

<b>Delegated Report</b>  (Members Briefing)		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>30/08/2012</b>
		N/A		<b>Consultation Expiry Date:</b>	<b>03/08/2012</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Jenna Litherland			2012/3521/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
48 A Minster Road London NW2 3RD			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>					
Erection of 2-storey side extension to existing residential building to provide new single-family dwelling house (Class C3) (following demolition of the existing 2-storey size extension including) and associated landscaping, provision of refuse and bike stores.					
<b>Recommendation(s):</b>		Grant conditional permission subject to S106 agreement			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	17	No. of responses	01	No. of objections	01
			No. Electronic	00		
Summary of consultation responses:	<p>Site notice displayed from 13/07/2012 until 03/08/2012.</p> <p>One letter of objection received from the occupier of Flat 1, 48 Minster Road.</p> <p>Objections are on the following grounds:</p> <ul style="list-style-type: none"><li>• Water supply - the plans do not make it clear if the new building will have its own separate water supply.</li><li>• This new property must be connected to separate water supply if it is to be metered as per the sustainability pledges and must not reduce the water supply to the existing flats.</li><li>• Sewage - the plans state that the new building will use the existing shared sewage pipes. As discussed with the owner of Flat 1, Mr Alison, these pipes are in serious disrepair and in no state to have the volume of waste increased.</li><li>• Currently the resident living above the garage flat uses facilities attached to the main house's water supply, so the addition of a new house will of course add to the volume of water, seriously casting doubt on the statement in section 6.4 of the Sustainability Statement "will not produce an increase in the volume of water being discharged into the sewers".</li><li>• The proposal will impact on right of light and privacy to the kitchen window at flat 1 which will be almost adjacent to the new structures entrance and front facing windows.</li><li>• The construction will affect the peaceful enjoyment of the neighbouring properties.</li><li>• The builders will need full access to the garden for the duration of the works, it will therefore not be safe for residents and their pets.</li><li>• The proposal would damage the existing trees in the garden of flat 1 no. 48 which the developers has no entitlement too.</li><li>• The main point of access to the back garden from flat 1 is through the kitchen back door that almost abutts side of the current building. This will no longer be available causing no end of as well of the safety implications. Access to Asmara Road via the garden gate will also be removed.</li></ul> <p><i>Please see the main body of the report for the case officer's response.</i></p>					
Local groups	N/A					

## Site Description

Two storey residential property on the western corner of the junction between Minster Road and Asmara Road. The building is converted into four flats. The property is not listed or within a conservation area.

## Relevant History

**2011/3415/P:** Erection of 3-storey side extension to existing residential building to provide new single-family dwellinghouse (Class C3) following demolition of existing 2-storey garage and bedroom extension, with associated landscaping, provision of refuse and bike stores. **Refused planning permission 10/11/2011**

**2004/3783/P:** The conversion of the existing self-contained flat on the first floor to 2x self-contained flats, and the conversion of the loft space to form a self-contained flat, incorporating the insertion of 3x roof lights on each of the front and the rear roof slopes and the erection of a dormer window on the side roof slope. **Granted subject to a s106 agreement 07/03/2005.**

## Relevant policies

### National Planning Policy Framework 2012

### London Plan 2011

### LDF Core Strategy and Development Policies

CS4 (Areas of more limited change)

CS5: Managing the impact of growth and development

CS6: Providing quality homes

CS11: Promoting sustainable and efficient travel

CS14: Promoting high quality places and conserving our heritage

DP2: Making full use of Camden's capacity for housing

DP5: Homes of different size

DP6: Lifetime homes and wheelchair housing

DP17: Walking, cycling and public transport

DP18: Parking Standards and limiting the availability of car parking

DP21: Development that connects to the highway

DP24: Securing high quality design

DP26: Managing the impact of development on occupiers and neighbours

### Updated Planning Guidance April 2011

**CPG1 – Design**

**CPG2 - Housing**

## Assessment

Planning permission is sought for the erection of a 2-storey side extension to provide a new single-family dwellinghouse (Class C3) following demolition of existing 2-storey extension providing a garage and ancillary habitable floorspace to 48A and associated landscaping, provision of refuse and bike stores. The proposal is similar to an application previously refused at the same site (ref: 2011/3415/P- see the history section of the report).

The previous application was refused on the following grounds:

1. The proposed extension by reason of its height, massing, bulk, location and detailed design, would fail to be subordinate to the host property, would be unduly prominent in the streetscene and would fail to respond positively to the context, setting, character and form of neighbouring buildings including the other half of the semi-detached pair, to the detriment of the appearance of the host building, the pair (nos. 48 & 46) and the streetscene, contrary to Policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and to policy DP24 (Securing high quality design) of the London Borough of Camden Local Development.
2. The proposed development, in the absence of a legal agreement to secure Level 3 of the Code for Sustainable Homes, would fail to incorporate adequate levels of environmental performance and contribute to the Council's aims of tackling climate change, contrary to policy CS13 (Tackling climate change) of the London Borough of Camden Local Development Framework Core Strategy and policy

DP22 (Promoting Sustainable Design and Construction) of the London Borough of Camden Local Development Framework Development Policies.

