

Delegated Report		Analysis sheet		Expiry Date:		29/10/2018	
		N/A / attached		Consultation Expiry Date:		14/10/2019	
Officer				Application Number(s)			
Kate Henry				1) 2018/4219/P 2) 2018/4467/L			
Application Address				Drawing Numbers			
3-4 Percy Mews London W1T 1EX				Refer to draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
1) Mansard roof extension to create 1x self-contained 2-bed flat (Class C3), associated works 2) Mansard roof extension to create 1x self-contained 2-bed flat, associated works							
Recommendation(s):		1) Refuse planning permission 2) Refuse listed building consent					
Application Type:		1) Full Planning Permission 2) Listed building consent					
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
Summary of consultation responses:		A site notice for each application was displayed on 19/09/2018 (consultation expiry date 13/10/2018) and a notice was placed in the local press on 20/09/2018 (consultation expiry date 14/10/2018). No comments have been received.					
Charlotte Street CAAC		Consulted 17/09/2018 (consultation expiry date 08/10/2018). No comments received.					

Site Description

The application site comprises Nos. 3 and 4 Percy Mews. The two storey building has been subdivided laterally to create a 2-bed self-contained flat at ground floor level and a 2-bed self-contained flat at first floor level. There is a basement below which provides storage space. The mews building has a flat roof and there is a lightwell to the rear (north), between the mews buildings and the main buildings (No. 3 and 4 Percy Street).

Nos. 3 and 4 Percy Street are grade II listed and the mews buildings to the rear are curtilage listed. The application site is within the Charlotte Street Conservation Area.

Relevant History

3 & 4 Percy Mews

PS9905202 – Works of restoration and refurbishment to 3 and 4 Percy Street including the insertion of a new shop door to no. 3 Percy Street and the demolition of 3 and 4 Percy Mews to the rear and their replacement with a two storey building comprising two flats (one 3 bedroom and one 2 bedroom) – **Granted subject to s106 agreement 04/12/2000.**

LS9905203 – Works of restoration and refurbishment to 3 and 4 Percy Street including the insertion of a new shop door to no. 3 Percy Street and the demolition of 3 and 4 Percy Mews to the rear and their replacement with a two storey building comprising two flats (one 3 bedroom and one 2 bedroom) – **Granted listed building consent subject to s106 agreement 04/12/2000.**

3 Percy Mews

2016/0201/P – Lawful Development Certificate - Internal alterations to create additional living space within the basement area – **Refused 01/03/2016.**

5 Percy Mews

LS9905213 – Works for the restoration and refurbishment of 5 Percy Street together with the erection of a link block to 5 Percy Mews at first floor level and the erection of an additional storey to 5 Percy Mews for additional office space – **Granted listed building consent 31/08/2000.**

6 & 7 Percy Mews

PS9904061 – Retention of works comprising the installation of a new shopfront, a new roof and air handling units to the rear mews building and the installation of an extract duct to the rear elevation – **Granted 24/01/2000.**

LS9805172 – Retention of internal and external works comprising, repair and refurbishment of the interior of the building, a new shopfront, a new roof and air handling units to the rear mews building and the installation of an extract duct to the rear elevation – **Granted listed building consent 24/01/2000.**

7 Percy Mews

7152 – The rebuilding of No. 7, Percy Mews, St. Pancras, for use for light industrial purpose – **Granted 06/10/1952.**

7863 – The rebuilding of No. 7, Percy Mews, St. Pancras, for use for light industrial purposes (Class III) With ancillary office and storage – **Granted 25/09/1950.**

8 & 9 Percy Mews

PS9805040R1 – Change of use of 9 Percy Street from residential, office and retail use to office use within Class B1, the continued use of 8 Percy Street for office use within Class B1 together with the redevelopment of 8 and 9 Percy Mews to provide three self-contained flats – **Granted subject to s106 agreement 06/08/1999.**

LS9805041R1 – Works of alteration and part demolition in connection with the change of use of 9 Percy Street from residential, office and retail use to office use within Class B1, the continued use of 8 Percy Street for office use within Class B1 together with the redevelopment of 8 and 9 Percy Mews to provide three self-contained flats – **Granted listed building consent 06/08/1999.**

