

Delegated Report (Refusal)		Analysis sheet		Expiry Date:		14/12/2016	
		N/A		Consultation Expiry Date:		22/11/2016	
Officer				Application Numbers			
Samir Benmbarek				2016/5646/P			
Application Address				Drawing Numbers			
Sussex House Chalton Street London NW1 8FP				Refer to Decision Notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Retrospective permission for the erection of single storey rear extension to facilitate a cycle storage unit to rear of residential building							
Recommendation:		Refuse Permission and Warning of Enforcement Action					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	Site Notice	No. of responses	0	No. of objections	0
Summary of consultation responses:		A site notice was displayed within close proximity to the application site on 01/11/2016 (expiring on 22/11/2016). No objections or comments were received.					
CAAC/ National Amenity Society comments:		N/A					

Site Description

The application site contains a large semi-detached four storey residential building located on the eastern side of Chalton Street on the intersection with Bridgeway Street. The building accommodates 6 self-contained flats (Nos. 29-34) and benefits from a shallow garden area which backs onto a school. The property is not located within a conservation area nor is it a listed building.

There is currently enforcement action being investigated under reference EN16/0667 (Building of office in the back garden).

Relevant History

Nos 29- 40 Sussex House (Application Building):

EN16/0667- Building of an office in the back garden- Enforcement action created 29 June 2016 and action is still pending.

Relevant policies

National Planning Policy Framework, 2012

The London Plan 2016

LDF Core Strategy, 2010

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

Camden Development Policies, 2010

DP24 (Securing high quality design)

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

Camden Supplementary Planning Guidance

CGP1 Design (2015)- chapters 1, 2, and 4

CPG7 Amenity- Chapter 6 & 7

1. Proposal

1.1 Retrospective permission is sought for the erection of a single storey rear extension. The extension is located behind the staircore of the main entrance to the building within the rear garden. The 'as built' plans annotate the addition as a bike store, however, reports have been made to the Council's Planning Enforcement team that it has been used as an office.

1.2 The extension has been constructed out of block bricks and render with uPVC windows and doors. The extension has been developed at the centre of the garden which has resulted in it being subdivided into two smaller areas. There are three access points into the extension with 1x internal access (main access) from the rear of the building at the communal stairwell of Sussex House and 2x external accesses into the garden. The extension also has 2 windows (one on each of the side walls).

1.3 The main issues for consideration are:

- The impact of the proposal upon the character and appearance of the host building and the surrounding area;
- The impact of the proposal on the amenity of the occupiers of the neighbouring properties/flats

2. Assessment of Impact on Host Building and Surrounding Area

2.1 The host building is a four storey residential tenement style building that characterises the local area which is made up of blocks of purpose built housing during the 20th century. To the rear of the application site is Regent High School where access is gained next to Sussex House.

2.2 The host building was unaltered before the extension resulting in a uniform appearance to the building to the rear and an intact garden with no built structures.

2.3 Policy DP24 requires 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.

2.4 In considering the proposal against CPG1 (Design) rear extensions should be designed to:

- Be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing;
- Not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking, and sense of enclosure;
- Allow for the retention of a reasonable sized garden; and
- Retain the open character of the existing natural landscaping and garden amenity, including that of neighbouring properties, proportionate to that of the surrounding area.

2.5 Within the context of the building itself the rear extension is unacceptable. It is not considered to be secondary or subordinate to the building being extended. Its scale and bulk is considered to be dominant with a depth of 3.2m and a width of 5.6m in combination with a height of 4.1m. This has resulted in an out of scale massing and unduly large addition upon the rear of the host building which has materially harmed the appearance of the building to the rear. The resulting

rear elevation has been disrupted.

- 2.6 The location of the extension has unacceptably impacted the access to and enjoyment of the rear garden for existing occupiers.
- 2.7 The detailed design of the extension is considered unacceptable due to the use of uPVC windows and doors which are not acceptable both aesthetically and for environmental reasons, including their relatively short lifespan and inability to biodegrade. The proposal is therefore contrary to CPG1 (Design) para 4.7 as uPVC materials are not supported.
- 2.8 It is further considered by the size of the rear extension, that it is excessive to accommodate 16x cycles (1 cycle per self-contained flat) as anticipated within the Design the Access Statement. An extension of this size is therefore not justified for this purpose. A smaller less harmful development, such as a smaller detached shed or storage structure, could be incorporated to achieve similar sustainable benefits (i.e. covered and secure spaces for cycles). On balance it is not considered that any benefits put forward by the proposed use would outweigh the harm identified above and below.

3. Amenity

- 3.1 The site is neighboured to the rear by Regent School with the development bordering a landscaped area. The proposal would not detrimentally harm the users of the school.
- 3.2 Within the host building itself there are a number of self-contained flats which are in close proximity to the development. It should be noted that the proposal is not an extension of one of the self-contained flats within Sussex House and it is accessed communally via the ground floor.
- 3.3 Within the LDF policies, protecting the quality of life for occupiers and neighbours is important. In particular, policy DP26 seeks to ensure that development will not cause adverse amenity impacts upon neighbouring occupiers in terms of sunlight, daylight, privacy and overlooking, noise and vibration and odour.
- 3.4 It is considered that the rear extension would cause an unacceptably detrimental impact on the living conditions of the occupiers at no. 29 and 30 (ground floor units immediately adjacent of the extension). Both of these residential flats have had ground floors windows bricked up by the extension. In addition, these units have rear facing windows immediately adjacent to the proposal. The constructed extension therefore would result in a material loss of daylight, sunlight and outlook and have an overbearing impact on the occupiers of those units.

4. Recommendation

- a) Refuse Planning Permission.
- b) Authorise enforcement action.

That the Borough solicitor be instructed to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 as amended, and to pursue any legal action necessary to secure compliance and officers be in the event of non-compliance, to prosecute under section 179 or appropriate power and/or take direct action under section 178 in order to secure the cessation of the breach of planning control.

The Notice shall allege the following breach of planning control:

Retrospective permission for the erection of single storey rear extension to facilitate a cycle storage unit to rear of residential building

REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE.

1. It appears to the Council that the above breach of planning control has occurred in the last 4 years
2. The proposed development, by reason of its scale, size, massing and detailed design is an incongruous form of development that would materially harm the character and appearance of the host building and surrounding area. Thus, the proposal is contrary to policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and Policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.
3. The unauthorised single storey rear extension, by reason of its size and location would result in harmful adverse impacts upon the levels of sunlight and daylight to the occupiers of the ground floor flats in Sussex House and would harm the existing outlook to the occupiers of the ground and first floor flats of Sussex House, contrary to policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of growth and development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

What you are required to do

The Notice shall require within a period of 3 calendar months of the Notice taking effect:

- 1) To totally remove the unauthorised rear extension;
- 2) Make good any damage caused as a result of the above works.

