

Delegated Report		Analysis sheet		Expiry Date:	04/02/2020
		N/A / attached		Consultation Expiry Date:	10/02/2020
Officer			Application Number(s)		
Kristina Smith			2020/4709/P		
Application Address			Drawing Numbers		
128 Camden Road London NW1 9EE			<i>Refer to Draft Decision Notice</i>		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of two storey upward extension; change of use of first floor and part of ground floor from barbers (Class E) to residential (Class C3); and alterations to shopfront including installation of residential access door in association with provision of 3-bed residential unit (Class C3)					
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. of responses	00	No. of objections	00
Summary of consultation responses:	<ul style="list-style-type: none"> A site notice was displayed between 28/10/2020 and 21/11/2020 A press advert was published on 29/10/2020 <p>No objections were received</p>			
CAAC / Local Groups response:	<p>An objection was received from the Camden Broadway CAAC on the following grounds:</p> <ul style="list-style-type: none"> Disagree with the applicant's view that the upward extension will enhance the appearance of the streetscene and make it more coherent We agree with both the Pre-application advice and the refusal reason that "the existing two storey building is an important marker of two distinct building groups." Therefore, we object to the application's proposal to introduce a 2-storey extension in this location. No reference to compliance with Approved Document M in relation to accessibility of new unit <p>An objection was received from the Rochester CAAC on the following grounds:</p> <ul style="list-style-type: none"> A similar application was refused on the grounds of the development masking the pattern of historic development Heritage impact report has several inaccuracies Important to note that the adjacent terrace (formerly Brecknock Crescent) is Grade II listed Rochester CAAC value views towards the crescent and terrace when approaching from St Pancras Way. Neighbourhood is in need of sympathetic hole filling but not unmerited hole filling 			

Site Description

The site comprises a two storey mid-terrace Victorian building with a retail unit at ground floor level and ancillary accommodation / storage at first floor. On either side of the building are three storey plus mansard buildings. The building is the last in the Camden Road terrace before the buildings turn the corner down Saint Pancras Way. As a result, its footprint is 'L' shaped with a significantly shallower principal section than its neighbours to allow for windows on the rear / flank elevation of its adjoining neighbour at 128b Camden Road. At ground floor level only, it has a front extension in common with 128b Camden Road, causing the building to project beyond the building line established by the rest of the terrace

The property is located in the Camden Broadway Conservation Area and is referred to as making a positive contribution to the character and appearance of the conservation area. Both adjoining properties are also positive contributors. No's 157-159 St Pancras Way are Grade II listed.

The site is also situated in a Neighbourhood Centre.

Relevant History

2019/6164/P - Erection of additional storey plus mansard roof and single storey rear extension at ground floor level; change of use of part of ground floor and first floor from shop (A1) to residential (C3) to create 2x1-bed units; shopfront alterations. **Refused 19/02/2020** on design, heritage and amenity (privacy, outlook and daylight/sunlight) grounds in addition to lack of Section 106 agreement to secure car-free housing, affordable housing contribution, Construction Management Plan (and associated support contribution)

2017/5197/P - Change of use from retail (Class A1) to restaurant/cafe (Class A3) use. **Prior Approval Required – Prior Approval Refused 20/10/2017**

2017/2874/P - Change of use from retail (Class A1) to hot food take-away (Class A5) and installation of extract ducting on rear elevation. **Refused 01/06/2017**

8400788 - Change of use from residential to shop use on first floor and alterations to ground and first floors. **Refused 22/10/1984**

Relevant policies

National Planning Policy Framework 2019

London Plan 2016

Intend to Publish London Plan 2019

Camden Local Plan 2017

A1 Managing the impact of development

H1 Maximising housing supply

H4 Maximising the supply of affordable housing

H6 Housing choice and mix

H7 Large and small homes

D1 Design

D2 Heritage

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development

DM1 Monitoring

Camden Planning Guidance

CPG Design (2019)

CPG Amenity (2018)
CPG2 Housing (March 2019)
CPG Town Centres (2018)
CPG Transport (2019)
CPG Developer's contributions (2019)

Camden Broadway Conservation Area Appraisal and Management Strategy (2009)

Assessment

1 Proposal / Background

1.1 The application seeks planning permission for the following works in association with the provision of a 3-bed maisonette (Class C3).

