

Delegated Report		Analysis sheet	Expiry Date:	01/12/2017
		N/A	Consultation Expiry Date:	29/11/2017
Officer			Application Number(s)	
David Peres Da Costa			2017/5590/P	
Application Address			Drawing Numbers	
Land Adjacent to 23 Carol Street London NW1 0HT			Refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of a three storey plus basement building to provide live-work unit (Class Sui Generis) comprising artist's studio with 2 bedroom flat (Sui Generis) at 1st and 2nd floor with terrace at 1st floor, balcony at 2nd floor (east elevation), service yard and associated landscaping and access works.				
Recommendation(s):		Grant conditional planning permission subject to s106 legal agreement		
Application Type:		Full planning permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	01
Summary of consultation responses:	<p>A site notice was displayed from 8/11/17 to 29/11/17</p> <p>One objection was received from the occupiers of Unit 13, 43 Carol Street. The following issues were raised:</p> <p>The unit is directly opposite the building site, adjacent to the building lot. We obtained permission to build our studio from Camden Council nearly 6 years ago. We have been running it as a recording studio in that unit for that time. The construction of this building will have a direct impact on our business. We will not be able to run our business with this disruption and noise. Because of this, we will be forced to move the business to another location for the duration of the building works. We request that we be compensated for this. Our studio has a concert grand piano including many other musical instruments and equipment (consoles, Mics, and all that goes with recording.</p> <p><i>Officer's comment: a professional recording studio would be expected to have adequate mitigation to protect it from vibration and noise. The impact on the recording studio in terms of noise and vibration would be controlled through a construction management plan which would be secured by legal agreement.</i></p>					
CAAC/Local groups* comments: *Please Specify	N/A					

Site Description

The site is an area of land between 23 Carol Street and 43 Carol Street. The eastern boundary abuts a terrace of three storey residential dwellings fronting onto Carol Street (1-23 Carol Street). To the west is a single storey multi-let commercial property (43 Carol Street) which has 3 storeys facing onto Bayham Street. The last use of the site was as a yard/garden area in connection with St Martins Community Centre which was located within 43 Carol Street.

The site is not located in a conservation area but the 19th century terraced properties on Carol Street (Numbers 1 to 24) are Local Listed in recognition of their architectural and townscape significance. The site is bounded to the south by St Martins Gardens, an area of designated Public Open Space.

Relevant History

The site has been subject of pre-application advice which has resulted in the current application.

1-23 Carol Street (odd numbers) NW1

8401740: The rehabilitation of 12 houses including the erection of new 2 storey rear extensions incorporating balconies and roof terraces. Granted 30/01/1985

Relevant policies

NPPF

London Plan 2016 consolidated with alterations

Camden Local Plan 2017

- G1 Delivery and location of growth
- H1 Maximising housing supply
- H4 Maximising the supply of affordable housing
- H6 Housing choice and mix
- H7 Large and small homes
- C1 Health and wellbeing
- C5 Safety and security
- C6 Access for all
- A1 Managing the impact of development
- A2 Open space
- A3 Biodiversity
- A4 Noise and vibration
- D1 Design
- D2 Heritage
- CC1 Climate change mitigation
- CC2 Adapting to climate change
- CC3 Water and flooding
- CC4 Air quality
- CC5 Waste
- T1 Prioritising walking, cycling and public transport
- T2 Parking and car-free development
- T4 Sustainable movement of goods and materials
- DM1 Delivery and monitoring

Camden Planning Guidance

Assessment

Land use

Loss of ancillary D1 Use

The last use of the site was as a yard/garden area in connection with St Martins Community Centre which was run by St. Pancras Community Association (SPCA) (D1 use). The community centre has relocated to Plender Street. The redevelopment of land adjoining 43 Carol Street therefore meets the requirements of Policy C2 part g as the previous community facility has been re-provided at Plender Street which has been specifically designed to meet the needs of the local community.

Live/work unit

The Council will not resist the development of live - work premises on sites that are considered suitable for housing provided that they include an appropriate mix of dwelling sizes and types in accordance with other policies including H4 (paragraph 3.29 of Policy H1). The Council will allow live/work developments where they do not result in the loss of sites that are suitable for continued business use or the loss of permanent housing (Policy E2).

Affordable Housing

Policy H4 (maximising the supply of affordable housing) of the Local Plan states the Council will expect a contribution to affordable housing from all developments that include housing and provide one or more additional homes. The Council will generally treat live/work units (Sui Generis) in the same way as Class C3 housing for the operation of development policies. Where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu of affordable housing. The proposed artist's studio with 2-bed flat would be considered a live/work unit.

Affordable housing targets are based on an assessment of development capacity whereby 100 sq m (GIA) of housing floorspace is generally considered to create capacity for one home. A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% of for each home added to capacity.

The calculation for affordable housing would normally be based on the entire live-work unit unless it was evident that some areas were only suitable for work.

On the basis that the whole live-work could serve as habitable accommodation, with only the exception of the basement floorspace (workshop, archive etc...), it is calculated that 171.66sqm of floorspace is provided. This would equate to a 4% affordable housing (as 171sqm would be rounded up to 200sqm).

