

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	17/12/2012
		N/A / attached	<b>Consultation Expiry Date:</b>	20/11/2012
<b>Officer</b>			<b>Application Number(s)</b>	
Hugh Miller			2012/1679/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
6 Bacon's Lane London N6 6BL			See draft decision	
<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 a single storey 2-bedroom residential 'Granny flat' ancillary to No.6 Bacon's Lane (Class C3).				
<b>Recommendation(s):</b>		Grant planning permission subject to s106 legal agreement		
<b>Application Type:</b>		Full Planning Permission		

Conditions or Reasons for Refusal:	<b>Refer to Draft Decision Notice</b>
Informatives:	

### Consultations

Adjoining Occupiers:	No. notified	<b>02</b>	No. of responses	<b>03</b>	No. of objections	<b>03</b>
			No. Electronic	<b>03</b>		

Application advertised in Ham & High 15/11/2012, expires 6/12/2012.  
 Site Notice displayed 2/11/2012, expires 23/11/2012.

Residents of St Michael Terrace: Objection

- We object to the development at the side of Number 6 Bacon's Lane as it is already built up enough and our entrance is overlooked by the properties on Bacons Lane. Also the street itself is too narrow to sustain building work as it is not big enough to sustain builders' trucks. It is obstructive to traffic control and is a hazard to local home owners and pedestrians. We have had recently huge Lorries parked outside the house obstructing our entrance.
- Concern about the disruption to the neighbourhood and quiet enjoyment will be interrupted from morning until late afternoon.
- There are already ongoing disruptive work in the area on Highgate West Hill so this is a concern as to the yet determined erection of a single story 2 - bedroom residential building becoming an inconvenience.

**Officer Comment:** - *Approval is subject to s106 legal agreement for a full Construction Management Plan to address any possible traffic/ transport issues. Please see section 4. Noise disturbance - Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. Noise nuisance from building works are therefore covered under separate legislation and are thus not relevant to the determination of this planning application. An informative will remind the applicant of this.*

Summary of consultation responses:

3 Bacon's Lane: Objection

- Bacon's Lane is a narrow cul-de-sac. It was designed to serve five houses only. Subsequently nos 6 and 7 were added but with no change in the width of the road. Restricted parking spaces are for delivery vehicles, workmen's vans and short-term visitors to the existing households. All other areas of the roadway have to be kept clear at all times for access by ambulance and fire engines and for turning. The exit into South Grove is a danger spot and provision of an additional dwelling with accommodation to sleep three people will inevitably increase the amount of traffic.
- The proposal would be a case of over-development and is not in accordance with the Highgate Conservation Area Appraisal and Management Strategy. It does not "preserve and enhance the character of the area" bearing in mind particularly its close proximity to no 6 which is a listed building.
- There is also concern that permission once granted would open the way to future extension of the new house, for example by removing the two sheds shown on the plan. Also, that eventually new owners of no 6 may let or sell the new house as a separate unit, either retaining access through the garden or constructing new access alongside the present garage.
- I note that there was a previous planning application to build on this site 01 February 1990 Application Reference No PL/9003002//B10/12/B. Either it was refused or not followed through: at any rate it did not happen.

**Officer Comment:** *Approval is subject to s106 legal agreement for full Construction*

*Management Plan to address any possible traffic/ transport issues. Please see section 4. Please see section 3 regarding design matters. The proposed building is to be ancillary to the main dwelling and will not be used as an independent residential unit; a condition is attached to reflect this – see section 2.*

**4 Bacons Lane : Objection**

- My concern is that Bacon's Lane is a small dead-end private road.
- My brother & I own No 4 and have to pay our share of the costs of maintaining the Lane.
- Development at No 6 will lead to more traffic in what is already a very congested area with frequent disputes between neighbours about parking & access. I feel this is undesirable.
- No 6 is already quite a big house [the current owners brought up 4 children in it] but only has a single garage & the occupants are already parking one or at times two cars in the scanty communal space available in the lane for all the house-holders & their visitors to share.

**Officer Comment:** *Approval is subject to s106 legal agreement for full Construction Management Plan to address any possible traffic/ transport issues. Please see section 4 for more details and other transport matters. Regarding costs to maintain the lane, this is not a material planning consideration to the determination of this application.*

**Highgate Village CAAC: Objection**

- Highgate CAAC has many doubts about the wisdom of granting this application. It constitutes unacceptable backland development. If ownership changes it will be so difficult of access as to be unusable except in rare circumstances. The building proposed is also out of character with the CA and its immediate surroundings. The onduline roof is not acceptable in this situation and the whole building is more like a garden shed than a separate dwelling of quality. If extra accommodation is require there are more acceptable opportunities for this in extending the main house.

