

Delegated Report		Analysis sheet		Expiry Date: 21/04/2020	
		N/A		Consultation Expiry Date: 29/03/2020	
Officer			Application Number(s)		
Patrick Marfleet			2019/6094/P		
Application Address			Drawing Numbers		
18 England's Lane London NW3 4TG			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Change of use of 3 x self-contained residential units (Class C3) to office use including erection of mansard roof extension and associated roof terrace at fourth floor level.					
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:		Site notice: displayed from 28/02/2020 – 23/03/2020 Press notice: displayed from 05/03/2020 – 29/03/2020 No objections received.			
Local Groups		No objections received.			
Site Description					
The application site relates to the first to third floor levels of a four storey mid-terrace building located on the northern side of England's Lane. The properties along this side of the street are characterised by commercial units at ground floor level with residential accommodation provided on the floors above. The application building is not listed but is identified as making a positive contribution to the character of the Belsize Conservation Area.					

Relevant History

Application site

2020/0851/P - Erection of single storey mansard roof extension with terrace areas to the front and at roof level with associated railings. **Appeal against non-determination, would have refused 30/12/2020. Appeal ref: APP/X5210/W/20/3261121 dismissed 17/06/2021.**

2019/1010/P - Erection of mansard style roof extension; formation of roof terrace to fourth floor front elevation. **Approved 19/06/2019.**

Neighbouring site – 24 England's Lane

2007/2778/P - Installation of metal railings on the roof of the residential building to facilitate use of the roof as a terrace. **Refused 11/09/2007 – appeal ref: APP/X5210/A/08/2068998 dismissed 19/09/2007.**

Relevant policies

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

H1 Maximising housing supply

H3 Protecting existing homes

Camden Planning Guidance

CPG Design

CPG Amenity

Belsize Conservation Area Appraisal and Management Strategy 2003

Assessment

1 PROPOSAL

1.1 Planning permission is sought for the erection of a single storey mansard roof extension for use as office space. Permission is also sought for the change of use of the three existing 1 bed flats at first, second and third floor level to office use.

Revisions

1.3 No revisions have been sought in this instance.

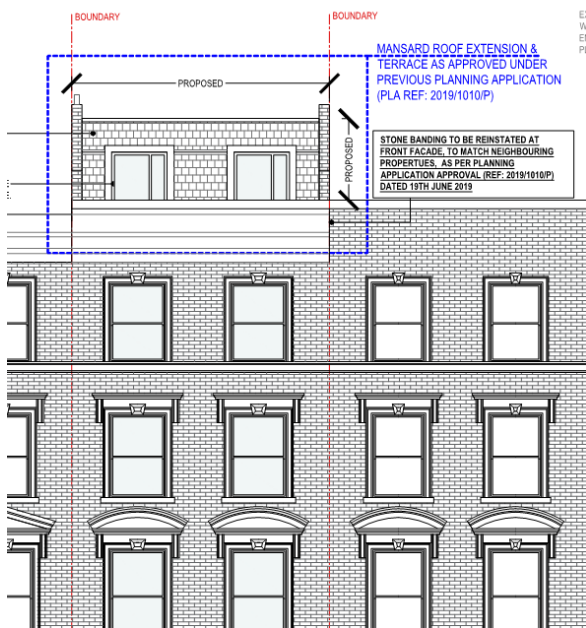
2 ASSESSMENT

2.1 The material considerations for this application are as follows:

- Land use;
- Amenity of neighbouring residential occupants

2.2 Officers note that the plans submitted as part of the current application include the single storey mansard roof extension approved under 2019/1010/P, which the applicant has confirmed is now being built. The following assessment therefore relates only to the proposed change of use of the existing first, second and third floors from residential accommodation to office use.

Approved roof extension



2.3 Land use

2.3.1 Policy H1 (Maximising housing supply) identifies self-contained housing as the priority land use of the Local Plan. Furthermore, Policy H3 (protecting existing homes) aim to ensure that existing housing continues to meet the needs of existing and future households by resisting development that would involve a net loss of residential floorspace.

2.3.2 The current proposals to change the use of the upper floors of the property would result in the permanent loss of three 1 bed flats, which equates to approximately 140sqm of existing residential floorspace. As such, the proposed change of use is contrary to a fundamental policy of the Local Plan and would result in a reduction in housing numbers, and would be at odds with the Council's aim of preserving and increasing the boroughs housing stock.

2.3.3 Furthermore, the applicant has provided no evidence to demonstrate why the existing residential units are no longer fit for purpose, and would thus warrant a change of use to office space. In any event, officers do not consider there to be any extenuating circumstances that would justify the proposed change of use, which would represent a significant departure from our adopted housing policies.

2.3.4 Officers note that the current proposals seek permission for the space within the approved mansard roof extension to be used as offices. However, as mentioned above, the proposed change of use of the floors below to office space is considered unacceptable so it would be odd to include a small area of office space at fourth floor level which would need to be accessed via the existing residential entrance and stairs. Therefore, the use of the mansard roof extension as office space is not considered compatible with the residential uses of the floors below, and is unacceptable as a result.

2.4 Amenity of neighbouring residential occupants

2.4.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG (Amenity) provides specific guidance with regards to privacy, overlooking and outlook.

2.4.2 The proposed use of the upper floor levels and roof extension as office space is not considered to cause harm to the amenity of neighbouring residents in terms of increased noise and disturbance. The terrace area to the front of the roof extension was approved under 2019/1010/P and is not considered to exacerbate current levels of overlooking at the site.

3 Recommendation

3.1 Refuse planning permission