- erection of an additional storey with rear outrigger plus mansard roof;
- change of use of part of ground floor and first floor from barbers (Class E) to residential (C3);
- shopfront alterations to accommodate new entrance door for residential accommodation.

1.2 A similar proposal for an upwards extension to fill the gap was recently refused on 19/02/2020 under application ref. 2019/6164/P. This application aims to address the reasons for refusals and successfully does so in terms of the design of the front façade, the scale of rear extension impact on residential amenity in daylight/sunlight, outlook and privacy terms. However, the principle of infilling the gap between 126 and 128b Camden Road remains unacceptable on heritage grounds.

2 Assessment

2.1 The main considerations in the determination of the application are:

- Land use
- Standard of residential accommodation
- Affordable Housing
- Design and Heritage
- Amenity of neighbouring occupiers
- Transport considerations

3 Land use

Housing

3.1 Self-contained housing is regarded as the priority land-use of the Camden Local Plan and Policy H1 states that the Council will make housing its top priority when considering the future of unused and underused land and buildings. The proposal would provide a self-contained 3-bed unit (Use Class C3) and is therefore compliant with policy H1 in terms of land use.

3.2 Policy H7 seeks to provide a range of unit sizes to meet demand across the borough and regards 2 and 3 bed units as high priority whilst 1-bed are identified as lower priority. The proposed unit size is therefore supported.

Retail

3.3 The application site is located within a Neighbourhood Centre and recognised as an area that provides for the day-to-day needs of people living or working nearby. Within these areas, the Council will seek to retain convenience shopping for local residents in Camden's Neighbourhood Centres and will ensure that development in them does not harm the function, character or success of that centre. As a guide, the Council will resist schemes that result in less than 50% of

ground floor premises being in retail use.

- 3.4 The proposal would retain a retail unit of a reduced size at ground floor level, with the main loss of retail floorspace being the conversion of the rear storage area to residential floorspace and the loss of ancillary storage / accommodation at first floor level. Importantly, the front section would be retained as retail and appears to be of an appropriate size for a viable retail unit. For instance, the existing barber use, (which apparently would return to the unit after completion) only uses the front part of the ground floor. The surrounding environment demonstrates around 50% of ground floors to be in retail uses with others being in non-retail uses that support the character, function and vitality of the centre including food and drink, pubs and professional services. On balance, the reduced size of the retail unit is considered acceptable. It is recognised that its complete loss would be subject to further planning permission and could be resisted at that point.

4 Standard of residential accommodation

Space standards

- 4.1 CPG Housing requires development to provide high quality housing that provides secure, well-lit accommodation that has well-designed layouts and rooms. All habitable rooms should have access to natural daylight and the strong preference is for dual aspect units. In this instance, both units would be triple aspect (though views to the north-east would be somewhat limited by the neighbouring building), and all habitable rooms would be well served by windows.
- 4.2 For a 3-bed 5 person unit over three storeys (no space provided for four storeys), the Nationally Described Space Standards require 99 sqm whilst the proposed unit would measure 104 sqm over four storeys. Considering the floorspace exceeds the standard by 5sqm, which is akin to the space take up of a stair, the size of the proposed units is considered to be adequate.
- 4.3 At ground floor level, an existing rear extension would be removed to allow 8sqm of private amenity space to be provided off the kitchen which is welcomed.

5 Affordable Housing

- 5.1 Policy H4 expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to the residential floorspace of 100sqm GIA or more. The proposal involves an uplift of approx. 104sqm (GIA) of residential floorspace via extensions and change of use from retail to residential. Therefore, a contribution in the form of a payment in lieu is required.
- 5.2 Under policy H4, for developments with a capacity of less than 25 units, the affordable housing contribution is based on a sliding scale with the target starting at 2% for an additional home (at 100sqm) and is increased by 2% for each home added to the capacity. Based on the floorspace uplift (rounded to the nearest 100sqm), the affordable housing contribution would be 2% (based on a GIA of 104 sqm). This 2% is then applied to the proposed gross external area (GEA) (106.6 sqm using standard multiplier of 1.025) of the scheme resulting in 2.13 sqm. This value is then multiplied by £2,650 (the multiplier factor to calculate payment-in-lieu for a market residential scheme) to get the required additional affordable housing contribution of £5,644.50.
- 5.3 Were the scheme to be supported, the additional affordable housing contribution would be achieved via a Section 106 legal agreement upon approval of the proposal. A document setting out proposed heads of terms for a section 106 agreement has been submitted with the application; however, there is no reference to an affordable housing contribution.
- 5.4 In the absence of a legal agreement to secure the affordable housing contribution, the proposal cannot be supported as this would not assist the Council meet housing needs for households in the borough that are unable to access market housing. The lack of affordable housing contribution

shall therefore constitute a reason for refusal.