Relevant policies

National Planning Policy Framework (2018)

London Plan (2016)

Camden Local Plan (2017)

G1 Delivery and location of growth

H1 Maximising housing supply

H2 Maximising the supply of self-contained housing from mixed use schemes

E1 Economic development

E2 Employment premises and sites

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

T3 Transport infrastructure

T4 Sustainable movement of goods and materials

DM1 Delivery and monitoring

Camden Planning Guidance

CPG Amenity (2018)

CPG Biodiversity (2018)

CPG Employment sites and business premises (2018)

CPG Public Open Space (2018)

CPG1 Design (July 2015 updated March 2018)

CPG3 Sustainability (July 2015 updated March 2018)

CPG7 Transport (2011)

CPG8 Planning Obligations (July 2015 updated March 2018)

Charlotte Street conservation area appraisal and management strategy (2008)

Fitzrovia Area Action Plan (2014)

1. The Proposal

- 1.1. These applications seek planning permission and listed building consent to erect a mansard roof extension to create a 2-bed self-contained flat.
- 1.2. The proposed new 2-bed self-contained flat would have a similar layout to the flats on the lower levels, although it would be accessed from the staircase at the rear of the building (the proposal involves extending the existing staircase upwards).
- 1.3. The new self-contained flat would measure 93sqm (GIA) and would comprise of 2x separate bedrooms (1x en-suite), a living/dining area, a kitchen, a bathroom and storage space.
- 1.4. The mansard roof would measure up to 3.4 metres tall and would feature dual-pitched roofs to the front and rear. The front elevation would feature 6x dormer windows within the lower roof slope and the rear elevation would feature 4x dormer windows within the lower roof slope.
- 1.5. The gable ends would be formed in brickwork and a brickwork party wall would mark the boundary between the former Nos. 3 and 4 Percy Mews. New rainwater pipes with hoppers on the front elevation would also mark the boundaries between 3 and 4, and 4 and 5.
- 1.6. A new first floor window would be added to the front elevation, to serve a bedroom.

2. Revisions

- 2.1. The following revisions have been made during the course of the application:
 - Revisions to mansard roof design
 - Mansard roof dormer windows altered to match fenestration below in terms of size and positioning
 - Omission of rooflights on mansard roof
 - Addition of 1st floor window on front elevation to provide extra symmetry to the building
 - New party wall upstand to define the boundary between former Nos. 3 and 4
 - Additional rainwater pipes on front elevation

3. The principle of development

- 3.1. Housing is regarded as the priority land use of the Local Plan. Policy H1 of the Local Plan seeks to maximise housing supply in the borough.
- 3.2. The principle of providing an additional self-contained dwelling is therefore considered to be acceptable, subject to the detailed considerations below.

4. Affordable housing contribution

- 4.1. Policy H4 seeks to maximise the supply of affordable housing in the borough. It notes that the Council will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more. In this case, the proposal provides one additional home which measures 93sqm (GIA) and therefore there is no requirement for the applicant to make a contribution towards

affordable housing in the borough.

