceptable and not of an excessive height, bulk or scale or at a compromise to the building (refer to planning history). The additional storey proposed however, is now considered to the contrary. The rear extension is considered as a bulky and incongruous addition to a building which has already been significantly extended. Within this context, the principle of a rear extension at this level and size would justify a reason for refusal on this issue alone.

2.10 In regards to its detailed design, it will be constructed of stock brick and white render and to the rear a terrace will be formed including black powder coated railings to match the existing terraces below which is considered acceptable.

2.11 Notwithstanding the principle objections to the scheme, the external alterations to the host building at third floor level are considered appropriate with treatment being of stock brick with white render and facing windows to match the existing windows on the building.

2.12 To the rear a terrace will be formed including black powder coated railings to match the existing terraces below which is also considered as acceptable.

3. Amenity

3.1 It is considered that the rear extension, by virtue of its height and proximity, would cause adverse amenity impacts upon the sunlight and daylight levels enjoyed by neighbouring occupiers, in particular No. 31 (A-D) No. 31A (Lamia House) and flats within Avigail House which adjoin the applicant building. The additional storey would enclose the 2nd and 3rd floors limiting daylight and sunlight to the rear habitable windows.

3.2 There is a consideration that the erection of the rear extension at fourth floor level which also extends the whole depth of the building would lead to an increased sense of enclosure (loss of outlook) and the less privacy towards the occupants of No. 31 (A-D) and No. 31A Chalton Street as the rear facing windows would be in close proximity to a flank wall measuring 5.5m from third floor level. There would also be more scope for overlooking into neighbouring buildings with an extra storey with the rear balcony which is considered harmful towards the neighbouring occupiers.

3.3 It is expected that there would be a slight increase in noise as there would be a creation of a new residential unit above which would be experienced by the occupants below. However, it is not expected that it would be at adverse levels.

4. Quality of Accommodation

4.1 The proposal would provide 64.00sqm of additional floorspace to the building at fourth floor level which will be used as the proposed two bedroom flat. This exceeds the minimum floorspace requirement as stated by the Department of Communities and Local Government (DCLG) Technical Housing Standards for a 2 bedroom flat of 61.00sqm.

4.2 The bedroom sizes are considered as acceptable for double bedrooms as both comply with the DCLG requirement of 11.5sqm. One bedroom measures 13.6sqm and the other bedroom measures 13.1sqm.

4.3 The new dwelling would provide a good standard of residential accommodation in terms of layout, amenity space, room sizes, sunlight, daylight, ventilation and outlook. However, these occupiers as a result would diminish those amenity levels currently enjoyed by its immediate neighbouring occupiers (see section 3.0).

4.4 The existing building does not have step-free access to the flats within and therefore the proposed additional storey will not be able to meet all the requirements of Part M4(2) of Building Regulations. However, it is considered acceptable in this context, as the proposal will not worsen the situation in relation to accessibility.

5. Transport Implications

5.1 The site's Public Transport Accessibility Level (PTAL) is 6B and the site falls within the Somers Town Controlled Parking Zone.

5.2 As per the requirements of Policy DP18 of the London Borough of Camden Local Development Framework Local Development Policies, should planning permission have been granted, it would have been subject to a car-free legal agreement to ensure that future occupants of the development are aware that they are not entitled to on-street parking permits. Policy DP18 seeks to ensure car-free development in low parking provision areas, which include high areas of PTAL.

5.3 The development should provide 2x cycle spaces in accordance with the London Plan and Camden cycle standards. In this context, due to site restrictions and availability of on-street cycle storage, it is considered acceptable to not impose a condition should planning permission be approved for the provision of cycle storage spaces.

6. Water Usage and Sustainability

6.1 All new build or converted dwellings will be required to achieve 110L per person, per day (including 5L of water for external use) and secured by the relevant condition.

7. Community Infrastructure Levy

7.1 The scheme would be liable for both the Mayoral CIL and the Camden CIL. Based on the information given on the submitted plans and CIL form, the charge is likely to be £3,200 (64.0sqm x £50) for the Mayor's CIL and £32,000 (64.0sqm x £500) for the Camden CIL.

8. Recommendation

Refuse Planning Permission.