

|   |                            |                       |                                     |                   |
|---|----------------------------|-----------------------|-------------------------------------|-------------------|
| <b>Delegated Report</b>   |                            | <b>Analysis sheet</b> | <b>Expiry Date:</b>                 | <b>22/04/2019</b> |
|   |                            | N/A / attached        | <b>Consultation Expiry Date:</b>    | <b>25/03/2019</b> |
| <b>Officer</b>  |                            |                       | <b>Application Number(s)</b>        |                   |
| Josh Lawlor   |                            |                       | 2018/6006/P                         |                   |
| <b>Application Address</b>  |                            |                       | <b>Drawing Numbers</b>              |                   |
| 62-64<br>Queen's Crescent<br>London<br>NW5 4EE  |                            |                       | See decision notice                 |                   |
| <b>PO 3/4</b>   | <b>Area Team Signature</b> | <b>C&amp;UD</b>       | <b>Authorised Officer Signature</b> |                   |
|   |                            |                       |                                     |                   |
| <b>Proposal(s)</b>  |                            |                       |                                     |                   |
| Erection of mansard roof extension, part single part two storey rear extension at first floor level in association with the creation of 4x1 Bed and 1x2 bed residential units |                            |                       |                                     |                   |
| <b>Recommendation(s):</b>   | Refuse Planning Permission |                       |                                     |                   |
| <b>Application Type:</b>  | Full Planning Permission   |                       |                                     |                   |

|   |  |  |                  |           |                   |           |
|---|--|--|------------------|-----------|-------------------|-----------|
| <b>Conditions or Reasons for Refusal:</b> | <b>Refer to Decision Notice</b>  |  |                  |           |                   |           |
| <b>Informatives:</b>                      |  |  |                  |           |                   |           |
| <b>Consultations</b>                      |  |  |                  |           |                   |           |
| <b>Adjoining Occupiers:</b>               |  |  | No. of responses | <b>00</b> | No. of objections | <b>01</b> |
| <b>Summary of consultation responses:</b> | <p>A site notice was displayed directly outside the site on Queen's Crescent from 01/03/2019</p> <p>One objection was received from a neighbouring address, the objection related to:</p> <ol style="list-style-type: none"> <li>1. The proposed plans overlap our property inside the line of our West Party wall with 62-64 Queen's Crescent, with no details of context/boundary condition in drawing, no dimensions provided</li> <li>2. Blocking out natural light, impact on approved application ref. 2016/3344/P</li> <li>3. No details for potential roof mounted ventilation equipment</li> <li>4. No materials listed in the application</li> <li>5. No site notices displayed</li> <li>6. Lack of detail for existing internal spaces, with lack of detail for ground floor retail unit</li> </ol> <p><i>Officer response-</i></p> <ol style="list-style-type: none"> <li>1. <i>The plans have been amended to show neighbouring buildings and accurately show on site conditions. The plans now have sufficient detail, with scale bar included.</i></li> <li>2. <i>The proposed extension would fail the 45 degree rule when measured in plan and elevation, and is considered to have a harmful amenity impact on the existing rear windows of no. 66.</i></li> <li>3. <i>No ventilation equipment is proposed as part of this application</i></li> <li>4. <i>Should the application have been approved a condition would require materials to match the existing</i></li> <li>5. <i>Site notices were displayed directly outside the site on Queen's Crescent from the 01/03/2019.</i></li> <li>6. <i>Sufficiently detailed drawings have been provided to show the internal floor areas including the ground floor retail unit and allow for assessment of the application.</i></li> </ol> <p><i>Please see the design and amenity sections below for further detail.</i></p> |  |                  |           |                   |           |

## Site Description

The application site is a mid-terraced property with a retail unit (A1 use) at ground floor and one five bedroom residential unit over first and second floor. The application building has a large ground floor rear extension, with a smaller projection at first floor. The site is not located within a conservation area.