5. Design and heritage considerations

- 5.1. Nos. 3 and 4 Percy Street are grade II listed and Nos. 3 and 4 Percy Mews are curtilage listed. The Council has a statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, in accordance with Sections 16 and 66 of The Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended).
- 5.2. The application site is within the Charlotte Street Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72 of The Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended).
- 5.3. Policy D1 of the Local Plan seeks to secure high quality design which respects local context and character; preserves or enhances the historic environment and heritage assets in accordance with Policy D2; comprises details and materials that are of high quality and complement the local character; and preserves strategic and local views. Policy D2 seeks to preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.
- 5.4. The Charlotte Street Conservation Area Appraisal and Management Plan (CSCAAMP) notes that the predominant building type in the area is the townhouse in terraced form, which are predominantly four storeys in height on the wider streets and three storeys on the narrower streets. The statement notes that to the rear, the former mews properties are typically two storeys, although many have been replaced by taller, three storey C19th workshop buildings.
- 5.5. The CSCAAMP notes that the mews areas in the conservation area are generally characterised by narrow entrances, sometimes beneath buildings, shared, cobbled surfaces and a range of commercial uses within former mews properties or C19th workshop buildings. The statement notes: "*The interest in the buildings is in the retained large ground floor doors and small scale of the mews buildings, the large workshop windows, the doors at upper levels often with hoists that would have enabled the delivery of materials, and the retained surfacing*". The statement goes on to note: "*Charlotte Mews, Percy Mews and Tottenham Mews all retain some interest in their more humble commercial buildings*".
- 5.6. The mews buildings at Nos. 3 and 4 Percy Mew were re-built in the early 2000's and they no longer feature large ground floor doors or windows or hoists from the upper floor. In fact they have a more domestic character in keeping with their current residential use; however, they are still two storeys in height and their scale contributes positively to the character and appearance of the mews and also the setting of the main (listed) buildings facing onto Percy Street.
- 5.7. The proposal to extend the buildings upwards is not supported as the proposal would cause harm to the character and appearance of the host building, the street scene along Percy Mews and also the setting of Nos. 3 and 4 Percy Street (grade II listed). This is because, historically, mews buildings would be subservient in character and scale and extending the building upwards would reduce the subservience of the host building. The resultant building would have a greater visual presence in the street scene which is not in-keeping with its humble mews character, and the proposal would interrupt the consistency of the prevailing scale and character of the mews, to the detriment of the character and appearance of the Charlotte Street Conservation Area.
- 5.8. Furthermore, Camden Planning Guidance (CPG): Design provides guidance on roof alterations and extensions and it notes that a roof alteration is likely to be unacceptable on buildings or terraces which have a roofline that is largely unimpaired by alterations or

extensions; or on buildings which are already higher than neighbouring properties where an additional storey would add significantly to the bulk or unbalance the architectural composition.

5.9. Whilst it is recognised that the building towards the end of the mews (No. 8) has been extended upwards with a mansard roof, the rest of the northern side of the mews remains largely unaltered, and Nos. 3 and 4 are already higher than No. 2. The proposed mansard roof would add to the bulk of the host building and it is considered that it would further unbalance Nos. 2 and 3/4 Percy Mews in terms of their relative scale and appearance in the street scene. On this basis, the proposal fails to comply with the guidance in CPG1: Design.

5.10. Furthermore, the proposed mansard roof would exceed the height guidance in CPG1: Design insofar as the internal room height would be 2.9 metres (or 2.5 metres to the point where the upper slope starts), whereas the guidance suggests that the internal room height should be 2.3 metres.

5.11. Notwithstanding the above, the proposal to insert an additional window at first floor level is considered to be acceptable. Furthermore, the proposed rainwater pipes with hoppers are considered to be acceptable.

5.12. To conclude this section, the proposed mansard roof would fail to respect, but instead would cause harm to the host building and views along Percy Mews, to the detriment of the character and appearance of the Charlotte Street Conservation Area. The proposal would also cause harm to the setting of Nos. 3 and 4 Percy Street.

5.13. It is considered that the proposed works would cause less than substantial harm to the significance of the designated heritage assets, and therefore, in line with paragraph 196 of the NPPF, the harm must be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this case, it is not considered that the public benefits of the proposal (i.e. the provision of additional housing) would outweigh the harm that would be caused. The proposal is therefore considered to be contrary to the NPPF and also to Policies D1 and D2 of the Camden Local Plan and the application is recommended for refusal on this basis.

6. Living standards for future occupiers

6.1. Policy H6 relates to housing choice and mix and it encourages the design of all housing in the borough to provide functional, adaptable and accessible spaces; and expects all self-contained homes to meet the nationally described space standard. Policy D1 (Design) also notes that housing must provide a high standard of accommodation, and relevant criteria is provided at paragraph 7.32 of the sub-text to the policy.

6.2. The nationally described space standard requires a 2-bed-4-person dwelling to measure at least 70sqm, including 2sqm of built-in storage. The proposal complies in this respect as the flat measures 93sqm.

