

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>11/01/2021</b>
		N/A		<b>Consultation Expiry Date:</b>	<b>01/04/2021</b>
<b>Officer</b>			<b>Application Number(s)</b>		
David Peres Da Costa			2020/2434/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
59-61 Camden High Street London NW1 7JL			Refer to draft 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>					
Conversion of property from 4 flats to 8 flats including erection of rear extension at second and third floor incorporating mansard roof and erection of front mansard roof extension above existing second floor including rear roof terraces at first floor level.					
<b>Recommendation(s):</b>		Refuse planning permission			
<b>Application Type:</b>		Full planning permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	01	No. of objections	01
Summary of consultation responses:	<p>Three site notices were displayed from 09/12/20 to 02/01/20 and the application was advertised in the local paper on 10/12/20 (expiring 03/01/20).</p> <p>One objection was received from the occupier of Carlow House, Carlow Street. The following issues were raised.</p> <p>I object to the approval of this application. This development will cause a long period of noise and mess in the air to my flat and the rest of this heavily populated (domestic residences) in this area. The area is already over populated for the amenities in the area. If the development is approved there should be strict conditions to ensure that the whole site is shrouded to keep noise and dirt away from its very close neighbours. Also no work should be allowed on the Site on Saturday mornings.</p> <p><i>Officer's comment: If the application were recommended for approval, a Construction Management Plan would be secured. This would help to ensure that the impact of the development on the operation of the highway network and neighbouring amenity can be ameliorated in line with Policy A1. Housing is the priority land use in the Local Plan and the provision of 4 additional flats would help to meet Camden's housing needs.</i></p>					
Camden Town Conservation Area Committee	<p>Camden Town CAAC – objects</p> <p>The Committee objects to the loss of the original butterfly roofs to these two properties, and considers that the extension at the rear of the properties, which is prominent in views from both Miller Street and Arlington Road is too bulky and overbearing, with a poor design which will result in light pollution and overlooking into the Fairfield Playcentre (for primary age children). The proposed bike store on the roof terrace and amenity terraces will be very vulnerable to burglary.</p> <p>The current design neither preserves nor enhances the Conservation Area and should be refused.</p> <p><i>Officer's comment: The roof extension and rear extension are considered to harm the conservation area and therefore would constitute a reason for refusal. The impact on light pollution is not considered harmful in this town centre location. The nursery play space is already overlooked by the property to the north (63-65 Camden High Street). Therefore, the additional overlooking of this area is considered acceptable. The location of the cycle store is supported by the Council's transport officer. If approval were recommended, details of a secure, covered cycle store would be secured by condition.</i></p>					

## Site Description

The site is a 3 storey building on the west side of Camden High Street close to the junction with Miller Street. The site falls within the Camden Town Conservation Area and the property is identified as positively contributing to the Conservation Area. The site also falls within the Camden Town 'Town Centre'. At the rear of the site is the Fairfield Playcentre. The property is sited above the London Underground Northern Line tunnels.

## Relevant History

Application site: 59-61 Camden High Street

**2019/1225/P:** Use as 1 x 2-bed flat and 1 x 3-bed flat at first floor; and 1 x 1-bed flat and 1 x 2-bed flat at second floor (Class C3) Granted 08/04/2019

**2019/3697/P:** Conversion of property from 2 flats to 3 flats (1x 2-bed, 2x 1-bed) on first floor. Resolved to grant 18/10/2019 but legal agreement remains unsigned.

**34865R1:** Change of use of the southern half of the ground floor and the whole of the first and second floors from retail to offices. Granted 08/11/1982

**TP82692/20359:** Extension to storage shed at Nos. 59-61 Camden High Street, St. Pancras. Granted 26/02/1959

**TP82692/21485:** The erection of a single storey extension at the rear of 59-61 Camden High Street, St. Pancras, for use as a shop. (submitted 26/12/1961)

Application site: 61 Camden High Street

**TP3021/12572:** To erect an additional upper storey to an existing single-storey rear addition at the premises No. 61, Camden High Street, St. Pancras, and to use as a showroom in connection with existing use for retail sale of furniture. Granted 11/10/1962

**TP73043/25330:** Erection of a single-storey building at rear of No. 61, Camden High Street, St. Pancras, for use as a showroom in connection with the existing furniture shop. Granted 09/05/1956