3. The proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to policies CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP18 (Parking standards and the availability of car parking) and DP19 (Managing the impact of parking) of the London Borough of Camden Local Development Framework Development Policies.

The main differences between the current application and the previously refused application are as follows:

- The previous application was for a 3 storey extension whilst the current application is for a 2 storey extension.
- The previous proposal was for a contemporary designed building whilst the design of the current proposal is of traditional design.
- The materials previously proposed included brick concrete, metal and cedar panelling. The current proposal would be constructed in materials to match the existing dwelling.
- The previous application was for a 3 bed house whilst the current proposal is for a 2 bed house.

The principal considerations which are material to the determination of this application are:

- creation of a new dwelling;
- design;
- trees and landscaping;
- quality of the proposed housing;
- impact on neighbour amenity;
- sustainability;
- transport.

### **Creation of a new dwelling**

Housing is regarded as a priority land use of the LDF. The proposed change of use would assist the Council to meet the strategic housing target for the Borough. This is on the proviso of the residential accommodation proposed being of an acceptable standard (see the quality of the proposed housing section of the report below). In overall terms the principle of providing residential accommodation at this location is considered to be appropriate.

Policy DP5 seeks the creation of mixed and inclusive communities by securing a range of self-contained homes of different size. The proposal is for a 2 bedroom house. Policy states there is a very high demand for 2 bedroom units. The host building contains 1 x 1 bed flat, 2 x 2 bed flats and 1x 1 bed flat. It is considered that the proposal would improve the overall mix of unit sizes within the site and is considered appropriate.

In respect of lifetime homes (as outlined by policy DP6), the applicant has submitted a lifetime homes assessment demonstrating that the proposed scheme would accord all lifetime homes design criteria. This is considered acceptable.

### **Design**

Policy DP24 states that the Council will require all developments, including alterations and extension to existing buildings, to be of the highest standard of design. Of particular relevance to this proposal CPG1 - Design states that extensions should be subordinate to the original building in terms of scale and situation; should respect and preserve the original design and proportions of the building, including its architectural period and style; and retain the open character of existing natural landscaping and garden amenity.

The proposed extension would have a maximum width of 5.7 metres, a depth of 9.5 metres and would be located to the side of the property adjoining Asmara Road. The extension would be set back from the main building line of the property by 3.9 metres. The extension would be part 2 storeys and part single storey. The main roof of the extension would be hipped and the single storey parts of the extension would have a flat roof.

The existing dwelling has a two storey side projection with a hipped roof. The adjoining property, no. 46, has an identical existing extension and at present the pair remains largely symmetrical and both are visible from across the street. The two storey garage projection would be rebuilt to the same size, scale and design as the existing other than minor alterations to the fenestration and replacement of the garage door with timber

cladding and doors which would resemble the garage door. The new 2 storey aspect of the extension would be set back from the main front elevation of the property by 7 metres and would be set in from the side boundary by 1.9 metres. The single storey part of the extension would form the side boundary of the property with Asmara Road and would have a height of 1.8 metres from pavement level. The existing boundary treatment of the site is a 1.8 metre high timber fence. The wall of the extension would replace this. The brick wall would replace the fence along the length of this elevation. As such, the proposed single storey part of the extension would appear hidden behind the boundary treatment.

The height of the new extension would be set down from that of the existing building and the existing side projection. This ensures that the extension would appear subordinate to the host building in terms of height. The extension does have a substantial footprint, however given it's low height and set back position from Minster Road it would remain subordinate to the host building in terms of overall scale.

The proposal unlike the previously refused scheme would rebuild the existing 2 storey side protection which is a feature of the host building and its pair no. 46 which also had a matching side protection. This is welcomed as it will maintain a level of symmetry with the two buildings. The proposed additional 2 storey aspect of the proposal would have a hipped roof. This is considered appropriate and in keeping with the design of the host building and other neighbouring buildings. The windows at first floor level would match the height of first floor windows elsewhere on the building which ensures that the proposal respects the proportions of the host building. On the front elevation at ground floor level 3 sets of French doors are proposed. Whilst this is not particularly in-keeping with other street facing elevations in the vicinity of the site the extension would be partially sunken and set back sufficiently to ensure that it would not appear prominent or at odds with the street scene when viewed from the public realm.

The extension would be constructed in material to match that of the host building. It would have a rendered finish, tiled roof and timber windows which would relate well to the host building.

It is considered that the proposed extension follows the more traditional form of the existing building and is acceptable in terms of design.