**Officer Comment:** *Approval is subject to s106 legal agreement for full Construction Management Plan to address any possible traffic/ transport issues. Please see section 4 for more information. Please see section 3 regarding design matters; the onduline roof was omitted during the course of the application.*

**The Highgate Society: Objection**

- We note from the drawings submitted with this application that parts of the proposed building would be visible from Swain's Lane and Bacon's Lane, including portions of the roof and gables.
- In our view, the materials to be used for these are inappropriate for this site, and we would urge that a more traditional design be required.

**Officer Comment:** *Please see section 3.*

**CAAC/Local groups\* comments:**  
\*Please Specify

**Site Description**

Bacon's Lane is a cul-de-sac located off South Grove in Highgate. The principal building no.6 is a detached house, designed and built by the applicant and comprise 2-storey + attic with double single-storey garages on the north side adjacent the main entrance. No.6 is located in large grounds measuring approximately 660sqm and is listed Grade II building. The part of the application site to which the proposal relates is due east of the main house. It is bounded to the north and east sides by a common brick boundary wall of 91- 103 Swain's Lane (a terrace of modern houses), to the west adjacent existing garden sheds belonging to no.6 and to the south common boundary with Highgate Cemetery. The application site is within Highgate Village Conservation Area. The site is within a designated Archaeological Priority Area, Metropolitan Open Land and adjacent to Private Open Space.

## Relevant History

September 1990 – PP Granted - Redevelopment by the erection of a part single and part two storey dwelling house with detached garage; ref. 9003002. Not implemented.

## Relevant policies

### 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)

CS13 (Tackling climate change through promoting higher environmental standards)

CS14 (Promoting high quality places and conserving our heritage)

CS15 (Open space and biodiversity)

CS19 ( Delivering and monitoring the Core Strategy)

DP2 ( Making full use of Camden’s capacity for housing)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards)

DP19 (Impact of parking)

DP20 (Movement of goods and materials)

DP21 (Development connecting to the highway network)

DP22 (Promoting sustainable design and construction)

DP24 (Securing high quality design)

DP25 (Conserving Camden’s heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

**Camden Planning Guidance 2011 (In particular CPG1, CPG6, CPG 7, CPG8)**

**Highgate CAAMS 2007**

**London Plan 2011**

**NFPP 2012**

## Assessment

### 1.0 Proposal

- ✓ Erection of a single storey 2-bedroom residential ‘Granny flat’ ancillary to No.6 Bacon’s Lane (Class C3).

**1.1** The main issues are **a]** land use **b]** design, **c]** impact on the appearance of no.6 and on the character and appearance of the C.A, **d]** transport & **e]** amenity

**1.2** During the course of the applications assessment officers’ raised concerns regarding the site location plan submitted by the applicant; more specifically the red and blue lines that outlined the existing and proposed curtilages and other matters of design; see discussion below. After amendments the red line plan is shown to surround the entirety of No. 6 Bacon’s Lane.

**1.3** As noted in the history section above, the principle of new residential unit was accepted previously by the grant of planning permission for a part single and part two storey dwelling house with detached garage at the site. Unfortunately owing to the historic nature of this permission there is no evidence to indicate the location of the approved house; in any event it was not implemented. In this instance however, a more modest single storey building is proposed and it would be detached and the applicant states it would solely be used for purposes ancillary to the principal house, at no.6 to accommodate a carer and/or occasional visitors for the residents at 6 Bacon’s Lane.

### 2.0 Land use

**2.1** The provision of new residential floor space is a key objective for the Council, as outlined in CS6 and DP2, and as such new residential floor space is welcomed in principle. The proposed structure being provided falls within the main cartilage of no.6 and its intended purpose is for ancillary residential accommodation (albeit to a detached building). It is unlikely that the ancillary unit would be able to function as an entirely independent dwellinghouse or business unit owing to its position

(separate access to a highway would be required for which there is none owing to its location and relationship with the main No. 6 Bacon's Lane). However in order to ensure it is not used for unauthorised purposes it is recommended and considered necessary for a condition to be added denoting this. Such a condition would provide the Council with sufficient control over the use of the proposed structure. Should it be established in time that the structure is being used for other purposes (such as those noted above) the Council would have sufficient power to take the necessary enforcement action.

### **3.0 Design and appearance**

**3.1** The proposed single storey building has dimensions of 12.0m length x 3.5m height x 3.5m & 4.5m width, 58.5sqm of floorspace. It comprise pitch roof with natural timber clad walls, timber framed glazed windows, timber doors and single inset and single dome rooflights; the actual roof covering material will be subject to a standard condition given this is unconfirmed at this point in time after officers raised concern with the originally proposed onduline roof.