63-65 Camden High Street

**8903257:** Erection of a four storey building for ground floor retail use with three floors of B1 office use above. Granted 09/11/1989

67 & 67A Camden High Street

**2016/4496/P:** Erection of mansard roof extension to 67 and 67A Camden High Street to create 2 two-bedroom flats. Granted Subject to a Section 106 Legal Agreement 15/05/2017

## Relevant policies

**NPPF 2019**

**London Plan 2021**

**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  
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**

CPG Amenity (January 2021)  
CPG Design (January 2021)  
CPG Housing (January 2021)  
CPG Developer contributions (March 2019)  
CPG Energy efficiency and adaptation (January 2021)  
CPG Transport (January 2021)  
CPG Air Quality (January 2021)

**Camden Town Conservation Area Statement** (adopted October 2007)

### 1. Proposal

- 1.1. The application seeks consent for a mansard roof extension, a rear extension at second and third floor which would incorporate a mansard roof and to convert the property from 4 flats to 8 flats (5 x 1b/2p flats, 2 x 2b3p flats and 1 x 3b5p flat). Consent is also sought for roof terraces at rear first floor level.

### 2. Assessment

- 2.1. The principal considerations material to the determination of this application are as follows:
- Land Use
  - Affordable housing
  - Housing mix
  - Housing quality
  - Air Quality
  - Access
  - The visual impact upon the character and appearance of the host property, streetscene, local area and the Camden Town Conservation Area (Design and Conservation)
  - The impacts caused upon the residential amenities of any neighbouring occupier (Residential Amenity)
  - The implications upon local transport and highways conditions and relevant planning obligations (Transport)
  - Energy and sustainability

#### 2.2. Land use

- 2.3. Housing is the priority land use in the Local Plan, as stated in policy H1, and the provision of 4 additional flats would help to meet Camden's housing needs.

#### 2.4. Affordable Housing

- 2.5. Policy H4 aims to maximise the supply of affordable housing. We 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. 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. On the basis of 189.9sqm GIA of additional housing floorspace proposed, this would result in a requirement for 4% affordable housing. This would equate to 7.596sqm GIA of affordable floorspace. Where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu of affordable housing.

- 2.6. The affordable housing payment in lieu rate is £5000 per sqm GIA. Therefore, the affordable housing payment in lieu would be £37,980 (7.596sqm x £5,000). This should be secured by legal agreement. In the absence of a legal agreement this would form a reason for refusal.

#### 2.7. Housing mix

- 2.8. The existing site has 4 flats: 1 x 1-bed flat, 2 x 2-bed flat and 1 x 3-bed flat. The proposed development would provide 8 flats (4 additional flats) with five 1b/2p flats, two 2b3p flats and one 3b5p flat. Therefore, the development would provide four additional one bed flats. One bedroom flats are a lower priority in Camden. However, the Council acknowledges that there is a need and/ or demand for dwellings of every size identified in the Council's

Dwelling Size Priorities Table. A higher percentage of two and three bedroom homes would be preferred. Nevertheless, it is acknowledged that overall the development would provide a mix of large and small homes and so would comply with Policy H7.

## 2.9. **Housing Quality**

- 2.10. All the flats meet or exceed the minimum floorspace requirement set out in the London Plan. Six of the flats would be dual aspect. Two of the flats would have access to a private terrace. The absence of external amenity space for the other flats is acceptable given the constraints of the site. As the development is a conversion with extension, it is accepted that the constraints of the site do not allow for a communal bin store. Future residents would therefore have to make use of kerbside collection.

## 2.11. **Air Quality**

- 2.12. As the development introduces sensitive uses into an area of poor air quality, a detailed air quality assessment is required. This was requested at validation stage but has not been provided. The lack of a detailed air quality assessment, setting out an assessment of the local air quality and appropriate mitigation measures required for the flats, would form a further reason for refusal.

## 2.13. **Access**

- 2.14. Part M cannot be applied to a dwelling where step-free access cannot be achieved.

