

Delegated Report		Analysis sheet		Expiry Date:	02/12/2013
		N/A / attached		Consultation Expiry Date:	28/10/2013
Officer			Application Number(s)		
Paul Gardiner			2013/5855/P		
Application Address			Drawing Numbers		
58 B King Henrys Road London NW3 3RP			Refer to decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Excavation of a basement and rear extension at lower ground, ground, and first floor levels and alterations to hard standing including bin store and cycle store to the front of the existing dwelling. Installation of new front door at ground floor level and replacement of glass balustrade to first floor level. Replacement windows and replacement spandrels between upper floor windows and parapet level to residential dwelling. Insertion of new windows to the rear elevation at second floor level (Class C3).					
Recommendation(s):		Refuse planning permission			
Application Type:		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	02	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	No response received					
CAAC/Local groups* comments: *Please Specify	No relevant organisations.					

Site Description

The site forms part of a terrace of 11 three storey houses on the north side of King Henry's Road which back on to London Overground and Network Rail railway lines. The terrace was built in the late 1960's in a modern style as part of the Chalcot Estate development. It is constructed in London stock brick with white timber cladding, first floor balconies, aluminium framed windows and integral garages.

The site is not located within a conservation area.

Relevant History

P9600001 - Alterations to change garage doors. Granted 05/02/1996.

2012/6456/P - Excavation of basement and rear extension at lower ground and ground floor levels and alterations to hard standing including bin and cycle store to the front of existing dwelling (Class C3). Granted 27/03/2013.

2013/2983/P - Installation of new front door at ground floor level and replacement of glass balustrade to first floor level. Replacement windows and replacement spandrels between upper floor windows and parapet level to residential dwelling (Class C3). Granted 31/05/2013.

2013/4640/P - Installation of 2m glass screens to rear terrace at first floor level, alteration of approved window arrangement under planning permission ref 2012/6456/P and replacement of existing 2nd floor windows to dwellinghouse. Granted 01/08/2013.

58 King Henry's Road:

2007/4507/P - Erection of two-storey rear extension at basement and ground floor level in connection with existing single-family dwellinghouse (Class C3). Certificate of Lawfulness (proposed). Granted 01/11/2007

58a King Henry's Road.

2010/1438/P: Excavation of basement and erection of a two storey rear extension at basement and ground floor level to dwelling house (Class C3). Granted 19/05/2010.

Land adjacent to 58D King Henry's Road

2008/4216/P: Erection of a new 2 storey plus basement dwelling house with rear terrace at second floor level on land adjacent to 58D King Henry's Road. Granted 11/11/2009.

2011/3800/P: Erection of 3-storey building with lower ground floor level for use as a single-family dwellinghouse (Class C3). Granted 28/10/2011.

Relevant policies

LDF Core Strategy and Development Policies

CS1 (Distribution of Growth)

CS5 (Managing the Impact of Growth and Development)

CS13 (Tackling climate change through promoting higher environmental standards)

CS14 (Promoting High Quality Places and Conserving Our Heritage)

DP20 (Movement of goods and materials)

DP22 (Promoting sustainable design and construction)

DP23 (Water)

DP24 (Securing High Quality Design)
DP26 (Managing the Impact of Development on Occupiers and Neighbours)
DP27 (Basements and lightwells)
Camden Planning Guidance.

Assessment

Proposal and background:

As noted in the relevant planning history section (above), the application site benefits from extant planning permission to excavate a basement and erect a rear extension at lower ground and ground floor levels. The application site also benefits from two lawful development certificates relating to the installation of replacement doors, windows and spandrels to the front elevation, and the insertion of sliding doors and balcony panels to the rear.

The design and access statement submitted with the application describes the purpose of the current application as a consolidation of the approved planning permission and proposed lawful developments into a single permission. The proposal also seeks a number of alterations and amendments to the approved permission 2012/6456/P, summarised below:

1. Basement – increased excavation to the front beneath the existing driveway projecting an additional 1.6m from the approved basement extent, 2.4m in width taking a total area of 3.8sqm. Revised internal layout.
2. Ground floor /Front garden – rearranged internal layout; change in materials to accommodate a larger front light well and slab pavement.
3. First floor – revised internal layout; conservatory extension to rear.
4. Second floor – revised internal layout
5. Roof – increased height of rear roof parapet across entire width.
6. Rear elevation – change in materials of spandrels, insertion of alternative window pattern at lower ground, ground, first and second floor levels.
7. Front elevation - change in materials of spandrels, insertion of alternative windows and doors at ground, first and second floor levels.

Assessment:

Design

As noted above, the proposed 2 storey full width rear extension at basement and ground floor level has been previously accepted at this site. This extension was considered to generally match the scale and design of existing neighbouring extensions at 58 and 58A King Henry's Road.