### **Trees and landscaping**

The application is accompanied by Arboricultural Method Statement which shows that tree T5 (a Lawson Cypress) would be removed and that all other trees on the site would be protected. A neighbour has raised concern that the proposals would result in harm to tree in the rear garden of no. 48. The tree officer considers that the protection measures set out in the Tree report are adequate to ensure that the trees are protected. Any permission would be subject to a condition requiring full details of hard and soft landscaping.

### **Quality of the proposed housing**

The minimum residential development standards are set out in CPG2 – Housing and require new dwelling to have a room height of 2.3 metres and for a property occupied by 4 people a minimum floorspace of 75 square metres. Camden Planning Guidance also requires first and double bedrooms to measure a minimum of 11.0sqm. The property would have an overall floor area of 100 sqm. The proposed dwelling complies with these standards. Outdoor amenity space would be provided to the front of the dwelling. This is welcomed.

The house would be triple aspect. The overhang of the canopy on the front elevation would allow for some shading to the full height window at ground floor level. The proposed windows would have a good outlook and natural ventilation. The proposed house is considered to provide a good standard of residential accommodation in terms of layout, room sizes, sunlight, daylight and ventilation. The proposal is consistent with LDF Policy CS6 and the Residential Development Standards contained in Camden Planning Guidance. The accommodation has been provided with adequate space for the storage of refuse and recycling on the front forecourt adjacent to the cycle parking.

### **Impact on neighbour amenity**

A response to the public consultation includes concern about loss of light and privacy to the kitchen window at Flat 1. There would be no direct over looking of this window. The windows on the front elevation may allow for oblique views into the windows on the side elevation of no. 48 and vice versa. However, given the angle of views this would not result in harm to neighbour amenity. The rear elevation includes windows which face into the rear garden of flat 1, however as these windows are obscurely glazed they would not result in overlooking. The proposed extension contains no windows which would result in direct over looking into the existing flats at no. 48. The kitchen window at flat 1 is located approximately 2.6 metres away from the single storey part of the extension which is lower in height than the highest part of the kitchen window. This and the fact that the kitchen at flat 1 is dual aspect ensures that the proposal would not harm amenity in terms of loss of daylight or sunlight.

Concern was also raised by neighbours regarding disruption during the construction works. The proposed works on this site are not of such a scale that would require a construction management plan. Noise from construction works is controlled by the Control of Pollution Act 1974 and an informative will be included on any decision setting out the times when noisy building works can take place. The safety of the site during construction which was also raised by neighbours would be controlled by building regulations.

It is considered that the proposed extension would not have a detrimental impact on neighbour amenity.

### **Sustainability**

LDF policy DP22 expects new dwellings to achieve Level 3 of the Code for Sustainable Homes (CfSH) as a minimum, as confirmed by a post-completion certificate, all of which would be secured by S106. The application is accompanied by a CfSH pre-assessment which suggests that Level 3 can be achieved. The proposed construction reviews and ongoing compliance with sustainability measures would be secured by S106.

### **Transport**

In accordance with policy DP18 the Council will expect development to be car free in areas within Controlled Parking Zones that are easily accessible by public transport. The application site has a Public Transport Accessibility Level of (PTAL) of 4 (good) and is therefore easily accessible by public transport. The site is also located within a Controlled Parking Zone (CPZ). Within this context the development should be made car-free. This would be secured through a S106 Legal Agreement.

The proposed plans show a parking space on the forecourt of the property. There is currently existing parking in this position which is currently used by the occupants of the existing flats at no. 48. This car parking space would continue to be used for this purpose.

Cycle parking storage would be provided within the front garden in accordance with Mayor's cycle parking standards which seek 2 spaces for larger dwellings. The detailed design of the cycle storage has not been included as part of this application. This information would be required by condition.

Highways Works Immediately Surrounding the Site – In order to mitigate the impact of construction on the existing footway, a financial contribution will be required to repave the footway along the site's frontage. This would be secured by a S106.

### **Other matters**

A neighbour has also raised concern in relation to water supply and sewerage. The proposal is not considered to result in increase water run off as the majority of the application site will remain soft landscaped, furthermore, any new hard landscaping would be required to be permeable. As such, the proposal does not result in issues in relation to water which are material to the determination of this planning application.

CIL - This proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as the additional floorspace exceeds 100sqm or one unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge for this scheme is likely to be £5,000 (£50 x 100 sqm). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, and subject to indexation in line with the construction costs index.

### **Conclusion**

The proposal is considered to be acceptable in terms of land use, design, trees and landscaping, neighbour amenity, sustainability and transport.

**Recommendation:** Grant conditional permission subject to a S106 covering the following heads of terms:

- Car Free
- Sustainability Plan (Code for Sustainable Homes)
- Highways contribution – (Awaiting quote)

### **Disclaimer**

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