## 2.15. **Design**

- 2.16. The site falls within the commercial sub area of the conservation area. The conservation area statement notes that “much of the original development of the High Street from the 1820s and 1830s survives: the underlying character of the street is derived from the modest three-storey terraces on narrow plots, partly concealed behind later 19th century single-storey shops.” In addition the conservation area statement provides a description of the subject property and neighbouring properties (as set out below).
- 2.17. *“The post-modern Savant House at Nos 63-65 is a worthy attempt to evoke the neo-Queen Anne of the upper High Street. Nos 57-61 are a row of three High Victorian brick houses, Nos 59-61 painted over, but No 57 intact complete with cornice: a good example of structural polychromy. It has the inscription ‘WB/1862’. No 55 is Tommy Flynn’s Bar, with decorated window lintels and an elaborate cornice surmounted by a panel inscribed ‘Princess Beatrice’. Nos 49-53 are a run of Victorian houses, No 49 with a big classical window on the first floor.”*
- 2.18. The conservation area statement provides the following guidance on roof alterations and extensions as follows:
- 2.19. *“The Conservation Area retains many diverse historic rooflines which it is important to preserve. Fundamental changes to the roofline, insensitive alterations, poor materials, intrusive dormers, or inappropriate windows can harm the historic character of the roofscape and will not be acceptable.”*
- 2.20. The conservation area statement also provides guidance on rear extensions, as follows:
- 2.21. *“Within the Camden Town Conservation Area there are many interesting examples of historic rear elevations. The original historic pattern of rear elevations within a street or group of buildings is an integral part of the character of the area and as such rear extensions will not be acceptable where they would compromise the special character.”*
- 2.22. The overarching character of the neighbouring buildings and the nearby area is of a strong

parapet line at roof level. This can be seen on the subject property and 49-55 Camden High Street to the south. The proposed mansard would diminish this strong parapet line. In addition, the proposed mansard would erode the character of the roofline in medium and long views (from Camden High Street) and the 19th Century character of the high street. Given this, a mansard roof extension would be detrimental to the appearance of host property, Camden High Street and the conservation area.

- 2.23. The four storey development approved at 63-65 Camden High Street is an historic permission (granted 1989). Likewise the development at 52-56 Camden High Street appears to be historic. Given that these are historic permissions determined in a different policy context, neither of these sites provide a precedent for the current application. The approved mansard at 67 & 67A Camden High Street is also not considered to form a precedent: 67 & 67A form a utilitarian 1930s-1950s block and adding a mansard has not detracted from its historic or architectural character. Whereas, the application site is noted as a positive contributor and forms a composition with a group of other 19th Century buildings with strong parapet lines on this side of Camden High Street (nos. 49-55). Installing a mansard at 59-61 would impact on the architectural composition of the main building and the unity of the historic group, which would be particularly noticeable in longer views along Camden High Street and Plender Street.
- 2.24. At the rear of the property, the planning history demonstrates that over time the ground floor has been extended to enclose the entire site. In 1962 permission was granted for a first floor extension above the existing ground floor addition at the rear. The Camden Town Conservation Area was designated on 11<sup>th</sup> November 1986. The proposed rear extension at second and third floor level would not be a subordinate addition and would conceal the historic rear elevation which includes a butterfly roof. It is noted that part of the existing rear elevation at second floor level has a pitched roof which results in the windows being at a lower level than would be expected. It is unclear when this changed occurred, however it appears historic and there are drawings from 1982 which show the pitched roof. Nevertheless, the second floor extension and mansard roof extension would be bulky and would overwhelm the existing rear elevation. The second floor extension would also project beyond the historic rear building line which is readily visible on this part of the terrace as well as the neighbouring terrace to the south. The rear of the property backs on to open space and so the development would be visible from the public realm.
- 2.25. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.
- 2.26. The effect of this section of the 1990 Act is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption. The NPPF provides guidance on the weight that should be accorded to such harm and in what circumstances such harm might be justified (paras 193-202). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 2.27. The proposed development would result in less than substantial harm to the conservation area. The public benefit of an additional four one bed flats (which are a lower priority for housing in Camden) and an affordable housing payment in lieu of £37,980, would not outweigh the harm identified.

## 2.28. **Amenity**

### 2.29. Daylight and sunlight

2.30. A daylight and sunlight report has been submitted. The report confirmed that daylight and sunlight to the neighbouring residential properties would be retained to a level that would satisfy the BRE criteria. The overshadowing assessment only assesses areas within the site. At the rear of the site is a nursery garden play space. The BRE guidance states the availability of sunlight should be checked for children's playgrounds and sitting out areas. The BRE guidance advises: It is suggested that, for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet this, and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable. The applicant was advised that officers had concerns with possible overshadowing of the nursery garden space to the rear, however no assessment has been provided of this area. The lack of an overshadowing assessment of the nursery garden play space to the rear would therefore form a further reason for refusal.