The previously approved extension measured 5.1m x 2.9m with an apparent height of 4.7m, and left two-storeys between the roof and the eaves of the existing house. As such its size was considered to be sufficiently subordinate to the host property.

The current proposal would retain the approved depth and width, though would seek to increase the overall height with the erection of a first floor conservatory. The proposed conservatory would be positioned above the approved ground floor extension and would be accessed via the first floor living room. The conservatory would extend the full width of the property and would increase the apparent height of the extension to 7.2m.

Camden Planning Guidance 1 – ‘Design’ para. 4.19 requires that conservatories should normally:

- be located adjacent to the side and rear elevations of the building;
- be subordinate to the building being extended in terms of height, mass, bulk, plan form and detailing;
- respect and preserve existing architectural features, e.g. brick arches, windows etc;
- be located at ground or basement level. Only in exceptional circumstances will conservatories be allowed on upper levels;
- not extend the full width of a building. If a conservatory fills a gap beside a solid extension, it must be set back from the building line of the solid extension; and
- be of a high quality in both materials and design. requires that conservatories

The proposed conservatory addition would not meet current guidance in terms of its scale, width, position and height. The proposed conservatory would be inappropriate in this context and would appear as an incongruous feature, out of character with the design of the original building and the group of buildings of which it forms a part. As such, this element of the proposal is not supported and is recommended for refusal accordingly.

It is noted that an erroneous lawful development certificate has been issued for 2m high glazed panels at this level previously, (2013/4640/P). These would not be permitted development and the visual impact of these structures would not be a relevant fall-back in the consideration of the current proposal.

The case officer has requested that this element of the proposal be removed in order to allow for a positive recommendation. However, the applicant has declined to make the required alteration and has requested the Council’s formal decision.

It is noted that as a single-family dwelling house there is no restriction on altering the door, window and spandrel arrangement along the front and rear elevations, which could be undertaken as permitted development.

The treatment of the front garden would not significantly change as a result of the revised proposal, other than the insertion of a new mat glazed light well to the front of the dwelling. This light well would be located to the rear of the approved planter /bin store etc. and in this respect would preserve the building’s appearance from the street.

The continued use of the glass slats over the lightwell at the front of property ensures that the remaining lightwell is hidden and its impact on the streetscene is negligible.

Basement

The basement impact assessment approved under 2012/6456/P has been re-submitted with the current application. The revised proposal would however, seek to extend the approved basement forward by 1.6m along the western front boundary of the site, with a width of 2.4m, resulting in an additional 3.8sqm of gross area.

The proposed additional excavation would result in the need for a revised and updated basement impact assessment. In particular due to the increased proximity of the proposed excavation works to the public highway, and the projection of the basement beyond the foot print of the existing building.

In the absence of a revised and up- to-date basement impact assessment, it has not been adequately demonstrated that the proposal would not result in a significant impact to the built and natural environments and/or local amenity; flooding or ground stability.

Neighbouring amenity

The proposed conservatory would be completed with obscurely-glazed panels along each side and in this regard would not significantly adversely affect the privacy of neighbouring properties. However, the increased bulk of the structure in close proximity to both side boundaries of the property would contribute to an unacceptable overbearing and enclosing impact to neighbouring properties. The additional enclosing impact is likely to adversely affect the ability of neighbouring occupiers to enjoy their remaining outdoor space and is considered to be unneighbourly.

Given the orientation of each property to the path of the sun, and the existing existing 2 storey extension of no.58A, the proposal would be unlikely to result in significant additional overshadowing or an unacceptable loss of light to neighbouring properties.

Removal of tree

An existing 6m high *Prunus* tree with a 14cm (approx.) diameter at the rear of the garden is identified to be removed as part of this application (*Prunus* is the genus of trees which includes cherry trees). There is no special protection for trees along the railway line behind the host property. The tree is not visible from the public realm and does not meet the criteria for a tree preservation order. The tree officer has advised that they have no objection to the removal of the tree which is considered to be in fairly poor form and infested with ivy.

Conclusion:

The proposal by means of discordant design, and the provision of additional bulk, would appear as an incongruous feature, out of character with the design of the original building and the group of buildings of which it forms a part. The proposal would therefore be contrary to Camden Local Development Framework Core Strategy and Development Policies CS5, CS14 and DP24.

In the absence of a revised and up-to-date basement impact assessment, it has not been adequately demonstrated that the proposal would not result in a significant impact to the built and natural environments and/or local amenity; flooding or ground stability. The proposal would therefore be contrary to Camden Local Development Framework Core Strategy and Development Policies CS5, CS14, DP23, DP26 and DP27.

The proposed additional enclosed glazed conservatory by means of its height in close proximity to side boundaries would be likely to result in an unacceptable enclosing and dominating impact to the detriment of the residential amenity of neighbouring occupiers. The proposal would therefore be contrary to Camden Local Development Framework Core Strategy and Development Policies CS5, and DP26.

Recommendation: Refusal.