

Delegated Report		Analysis sheet		Expiry Date:		06/11/2018	
		N/A / attached		Consultation Expiry Date:		02/09/2018	
Officer				Application Number(s)			
Emily Whittredge				2018/2867/P			
Application Address				Drawing Numbers			
49 Fitzjohn's Avenue London NW3 6PG				Refer to Draft Decision Notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Erection of an additional storey to provide 1x 4-bed flat as an amendment to planning permission ref. 2015/5379/P dated 01/08/2016 (as amended by 2017/4895/P dated 11/09/2018) for 'conversion of single family dwelling house to 6 no. self-contained flats; erection of a 3 storey rear extension; removal of single storey side extension; and associated alterations'.							
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	00	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Site notice – displayed near the site from 08/08/2018 to 09/09/2018 Press notice – published on 09/08/2018 No comments were received in response to public consultation on the application.					
CAAC/Local groups comments:		The Fitzjohn's Netherhall Conservation Area Advisory Committee was consulted on 03/08/2018 but did not comment on the application.					

Site Description

The application relates to a large, detached, three storey (with basement), red brick building with hipped roof on the west side of Fitzjohns Avenue. The building has previously been used as a convent and was connected to Grade II Listed St Mary's School (No. 47 to the south), but it was converted back to a single family dwellinghouse in April 2014.

The application site is within Sub Area 1 of the Fitzjohns Netherhall Conservation Area and the building is identified in the Fitzjohns Netherhall Conservation Area Statement (2001) as making a positive contribution to the character and appearance of the area.

Relevant History

2017/4895/P - Variation of condition 2 (approved plans) of planning permission ref 2015/5379/P dated 1.8.16 (for Conversion of single family dwelling house to 6 no. self-contained flats; erection of a 3 storey rear extension; removal of single storey side extension; and associated alterations), namely to vary details of fenestration, dormers and escape staircase on all elevations. – **Granted 11/09/2018**

2016/6512/P - Details of sound insulation required by condition 6, details of cycle storage required by condition 7, details of hard and soft landscaping required by condition 8, details of ground investigation required by condition 10, details of chartered engineer to oversee basement works required by condition 11, and details of parking provision on site required by condition 13 of planning permission 2015/5379/P, dated 01/08/2016 (for conversion to 6x flats, extensions and associated works) – **Granted 26/04/2017**

2015/5379/P - Conversion of single family dwellinghouse to 6 no. self-contained flats (2no. 2-bed, 2 no. 3-bed and 2no. 4-bed); erection of a 3 storey rear extension; removal of single storey side extension; and associated alterations – **Granted subject to a S106 agreement 01/08/2016**

Relevant policies

National Planning Policy Framework (2018)

London Plan (2016)

Policy 7.4 – Local Character

Policy 7.6 – Architecture

Camden Local Plan (2017)

G1 Delivery and location of growth

A1 Managing the impact of development

D1 Design

D2 Heritage

H4 Maximising the supply of affordable housing

H6 Housing choice and mix

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development

Camden Planning Guidance

CPG 1 Design (2015)

CPG 6 Amenity (2018)

CPG Planning Obligations (2018)

CPG Housing (interim)

CPG 2 Housing (2018)

Fitzjohns Netherhall Conservation Area Statement (2001)

Assessment

1.0 Proposal

1.1 The application seeks planning permission to add a single storey to the building to facilitate the addition of a flat to the redevelopment scheme. The conversion of the building into flats is currently underway. The extension would form part of a four-bed maisonette at third floor level with one bedroom within the new roof form.

1.2 The extension would add a fourth floor in a similar style to the host building and would replicate the hipped roof form of the original.

2.0 Considerations

2.1 The key considerations in the determination of this application are:

- Heritage and design
- Amenity
- Transport
- Housing

3.0 Assessment

Heritage and design

3.1 Planning (Listed Buildings and Conservation Areas) Act 1990 Listed buildings, in considering developments that affect a listed building or its setting, Section 16(2) and 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that local authorities shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

3.2 In considering developments affecting a conservation area, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that local authorities shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area. As the site forms part of the Fitzjohns Netherhall Conservation Area, considerable importance and weight must be attached to the impact on the heritage assets and their setting.