### 2.31. Overlooking

2.32. There are no properties immediately to the rear of the site which could be affected by the additional windows on the rear boundary. The nursery play space is already overlooked by the property to the north (63-65 Camden High Street). There would be no harmful overlooking from the proposed mansard windows at the front of the site as the properties opposite are separated by a significant distance. There could be overlooking of the neighbouring first floor windows at 57 Camden High Street from the proposed first floor roof terrace. If planning permission were recommended, a privacy screen along this boundary would be secured by condition.

## 2.33. **Transport**

- 2.34. In line with Policy T1 of the Local Plan, we expect cycle parking at developments to be provided in accordance with the standards set out in the London Plan. This would give a requirement for 11 cycle parking spaces, however only 4 Sheffield stands (8 spaces) are shown on the submitted plans. These would be provided at first floor level in what appears to be an outdoor courtyard area. Whilst the number of spaces being provided is less than that required by the standard, this is considered acceptable given the limited availability of space at the site. However, the spaces should be covered and their arrangement adjusted so that both sides of the stands can be used. If the application were to be recommended for approval, the provision of cycle parking should be secured by condition.
- 2.35. In line with Policy T2, all 8 of the residential units should be secured as parking permit free by means of a Section 106 Agreement. This would prevent the future occupants from adding to existing on-street parking pressures, traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. In the absence of a legal agreement this would form a further reason for refusal.
- 2.36. The site is located on Camden High Street adjacent to a Pelican crossing, bus lane and bus stop. The nearest loading bays are located to the south of the site. Given the limited accessibility of the site from the adjacent highway, a Construction Management Plan and associated Implementation Support Contribution of £3,136 and Impact Bond of £7,500 should be secured by means of a Section 106 Agreement. This will help ensure that the impact of the development on the operation of the highway network and neighbouring amenity can be ameliorated in line with Policy A1 of the adopted Local Plan. In the absence



of a legal agreement this would form a further reason for refusal.

- 2.37. Any scaffolding or site hoarding that is required in order to carry out the development will require a licence and associated bond from TfL (Transport for London). As such, it is considered that there is no requirement for a highways contribution for this development.

**2.38. Energy and sustainability**

- 2.39. Policy CC1 requires all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy and to optimise resource efficiency. All developments involving five or more dwellings will be required to submit an energy statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction. All new build residential development will also be required to demonstrate a 19% CO2 reduction below Part L 2013 Building Regulations (in addition to any requirements for renewable energy). The Council will expect developments of five or more dwellings to achieve a 20% reduction in carbon dioxide emissions from on-site renewable energy generation, unless it can be demonstrated that such provision is not feasible. The 20% reduction should be calculated from the regulated CO2 emissions of the development after all proposed energy efficiency measures have been incorporated.

- 2.40. An energy statement has not been submitted. It is considered that the development could meet the 19% reduction in CO2 by measures such as enhanced fabric specifications and low u-value double glazed windows. If planning permission were to be recommended, the submission of an energy statement demonstrating a 19% reduction in CO2 and investigating the feasibility of renewables (to achieve a 20% reduction in CO2) would be secured by condition.

- 2.41. Residential developments are expected to meet the requirement of 110 litres per person per day (including 5 litres for external water use). This would be secured by condition if approval is recommended.

**2.42. Conclusion**

- 2.43. A mansard roof extension would be detrimental to the appearance of host property, the streetscape and the conservation area. The rear extension would be bulky and would overwhelm the existing rear elevation and host building as whole. The proposed development would result in less than substantial harm to the conservation area. The public benefit of an additional four one bed flats and an affordable housing payment in lieu of £37,980 would not outweigh the harm identified.

- 2.44. In the absence of an overshadowing assessment of the development on the playground to the rear, the applicant has failed to demonstrate that this space would not be harmed by the development.

- 2.45. In the absence of a detailed air quality assessment, the applicant has failed to demonstrate that future occupiers would not be exposed to poor air quality.

- 2.46. In addition, given that there is no legal agreement to secure the affordable housing contribution, CMP, car free, these matters would constitute further reasons for refusal.

- 2.47. The application is recommended for refusal for the reasons set out above.