6.3. The proposed new flat would be self-contained with its own secure, private entrance; it would have good ceiling heights and room sizes; it would be dual aspect (although views to the front and rear would be relatively short-range given the surrounding pattern of development); there would be a permanent partition between eating and sleeping areas; and it would incorporate adequate storage space. Furthermore, the fact the proposed flat would have a similar layout to the flats on the lower levels is likely to minimise noise transfer between units because similar uses are stacked above one another.

6.4. The proposed flat would not have access to its own private outdoor amenity space; however, the same situation applies to the other flats in the host building. The proposed flat would not be accessible to a wheelchair user; however, given the constraints of the building it would not be possible to provide a lift.

6.5. Overall, it is considered that the proposed flat would provide a good standard of living accommodation for future occupiers.

7. Impact on neighbouring properties

7.1. Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours by only granting permission for development which does not cause unacceptable harm to amenity. The factors to consider include: visual privacy, outlook; sunlight, daylight and overshadowing; artificial lighting levels; noise and vibration; odour fumes and dust etc. Policy A4 also seeks to ensure that noise and vibration is controlled and managed.

7.2. The main properties which may be affected by the proposal are the properties fronting onto Percy Street (Nos. 2, 3, 4 and 5), the adjacent properties in the mews (Nos. 2 and 5), Nos. 26 and 27 Rathbone Place (to the west) and 32 Gresse Street (to the south).

7.3. Nos. 2, 3, 4 and 5 Percy Street are office buildings, although records indicate that there may be a residential unit within No. 2 at 3rd floor level. No. 2 Percy Mews appears to be in commercial use, as does No. 5. No. 32 Gresse Street is an office building. Records indicate that there are residential units at Nos. 26 and 27 Rathbone Place.

7.4. A Daylight and Sunlight report has been provided with the application. The analysis provides a 'worst-case scenario' as it includes a roof extension at No. 2 Percy Mews which does not form part of this planning application. The report identifies the nearest residential properties to be Nos. 26 and 27 Rathbone Place and it concludes that the proposed scheme at Nos. 3 and 4 Percy Mews would be BRE compliant in terms of the impact on these properties.

7.5. The proposed mansard roof would be visible from a number of neighbouring buildings; however, it is not considered that it would cause undue harm in terms of visual privacy and outlook. The main impact would be on Nos. 3 and 4 Percy Street; however, the mews building is already visible at the rear of these buildings and the impact is lessened because these buildings are in office use rather than residential which is more sensitive. On balance, the additional impact of the mansard roof is considered to be acceptable.

7.6. It is likely that there would be some disruption during the construction period. If the application was otherwise considered to be acceptable, the Council would look to secure the submission of a Construction Management Plan (CMP) through a legal agreement. The applicant has failed to enter into a section 106 legal agreement to secure this, and the application is recommended for refusal on this basis.

8. Transport considerations

8.1. Policy T1 of the Local Plan seeks to prioritise walking, cycling and public transport in the borough. The application site has a Public Transport Accessibility Level (PTAL) of 6b (the highest rating) which means it is very well served by public transport.

8.2. The London Plan requires 2 cycle parking spaces for a 2-bed flat; however, none have been provided. On balance, given the constraints of the site, this is considered to be acceptable.

8.3. Policy T2 seeks to limit the availability of parking and requires all new developments in the borough to be car-free. The policy notes that the Council will not issue on-street or on-site parking permits in connection with new developments and will use legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits. If the application was otherwise considered to be acceptable, the Council would look to secure the new dwelling as car-free through a legal agreement. The applicant has failed to enter into a section 106 legal agreement to secure this, and the application is recommended for refusal on this basis.

8.4. Policy T4 promotes the sustainable movement of goods and materials and seeks to minimise

the movement of goods and materials by road. Given the constraints of the application site and the nature of the proposed works, if the application was otherwise considered to be acceptable, the Council would look to secure the submission of a Construction Management Plan (CMP) through a legal agreement. As noted above, the applicant has failed to enter into a section 106 legal agreement to secure this, and the application is therefore recommended for refusal on this basis.

9. Recommendations

- 1) Refuse planning permission
- 2) Refuse listed building consent