The payment in lieu would be £2650 per sqm. This figure is the payment level for affordable housing. The payment in lieu for affordable housing would be £19,160 (171.66sqm x 0.04 x 1.053 [to convert to GEA] x £2650). This would be secured by legal agreement.

Design

The 19th century terraced properties on Carol Street (Numbers 1 to 24) are Local Listed in recognition of their architectural and townscape significance.

The proposed building would present a 'flank' elevation to the street. This provides gaps in the street frontage allowing views across to the large plane trees within St Martin's gardens. As this is a valued feature of the site in its current undeveloped state, the retention of this sense of visual connection with the park is welcomed. While the flank wall provides a largely blank frontage to the street, it would draw on contextual cues in the vicinity of the site. The bulk and massing would be an appropriate

means of terminating the existing terrace at this hinge point where there is a transition between the Victorian terrace typology and the industrial character of the buildings to the west.

The proposed massing picks up the datum point of the stepping down in the profile of the party walls to the rear of the terrace. This would help to tie the form of the proposed building more closely to the neighbouring terrace when viewed from the rear. The proposed scale would relate acceptably to the terrace in rear views. A key characteristic of Victorian terraces is that the roofs are screened at the front by a brick parapet but the 'V' shapes of the valley roofs are a feature of the rear elevations and so it would be appropriate that the proposed modelling of the rear makes the sculpted roof form visible and gives a sense of a more informal 'back' and a stepping down in height and scale. Although the neighbouring terrace is very much altered it still features a similar arrangement of form and massing to the fronts and backs.

The folding down of the metal-clad roof would achieve a clean, neat profile and would reduce the impression of relative bulk of the building as a whole in views from St Martin's gardens. The modelling of the roof form and pattern of openings in the south elevation would give this elevation a vertically elongated proportion. This would help to emphasise the relative narrowing of this face of the proposed building.

The building would be constructed of brick which is a prevalent material in the street, used in both residential and commercial properties. The material and formal language of the building reflects the character of the neighbouring architecture, comprising punched window openings in understated brick enclosure walls, with a lightweight zinc clad elements, articulated zinc roof and large side doors expressing the buildings commercial and contemporary nature. Details of the materials would be secured by condition.

The proposed building would relate appropriately to the scale of the neighbouring terrace and the contemporary interpretation of the mansard roof form is an appropriate response to this context. The proposed dwelling would not harm the character and appearance of the adjacent locally listed terrace.

Amenity

A daylight and sunlight report has been submitted to support the application. The results confirm that all habitable neighbouring windows pass the BRE diffuse daylight and direct sunlight tests. The development also satisfies the BRE overshadowing to gardens and open spaces requirements.

The live-work unit includes a balcony and windows at second floor level which faces towards the neighbouring property, 23 Carol Street. The balcony would be surrounded by a high level brick wall to ensure no overlooking (1.5m in height).

Trees

Three trees (T1-T3) within the site would need to be removed. Trees T1-T3 are all of relative low amenity value, being rated as category C.1 trees due to their limited impact on the overall landscape. Although tree T1 can be fully classified as a tree, it is a small ornamental variety (Cherry Tree); in addition trees T2-T3 are classified as large shrubs. Taking into account their limited amenity value and general characteristics, their removal in order to implement the development would be acceptable. These trees would be replaced with two new species – Forest Pansy and Crab apple, selected for their colour, texture and open structure.

Trees (T4-T6) are 3 mature London Plane trees located within the neighbouring public park, St Martin's Gardens. The proposed development would encroach upon the recommended root protection area to the north of these 3 trees. The findings of a root investigation trial trench have been provided. There is no evidence of roots from the London Plane trees, either fibrous or anchorage within either of the root trial pits. This is likely due to the significant foundations associated with the historic boundary wall and also the south westerly aspect of likely major root development related to the prevailing

weather systems and consequential outset of anchorage roots initially. A tree protection condition would be included on the decision.

Quality of accommodation

A 2-bed flat is a high priority in terms of the Council's dwelling size priorities and so the development would accord with Policy H7. The two bedroom flat has a floorspace of approximately 90sqm, exceeding the London Plan minimum space standards. The live-work unit would have a 79sqm garden and a terrace at first floor level and a balcony at second floor level. The live-work unit would provide an acceptable quality of accommodation.

Basement

The proposed basement is considered to comply with most of the requirements of policy A5 as the basement only extends beyond the footprint of the proposed upper floors at the front of the site. The proposed basement extends to the front boundary of the site and therefore would exceed 50% of the 'front garden'. Part h of policy A5 is intended to protect the character and amenity of the area including the quality of gardens and vegetation.

The front gardens of the adjacent terrace (1-23 Carol Street) are relatively small and the area at the front of properties appears as more of a buffer strip between the pavement and the dwellings rather than having significant landscape value. While some of the neighbouring properties have introduced greenery to this area, there is not enough space for tree planting. Taking into account the character of the neighbouring terrace, a basement that extends to the front of the site may be considered acceptable in this instance. It is also acknowledged that there would be little value (in terms of potential landscaping) in reducing the basement so that it is less than 50% of this frontage.