6 Design and Heritage

Principle of extending upwards

- 6.1 As the application site is situated within the Camden Broadway Conservation Area, the statutory provision relevant to the determination of the application is Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. Section 72 of the Act requires that in considering whether to grant planning permission for development in a Conservation Area, special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 6.2 As pointed out at pre-application stage and in the previous refusal (ref. 2019/6164/P), the vertical extension of the site to match its neighbours is considered to be harmful to the character and appearance of the conservation area. The site is a rear infill of the garden behind the house on Brecknock Crescent as illustrated by the below map, which also shows both terraces existing before the application building was built:



- 6.3 This means that the site is not simply part of the Camden Road frontage that was unaccountably built low. While it is unusual for the side return to run along the major road -- the more normal typology being for the garden elevation to return along the minor road -- this situation nonetheless marks the difference between the 1824 street and the 1832 crescent, and herein lies its purpose and subsequent interest. While anomalous, this relationship is not harmful and is not in need of being “corrected” via a substantial height increase. On the contrary, allowing this low site to be enlarged to the size of its principal-frontage neighbours would mask the pattern of historic development, to the detriment of the conservation area. This would be true of allowing any corner backland site to rise to the same height as the frontage houses on the major and minor road.
- 6.4 The heritage and conservation statement asserts that the building “is quite different to that which was originally on this site before the second world war”; however, there is no evidence provided for this, beyond the bomb map, which shows neighbouring houses on both Camden Street and Brecknock Crescent as “doubtful if repairable”. Why every other house in the vicinity should have been “restored to their former scale and appearance”, but not this one, is not explained. On the balance of probabilities, this building too was restored to its previous form after the war.
- 6.5 The lesser visual qualities of the building, in comparison with its neighbours on Camden Street and its host building on Brecknock Crescent, clearly suggest that it is a later, subordinate infill and never intended to be a frontage building in its own right. It does not match the 1820s houses to its south, with their elegant blind-arched windows, because it was built after them, and for a different purpose. It does not, therefore, necessarily appear correct to say that the building only takes its current form because it was bombed and not properly rebuilt, unlike every other nearby building. Again, once this is understood, increasing the building’s scale to that of its neighbours conceals the pattern of development, to the detriment of the conservation area.

6.6 The site is, in effect, a rear extension of the most westerly building on the crescent, no.128b Camden Road. It is emphasised that originally, this property would have addressed the crescent but insensitive alterations have altered it so it now addresses Camden Road at ground floor level (and subsequently has taken on a Camden Road, rather than St Pancras Way address). Nonetheless, at levels above, the principal elevation is clearly that which faces the crescent. With regards to the scale of rear extensions, CPG Altering and extending your home states that they should not exceed the height of one storey below eaves, which it already is.

6.7 As such, the principle of an upwards extension in this location is considered unacceptable as it would conceal the historic pattern of development and represent an excessively scaled rear addition to no.128b Camden Road.

Form and design

6.8 The proposed extension would extend the first floor up vertically in brick before terminating the building with a mansard roof to match the form of the mansards along the rest of the terrace. The design objective of the additional two storeys is to allow the building to be read as a coherent continuation of the Camden Road terrace (no's 118-126). As the building was originally a rear outrigger to Pancras Way rather than an unfinished piece of the terrace, its length (projection from the rear elevation of no.128b) is greater than the plot width of the terraced properties. The design approach has dealt with this relatively successfully by keeping the detailing (sash windows, brick arches) sensitive to the age of the building and avoiding imitating the more ornate window detailing of the rest of the terrace which would have appeared jarring. The proposed brick type would be matching London yellow stock. Were the principle of infilling the gap in this location acceptable, there would be no objection to the detailed design.

6.9 The junction with the existing mansard at no.128b would be problematic as it would leave an awkward gap between the angled roof slope of its neighbour and its sheer brick gable wall which would be perceived from street level. It is acknowledged, however, that this is a challenging intersection and were the upwards extension to be supported, this detail is likely to be acceptable.