## Planning History:

PE9900606 Erection of single storey extension to rear of 66 to provide extension to supermarket.  
23/02/2000 – Withdrawn

### 1st and 2nd Floor Flat, 66 Queen's Crescent

2016/3344/P Erection of a mansard roof extension, first floor rear extension and alterations to the rear fenestration. Granted 17/08/2016

## Enforcement History:

EN18/0038 Unauthorised structures at roof level – Investigation ongoing

## Relevant policies

### The National Planning Policy Framework 2019

### London Plan 2016, consolidated with alterations since 2011

### Draft New London Plan showing Minor Suggested Changes (published 13th August 2018)

### Camden local Plan (July 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
- H5 Protecting and improving affordable housing
- H3 Protecting existing homes
- A1 Managing the impact of development
- D1 Design
- T1 Prioritising walking, cycling and public transport
- T2 Parking and car free development
- CC5 Waste
- CC1 Climate change and mitigation
- CC2 Adapting to climate change

## **Supplementary Guidance - Camden Planning Guidance**

- CPG1 Design (March 2019)
- CPG Altering and extending your home (March 2019)
- CPG6 Amenity (March 2018)
- CPG7 Transport (September 2019)
- CPG Developer contributions (March 2019)
- CPG Interim housing (March 2019)
- CPG 2 Housing (May 2006, updated March 2019)

### **Department for Communities and Local Government (2015)**

Technical housing standards – Nationally described space standard

## **Assessment**

### **1. Proposed Development**

1.1 The part single storey extension would have a height of 3.6m when measured from the first floor flat roof and width of 10.2m. The part two storey extension would have a height of 6.3m when measured from the first floor flat roof and width of 7.9m. The extension would have a depth of 4.8m from the rear elevation. The mansard roof extension would have a height of 1.8m, with the butterfly roof being infilled with brick.

### **2. Assessment**

2.1. The principal considerations material to the determination of this application are as follows:

- Design;
- Land use (new residential units, proposed housing mix);
- Standard of accommodation;
- Residential amenity;
- Transport;
- Affordable housing;
- S106/CIL

### **3. Design**

#### Mansard roof extension

- 3.1. CPG Design (2019) states that roof extensions are likely to be acceptable where there is an established form of roof addition or alteration to a group of similar buildings and where continuing the pattern of development would help to reunite a group of buildings or townscape.
- 3.2. There are a number of roof additions on this terrace meaning further development of a similar form would not cause harm to the character of the building or area. It is also noted that a mansard roof extension was granted at no. 66, ref. 2016/3344/P dated 17/02/2016.
- 3.3. The proposed mansard roof extension would be architecturally sympathetic to the age and character of the parent building. The height of the flat topped mansard would be the same height as the adjacent mansard at No. 60 Queens Crescent, with an internal floor to ceiling height of 2.4m. The dormer windows for the proposed mansard would respect the size, style and positioning of the existing windows on lower floors.
- 3.4. CPG Design (2019) states that mansard roof extension should be comprised of materials

that complement the main building and the wider townscape and the use of traditional materials such as timber, lead and hanging tiles are preferred. The application form states that the proposed windows would be UPVC. This would not be considered acceptable however it is noted that the applicant has agreed to use timber framed windows. Should the proposal have been considered acceptable the requirement to use timber framed windows would have been secured through a planning condition.

#### Part single part two storey rear extension at first floor

- 3.5. CPG Design (2019) states that extensions should be secondary the building being extended, in terms of location, form, scale, proportions, dimensions, and detailing. CPG Design (2019) states that a single storey ground floor extension is generally preferable to those proposed at higher levels, with extensions generally being required to terminate at least a full storey below eaves.
- 3.6. Whilst the Council generally would not be supportive of development that does not comply with these criteria, it is considered that there is scope for an extension that does not terminate a full levels below eaves in this instance. This is due to the presence of neighbouring three storey extensions, including at no. 60 and the recently approved planning permission for a first floor rear extension at no. 66 which terminated half a storey below eaves level (ref. 2016/3344/P). The depth of 4.8m from the rear elevation is considered acceptable in principle, given that the extension would match the neighbouring first floor closet wing extension at no. 66.
- 3.7. CPG Altering and extending your home (2019) states that in cases where a higher extension is found to be appropriate, a smaller footprint will generally be required in order to mitigate any increase in visual mass and bulk, overshadowing and sense of enclosure that would be caused by the additional height of the extension.
- 3.8. The proposal would not have a smaller footprint to mitigate design and amenity impacts caused by the additional height created. The extension would be full width at first floor (10.2m) and have a width of 7.9m for the two storey extension at second floor. The proposed footprint and bulk is considered excessive and would overwhelm the rear elevation.
- 3.9. GPG Design (2019) states that extensions should respect and preserve the historic pattern and established townscape of the surrounding area. The extension would fail to respect the established pattern of rear development on this terrace. The extension does not provide the appearance of a rear closet wing as is found with other rear extensions on this terrace. The proposed extension would not be commensurate with the existing pattern of neighbouring rear development, and the existing rhythm of extensions would be disrupted with an overly bulky addition.