3.3 Camden Local Plan policies D1 and D2 aim to protect or enhance the range of features that make up our built heritage. The policies state that the Council will only grant consent for development that does not harm the setting of listed buildings or adversely affects the character and appearance of the Conservation Area.

3.4 The Council's design guidance CPG 1 (2018) states that extensions involving additional storeys are unlikely to be acceptable in circumstances where they would cause an adverse effect on the skyline, the appearance of the building, or the surrounding street scene (para 5.8). Roof extensions will also be resisted where buildings are already higher than neighbouring properties and where an additional storey would add significantly to the bulk or unbalance and architectural composition.

3.5 The conservation area statement states that the area is characterised by its "frameworks of

broadly similar building types” comprising “a mixture of architectural styles,” and its fine architectural details and materials. The statement particularly highlights Fitzjohn’s Avenue as impressive in its scale and “the most prominent street of the area” by virtue of the road’s generous width and length and quantity of detached houses. The general composition of buildings on the street is three storeys plus an attic and basement level. The roof forms are largely hipped, with the succession of eaves lines providing regularity to the vista as the road rises upwards to the north. Along with having a linear rhythm, the buildings in this part of Fitzjohn’s Avenue are more “square” than vertically proportioned.

3.6 The host building has a particularly square form, with three storeys plus lower ground floor, a shallow hipped roof and strong horizontal banding formed by decorative balustrades, projecting string courses, and a deep cornice. The roughly symmetrical composition, its proportions and hierarchy of scale between floor levels has a harmonious and balanced appearance that is considered to be fundamental to its special character. The addition of another storey to the building and changing its historic proportions would compromise the character of the host building and would undermine the rhythm of the street scene.

3.7 It is recognised that the neighbour to the north, No. 51 Fitzjohns Avenue, has an imposing four-storey tower-like feature on its corner adjoining the application property, and therefore the building’s overall height is greater than the prevailing heights in the area. However, the height of the principal building and its eaves level is broadly in line with the wider character of Fitzjohn’s Avenue, having three storeys plus an attic level. The proposed additional storey to No. 49 is therefore not considered to be justified by the presence of this secondary architectural feature.

3.8 The detailed design of the proposed additional floor is also considered to be poorly executed in the context of the host building. The original building displays a clear hierarchy of scale and design, with each storey reducing in height from bottom to top, which is diluted in the application proposal. The floor to ceiling height of the proposed new storey is not recognisably subservient to the floor below, and the window openings are not materially smaller than those below and lack an architrave, which is inconsistent with the overall detailing of the original building as well as other similar buildings in Fitzjohn’s Avenue.

3.9 As previously noted, No. 47 to the south is statutory Grade II listed. The building was constructed at a similar period as No. 49 and the eaves height of No. 47 is largely level with the application property’s, although No. 49 has a shallower roof. The two buildings both have three principal storeys and are considered to have a harmonious relationship in terms of their height, scale and bulk. No. 49 was formerly linked to No. 47 at ground floor level and used in connection with the school. At present No. 49 is subservient to the neighbouring listed building; however, if the building is raised in height by a storey, the hierarchy of the buildings and the setting of the listed building would be compromised. The existing relationship between the buildings would be disrupted, with No. 49 obtaining a strongly vertical appearance, in contrast to its existing character.

3.10 The addition of a fourth storey to the building would set a precedent for this type of development on the street and the wider conservation area, resulting in a gradual erosion of character. The development is considered to result in less than substantial harm to the heritage assets and their setting that is not justified by any material considerations.

Amenity

3.11 Policy A1 seeks to protect the quality of life of occupiers by only granting permission for development that would not harm their amenity. Development proposals will be assessed on their impact on the amenity of neighbouring residents including: overbearing, loss of outlook, sense of enclosure, loss of privacy and implications on daylight and sunlight.