6.10 To the rear, the extension would incorporate a modest outrigger section which would appear subordinate to the scale of the extension and acceptable. The mansard would be 'L-shaped' to the rear which although not a strictly traditional form, is acceptable owing to its subtlety and imperceptibility in public views. The design of the rear is an improvement on the previous refused application which included an overbearing rear outrigger and a contrived form of mansard.

6.11 The proposed mansard would be detailed with two dormer windows to the front and rear that match the scale and proportions of the mansards along the terrace and respect the hierarchy of windows that traditionally should reduce in size moving up the building. Were the principle of extending upwards supported then the detailed design would be acceptable on balance.

Shopfront alterations

6.12 The proposed alterations to the shopfront involve inserting a new entrance door to access the residential accommodation and repainting it dark grey. There is no objection to the proposed alterations

7 Impact on the amenity of surrounding occupiers

Daylight, sunlight and outlook

7.1 Compared to the previous application, the massing to the rear has been reduced considerably but would still introduce some additional built form close to several windows on the southwest / rear facing elevations of 128b Camden Road and 159 St Pancras Way. A daylight and sunlight assessment has been submitted with the application that explores the impact on the windows. Such assessment was absent from the previous application. The assessment demonstrates that

the loss of daylight in terms of the ratio of impact would be compliant with BRE guidance insofar that all windows would retain at least 80% of their current VSC values.

- 7.2 In terms of outlook, the proposed upwards extension with its slight rear outrigger would have some impact on the outlook from the south-facing second floor and dormer windows of no.128B Camden Road. The form of the extension has made some allowances to mitigate the impact by restricting its massing to retain a degree of outlook to the windows. Furthermore, it is understood that the second floor window serves a non-habitable room. On balance, the retained outlook is considered acceptable especially when considering the existing situation is not significantly different.

Privacy

- 7.3 The new window openings in the north east facing elevation of the extended 'closet wing' at first and second floor levels, as well as the existing ground and first floor level windows, are all situated on the boundary with no. 159 Pancras Way at a distance of 2.8m from the windows on the rear elevation. A small courtyard area which appears to be used as a residential amenity space directly abuts the closet wing of the application site.
- 7.4. The existing side elevation windows currently serve rooms ancillary to the use of the barbershop that will be used infrequently relative to rooms in residential use. The activity of the rooms will be intensified by the proposed change of use, leading to greater overlooking of the neighbour's amenity space and rear windows.
- 7.5. Compared to the previous refused proposal, the current proposal represents an improvement in privacy terms as the windows would now serve non-habitable rooms (hallway, bathroom) enabling them to be obscure glazed and fixed shut below a finished floor height of 1.7m. This has been demonstrated on the proposals.

8 Transport Considerations

- 8.1 In line with Policy T1 of the Local Plan, the Council expect cycle parking at new developments to be provided in accordance with the standards set out within the London Plan (2 spaces for 2-bed units and larger). For a 3-bed unit, two cycle spaces would be required and the proposals demonstrate these would be provided internally in a ground floor storage area. This complies with the policy requirement.
- 8.2 Policy T2 requires all redevelopment schemes to be car-free in order to reduce air pollution and congestion and improve the attractiveness of an area for local walking and cycling. The applicant has indicated willingness to enter into a legal agreement for a car-free development; however, in the absence of a finalised legal agreement being in place at the time of determination, the lack of such agreement shall constitute a reason for refusal.
- 8.3 As the site is located on a busy main road and a substantial amount of construction work is proposed, the proposals have potential to cause significant disruption unless carefully managed. In accordance with policy A1, where development sites have the potential to cause significant disturbance due to their location or the anticipated length of construction period, measures required to reduce the impacts of construction works must be secured via a Construction Management Plan (CMP). The Council would also seek a CMP implementation support contribution of £3,136 to mitigate the impact on the safety and operation of the local road and pedestrian networks in addition to a CMP bond of £7,500 would also be required in case the contractor fails to abide by the CMP and the Council has to take action to remediate issues.
- 8.4 The applicant has indicated willingness to enter into a legal agreement for a Construction Management Plan and associated contributions; however, in the absence of a finalised legal agreement being in place at the time of determination, the lack of such agreement shall constitute a reason for refusal.

9 Recommendation

Refuse Planning Permission