## **4 Land Use**

### Creation of new residential dwelling

- 4.1 There is an existing four bedroom unit arranged over first and second floor with an internal floor area of 185sqm. The proposed development includes the creation of four new residential flats (to provide a total of five dwellings at the site). Housing is regarded as the priority land-use of the Local Plan, and the Council will make housing its top priority when considering the future of unused and underused land and buildings. As such, the principle of the creation of new residential dwellings would comply with Policy H1.

**Table 1: Dwelling Size Priorities**

|                          | <b>1-bedroom<br/>(or studio)</b> | <b>2-bedroom</b> | <b>3-bedroom</b> | <b>4-bedroom<br/>(or more)</b> |
|--------------------------|----------------------------------|------------------|------------------|--------------------------------|
| Social-affordable rented | lower                            | high             | high             | medium                         |
| Intermediate affordable  | high                             | medium           | lower            | lower                          |
| Market                   | lower                            | high             | high             | lower                          |

### Housing mix

4.2 Policy H7 seeks to reduce the mismatches between housing needs and existing supply. This is achieved through ensuring that the range of homes of different sizes contribute to the creation of mixed, inclusive and sustainable communities. The Council will seek to ensure that all housing development, including conversion of existing homes contributes to meeting the priorities set out in the Dwelling Size Priorities Table.

4.3 The Council will take a flexible approach to assessing the mix of dwelling sizes proposed in each development having regard to any evidence of local needs that differ from borough wide priorities.

4.4 The Dwelling Size Priorities Table has been based on the outputs of the Camden SHMA, considered alongside the mismatch between the need for large affordable homes (indicated by overcrowding) and supply (indicated by average number of bedrooms per household) and the cost constraints on delivering large intermediate homes. Dwelling sizes are expressed in terms of number of bedrooms and distinct priorities are identified for market housing, intermediate housing and social-affordable rent

4.5 One bed or studio market units are the lowest priority dwelling mix across the borough. The creation of 4 x one bed and 1 x two bed market units would result in a unit mix with 80% low-priority units and would fail to accord with the Council's dwelling priority table. It is noted that given the uplift in floor space two and three bed units could be incorporated in the proposed unit mix. The proposal would fail to create a mixed, balanced and inclusive community and as such, would be contrary to Policy H7 of the Camden Local Plan 2017.

### Refuse and cycle store at ground floor and impact on the retails unit (Class use)

4.6 The proposed refuse and cycle store would have an area of 15sqm. Given the size of the existing unit (205 sqm), the reduction in space would not harm the usability of the retail unit.

## **5 Standard of accommodation**

5.1 Policy D1 requires all residential developments to be designed and built to create high quality homes. The Council will seek to ensure that residential development, both new build and change of use:

- is self-contained and has its own secure private entrance;
- has good ceiling heights and room sizes;
- is dual aspect except in exceptional circumstances;
- has good natural light and ventilation;
- has good insulation from noise and vibration;
- has a permanent partition between eating and sleeping areas (studio flats are acceptable where they provide adequate space for separate activities);

- incorporates adequate storage space; incorporates outdoor amenity space including balconies or terraces; and is accessible and adaptable for a range of occupiers

### Internal floor area and internal ceiling height and access to amenity space

- 5.1 New dwellings and conversions to residential use will be expected to meet the Government's nationally described space standard as set out in London Plan Table. The Council will also require development to adhere to the Mayor's Housing Supplementary Planning Guidance
- 5.2 The proposal involves the formation of 4 x 1 bed units and 1 x 2 bed flats. The 1 bed units, flats A at first floor, and C and D at second floor would have an internal floor area (GIA) of exactly 50 m<sup>2</sup>, the 1 bed unit at third floor (flat E) would have an internal floor area of 66 m<sup>2</sup>. The proposed 1 bed units would therefore meet the minimum requirement of 50 m<sup>2</sup> as required by the Government's Nationally Described Internal Space Standards. The two bed unit (Flat B) would have an internal floor area of 61 m<sup>2</sup> which would meet the minimum requirement of 61 m<sup>2</sup> for a 2 bed, 3 person dwelling. The ceiling height for the new units would be over 2.5m. There would be a roof terrace of 11 m<sup>2</sup> which is considered acceptable given the constraints of the site.