3.12 No. 47 is in use as a school and therefore no residential amenity would be affected by the extension. Although the development would add 2.7m to the height of the building, the structure

would only affect the secondary flank windows of No. 51, and would not result in overlooking. The extension would block some sunlight from the southeast but is not expected to cause a significantly harmful loss of sunlight to the adjoining outdoor amenity space.

Construction management

3.13 A Construction Management Plan was required as part of planning permission ref. 2015/5379/P to protect the amenity of the adjacent school, and was secured by a S106 legal agreement. Noting that the two developments could be carried out together, it is acceptable for the CMP provided for the original permission to be updated to take into account the new development. The revised CMP would need to be secured through a new legal agreement linked to the current application.

Standard of accommodation

3.14 Policy D1 requires new residential development to provide an acceptable standard of accommodation in terms of internal layout, unit and room sizes, outlook, natural light and amenity space. It is also expected that suitable facilities are provided for refuse, recycling, cycle storage and amenity space.

3.15 The application would result in an additional residential unit to the overall redevelopment of the building. The conversion of the building under planning application 2015/5379/P granted permission for a housing mix that included a total of six units comprising x2 2-bed, x2 3-bed and x2 4-bed units. The proposed development would add a 3-bed unit to the mix and would result in the provision of x2 4-bed, x3 3-bed, x2 2-bed units.

3.16 The provision of an additional 3-bedroom unit would align with the Council's Dwelling Size Priority table. The standard of accommodation would be of a high quality and the revised units accord with the DCLG nationally described space standards 2015.

Affordable Housing

3.17 Policy H4 (Maximising the supply of affordable housing) of the Camden Local Plan requires a contribution to affordable housing from all developments providing one or more additional residential units with an increase in floorspace of 100m² (GIA) or more. The proposal seeks to provide a new unit with the plans indicating an increase of 174.5 sqm GIA.

3.18 The sliding scale target, starting at 2% for one home and increasing by 2% for each home added to capacity, is applied to the additional floorspace proposed. The affordable percentage is calculated on the basis that 100m² (GIA) is sufficient 'capacity' for a single home (rounded up or down to the nearest 100 sqm. Schemes providing a capacity for fewer than 10 units will not need to provide on-site affordable housing but are expected to make a payment in lieu (PIL), subject to viability.

3.19 A financial contribution towards affordable housing would therefore be required on the following basis:

- Based on a GIA of 174.5 sqm the percentage target would be 4% (capacity for 2 units so 2 x 2% = 4%)
- A PIL is sought of £2,650 per m² of GEA
- The proposed increase of floorspace in GEA is 197m²
- 4% of 197m² GEA is 7.88m²
- The financial contribution is therefore 7.88m² x £2,650 per m² = £20,882

This is based on measurements taken from the submitted plans and the final financial contribution would be dependent on the PIL figure at the time of agreeing the Section 106 Agreement.

Transport / Planning obligations

Vehicular parking

3.20 Adopted policy T2 states that a strategic aim of the Council is to limit the opportunities for parking within the borough in order to reduce car ownership / use to bring about reductions in air pollution and congestion and improve the attractiveness of an area for local walking and cycling. Subsequently the Council will now require all new developments in the borough to be car-free.

3.21 This policy applies to the creation of a new residential unit at the site. Car free development for the additional unit would need to be secured through a S106 legal agreement.

Cycle parking

3.22 The design and access statement states that cycle storage for the additional unit would be provided in accordance with the details associated with the planning permission for the development of six flats, which included storage for 12 bicycles. The 12 bicycle storage spaces are the minimum required for the six flats rather than 7, and furthermore the approved details cannot be applied to subsequent applications for development. As such, additional cycle storage would need to be provided for the new flat in accordance with CPG and the London Plan standards. This could be secured through a planning condition.

Construction management

3.23 A Construction Management Plan was required as part of planning permission ref. 2015/5379/P to protect the amenity of the adjacent school, but was not requested on transport grounds. However, the current application could be carried out separately and therefore a CMP would be required for the new application.

Highway works

3.24 A highways contribution was secured under the 2015 planning application; however, as the new development comprises a separate development, a highways contribution would need to be secured by a S106 legal agreement for the current application.

4.0 Recommendation

4.1 Refuse planning permission