A single storey basement under the footprint of the building is proposed. A BIA has been submitted which has been assessed by the council's independent auditors, Campbell Reith. The audit confirms the proposed basement adheres to the requirements of CPG4. As excavation is proposed close to the highway an approval in principle from highways would be required. This would be secured by legal agreement.

Transport

Amended plans have been submitted which show the proposed studio yard reduced in size. This space will only be able to be used for vehicles loading and unloading at the site. This would be secured by condition, which will state the service yard will not be used by the occupiers for the purpose of parking private vehicles, and will only be used for loading and unloading (servicing).

The development would also be secured as car free, meaning no on-street parking permits will be able to be applied for by the occupiers. This would be secured with a legal agreement.

The development would require alterations to the parking bays on the street. The alterations to the bays have been assessed by transport and highways. The bay to the east of the crossover will need to be shortened by 3m, to allow for visibility and ease/safety of access for vehicles. This 3m loss could be accommodated on the bay on the opposite side of the road. The existing single space 5m bay to the west of the crossover will need to be removed and relocated, as the space is not sufficient to allow exiting vehicles to safely exit/manoeuvre back on to the public highway if other vehicles are on Carol St. The 5m bay is therefore also proposed to be relocated and added to the bay on the opposite side of Carol Street (where the 3m will be relocated), but to the other end of the bay. This will required that the Disabled Bay is moved further down the street.

All of the above changes would be subject to a Traffic Management Order (TMO) consultation and responses/objections. The cost for the TMO changes is approximately £3000-£3500 and is payable by the applicant and is non-refundable, regardless of the outcome. There will also be a cost (payable

by the applicant) associated with the relining work required.

The proposed development plans are acceptable from a transport perspective, however the relocations of the parking bays are subject to a successful TMO consultation.

Cycle Parking

Policy T1 of the new Camden Local Plan requires development to provide cycle parking facilities in accordance with the minimum requirements of the London Plan and the design requirements outlined in CPG7.

The supporting information and plans show that 3 cycle parking spaces would be provided in a covered external cycle store. This meets the minimum number required by the London Plan, however the space provided does not appear to be sufficient to store three cycles in accordance with the requirements of CPG7. Details of the cycle store would be secured by condition.

Managing the impacts of construction on the surrounding highway network

Policies A1 and T4 state that Construction Management Plans should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process. The policies also relate to how development is connected to the highway network. For some developments, this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP).

While the development is not considered to be a large scale development, due to the location of the site, a CMP would need to be secured as a Section 106 planning obligation if planning permission is granted. A CMP (in the councils pro-forma) will need to be submitted once a Principal Contractor has been appointed, and would need to be approved by the Council prior to any works commencing on site.

A CMP Implementation Support Contribution of £3,136 would also need to be secured as a Section 106 planning obligation if planning permission is granted.

Highway and Public Realm Improvements directly adjacent to the site

Paragraph 6.11 of the new Camden Local Plan states that the Council will repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links, road and footway surfaces at the developer's expense. The footway and carriageway directly adjacent to the site could be damaged as a direct result of the proposed works. The proposal would also require the removal of the existing dropped kerb/crossover in order to comply with Policy T2 of the Camden Local Plan. We would need to secure a financial contribution for highway works as a Section 106 planning obligation if planning permission is granted. This would allow the proposal to comply with Policy A1 of the Local Plan.

The redundant pedestrian dropped kerb serving the site will also be removed as part of the highway works. A cost estimate for the highway works will be requested from our Design Engineering Team if planning permission is granted and forwarded once received.

Sustainability

The residential part of the building will use water efficiently and achieve a maximum internal water use of 105 litres per person/day, with an additional 5 litres person/day for external water use. This would be secured by condition.

A ground source heat pump is proposed to provide renewable energy which will provide heating throughout the building, and domestic hot water. The sustainability measures set out in the

sustainability report would be secured by condition.

SUDS

The drainage hierarchy has been followed to ensure surface water run-off is managed as close to its source as possible. With the exception of areas above the proposed basement, permeable paving is to be used on the site. Sustainable urban drainage measures would include the installation of a rainwater detention tank of sufficient volume with a flow control device to avoid flow rate does not exceed 5.0 l/s

Contaminated Land

As the site is identified as having potential for contamination, a condition would be included on the decision notice requiring investigation prior to the commencement of development.

Mayor of London's Crossrail CIL and Camden's CIL

The proposal will be liable for the Mayor of London's CIL. The Mayoral CIL rate in Camden is £50 per sqm. There would be no Camden CIL charge for the 'artist studio' floorspace. The Mayoral CIL would be £20,305 (406.1sqm x £50).

Conclusion

Grant planning permission subject to a s106 legal agreement

The legal agreement would include the following Heads of Terms:-

- Affordable housing contribution (£19,160)
- Approval in principle (£1800)
- Construction management plan (CMP)
- CMP implementation support contribution (£3,136)
- Car free
- Highways contribution (TBC)
- Traffic management order