### Dual aspect, quality of outlook, access to natural light and ventilation

- 5.3 The only proposed unit that would be dual aspect would be Flat 62E at third floor, with all other units being single aspect. Whilst the Council generally would not be supportive of single aspect units, the habitable rooms would still be served by a minimum of 2 windows each, with acceptable outlook. Therefore overall the proposal would provide an acceptable standard of accommodation

## **6 Residential Amenity**

- 6.1 Policy A1 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. The factors the Council will consider: visual privacy, outlook; sunlight and daylight and overshadowing.
- 6.2 The proposal involves the creation of a roof terrace above the existing first floor extension, directly adjacent to the existing neighbouring terrace at no. 60. However, it appears that this roof is already in use as an outdoor amenity space, as such, the arrangement would not be altered from the existing, and the development would not result in additional overlooking from the proposed terrace. The proposal would not significantly increase massing on the boundary with no.60, therefore it is not considered that there would be an amenity impact to the occupiers of this property in terms of loss of light or added sense of enclosure
- 6.3 The increase in height of 6.2m on the boundary of no.66 is considered to cause a harmful amenity impact. There would be a loss of outlook and potentially loss of light to this property's rear facing window at second floor. The extension would fail the 45 degree test when measured in plan and elevation. It is noted that the existing second floor plans for ref. 2016/3344/P shows that this window serves a stairwell, however it is still considered that there is an overbearing impact on this property.

## **7. Transport**

- 7.1 Policy T1 of the 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 London Plan requires 1 space per studio and 1 bedroom unit, and 2 spaces per all other dwellings.
- 7.2. The proposal is therefore required to provide 6 cycle parking spaces that are covered, secure and fully enclosed to meet the requirements of policy T1 and CPG7. The proposal makes provision for 4 bicycle spaces and refuse storage at ground floor. There is therefore a shortfall of 2 cycle spaces, whilst this is not ideal it is considered acceptable given the constraints of the site, with no access to outdoor space.
- 7.3 Policy T2 states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. The Council will not issue on-street or on-site parking permits in connection with new developments and use legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits.
- 7.4 CPG transport states that the car-free policy applies across the whole borough, regardless of public transport accessibility level (PTAL) ratings. All new developments are required to be car-free, where dwellings are created as part of an amalgamation, subdivision or an extension of an existing development these will be expected to be car free. Therefore all homes in new developments must be car-free, not just additional dwellings.
- 7.5 The failure to grant planning permission and therefore enter into a S106 legal agreement means that the failure to agree a legal obligation to secure the development as car free forms a reason for refusal.

## **8 Affordable housing**

- 8.1 The Council expects 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 (Policy H4). Targets are based on an assessment of development capacity whereby 100sqm (GIA) of housing floorspace is generally considered to create capacity for one home.
- 8.2 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% for each home added to capacity.
- 8.3 Where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment in lieu of affordable housing. Payments-in-lieu are derived by calculating the affordable housing floorspace required, and converting this to a payment using a 'cost' per sqm.
- 8.4 The proposals involve the creation of 126sqm (GIA) residential floorspace, so the sliding scale in this instance would require a provision equal to 2% of the total C3 floorspace (expressed in GEA).
- 8.5 The Council's current adopted multiplier for calculating a payment-in-lieu within market residential schemes is £2,650 per sqm (based on GEA). This provides an overall requirement of £8,427 based on the creation of 126.75sqm GEA of residential floorspace (using a GIA to GEA conversion of 1.25). This financial contribution would need to be secured via a S106 legal agreement (if the proposal were acceptable in all other regards).



| <b>Additional residential floorspace (GIA)</b> | <b>Capacity (rounded floorspace addition/ 100sqm)</b> | <b>AH % target (capacity x 2%)</b> | <b>Estimated GEA (GIA x 1.25)</b> | <b>AH floorspace target (% target x GEA)</b> | <b>Payment in lieu (floorspace target x £2,650).</b> |
|--|---|------------------------------------|-----------------------------------|--|--|
| 127sqm   | 1 additional home                                     | 2%                                 | 127 x 1.25 = 158.75               | 2% x 158.75 = 3.18                           | 3.18 x £2,650 = £8,427                               |

8.6. This is based on measurements taken from the submitted plans / submitted by the applicant. This payment would be secured through a Section 106 legal agreement if the proposal were considered acceptable in all other regards. The failure to grant planning permission and therefore enter into a S106 legal agreement to secure a payment in lieu of affordable housing would also form a reason for refusal.

## **9. S106/CIL**

9.1 If the proposals were supported, the following heads of terms would need to be secured by S106 Legal Agreement to make the development acceptable.

- Car free Development
- Affordable Housing Contribution

9.2 The proposal would be liable for the Mayor of London's Community Infrastructure levy (CIL) and the Camden CIL as it involves the creation of over 100sqm floorspace and new residential units.

## **10. Recommendation**

Refuse planning permission