**3.2** Where the building would be located is a small hollow of land which is bounded on numerous sides by a brick wall. From Bacon's Lane the existing house would largely screen views of the proposed development. No immediately surrounding properties look directly onto this site so a single storey development would have a limited impact on the surrounding area. Longer views would be possible from the upper floors of the buildings at 15 and 16 South Grove but these would be at a distance of approximately 50 metres of a pitched roof at low level. It is also noted that there are a number of trees which partially screen this view (even in winter).

**3.3** The southern building line does not project beyond the line of 103 Swain's Lane so therefore views would not be possible from either Swain's Lane or the adjacent cemetery (which due to the slope of the hill is at a much lower level than the garden). Whilst the roof would project above the boundary wall (1.5m) this is only in the form of a shallow pitched roof and given that this faces mainly onto the mostly blank flank wall of 103 Swain's Lane it would not have a significant impact.

**3.4** Given the limited views of the proposed building and the fact that the this part of the site (because it is enclosed by a wall on three sides and sunken ground level) does not read as an integral part of the garden the footprint of the development would not erode the sense of openness of this part of the conservation area or the setting of the adjacent cemetery.

**3.5** Rather than designing the building in a rectangular form greater relief is given to the form by breaking it into two blocks linked by the entrance hall.

**3.6** It has been designed to resemble an outbuilding with modest detailing so as not to compete with the surrounding houses. Such an approach is considered acceptable here. The use of timber cladding is appropriate in a garden setting and gives the building a more lightweight appearance and it would be subordinate to rather than compete with the principal building and is therefore acceptable in this setting. The applicant has as accepted officers concerns regarding the use of 'Onduline sheeting' for the roof, and has deleted this material from the revised drawings submitted. The final material will be secured via condition. Officers have advised that a more appropriate material such as timber shingles which would minimise its appearance in both long and short views for which the applicant has indicated a willingness to accept. However exact details were unable to be provided prior to the determination of the application and hence will be secured via condition. A recessed rooflight, 500mm x 700mm is proposed on the west roofslope and is satisfactory; whilst a single dome rooflight on the east roofslope would be indiscernible and is acceptable here. Therefore in overall terms the proposed structure is in accordance with LDF policies DP24 and DP25 and is thus considered to be acceptable in design terms.

### **4.0 Transport**

**4.1** In terms of car parking spaces and the impact of the proposal on parking conditions, the applicant states that there are three existing car parking spaces associated with no.6 and only two are in use. No additional parking is proposed as part of the scheme. Moreover, as the proposals relate to an

ancillary structure (there is no increase in the number of residential units at the site, as secured via condition) no further parking space is required. Given this context a car-free s106 legal agreement is not required in this instance.

**4.2** In terms of cycle parking, none is required in this instance as no additional residential units are proposed.

**4.3** In terms of construction, it is considered necessary for the Council to seek for a construction management plan (CMP) to be secured as part of the development at the site. It is considered to be required in order to demonstrate the precise ways in which the proposed development would be implemented. This would be secured via S106 Legal Agreement and seek to minimise the disturbance to neighbouring occupiers, maintain highway safety and ensure the proposed development is carried out in a managed way. Bacon's Lane is a narrow private road and vehicular access from the public highway (South Grove) would appear to be restricted to private cars and small vans. Access to the site is likely to be restricted further due to car parking on Bacon's Lane. Thus the anticipated level of construction associated with this development, and constrained situation in terms of the relationship with adjoining properties, it is considered that a Construction Management Plan is required. The applicant will be required to submit a Construction Management Strategy prior to commencement of works on the site. The applicant has confirmed in writing a willingness to enter into a S106 on this basis.

## **5.0 Amenity**

**5.1** The brick boundary wall between the proposed building and no.103 Swain's Lane measure approximately 2.5m in height; with gaps of 1.5m & 1.90m as reflected by no.103 footplate on the west side. There is an access door on the west elevation at no.103 plus narrow elongated windows orientated due south, set within a small return flank wall that provide limited views across the southern section of the proposed building.

**5.2** The pitched roof of the building would project 1.5m above the boundary wall. As noted above, the hollow ground area of the site, windows orientated due south and west into garden of n.6 together with the high boundary walls would ensure that no adverse impact cause to occupiers at no.103; in terms of overlooking, loss of privacy, loss of outlook or views. Similarly, the proposed building would not cause any significant loss of sun/daylight. The proposal is in compliance with LDF DP26.

**5.3** The applicant has also submitted a lifetime homes assessment with the proposed scheme, although this is not a statutory requirement given a separate residential unit is not being created. Nevertheless this demonstrates that a number of the standards will be adhered to, which is welcomed.

## **6.0 Other matters**

As an ancillary residential development below 100sqm no Community Infrastructure Levy/\_Mayor's CIL is required.

**Recommendation:** Grant planning permission subject to s106 legal agreement for a CMP.

## **DISCLAIMER**

Decision route to be decided by nominated members on Monday 17<sup>th</sup> December 2012.  
For further information please click [here](#).