

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>20/06/2012</b>
		N/A		<b>Consultation Expiry Date:</b>	31/05/2012
<b>Officer</b>			<b>Application Number(s)</b>		
Nicola Tulley			2012/1849/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
46 Fitzjohns Avenue London NW3 4LU			See 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>					
<p>Alterations to boundary treatment and relocation of refuse storage from adjacent to garages on Nutley Terrace to rear of main building and erection of new bin enclosures, in association with use of building as flats (Class C3).</p>					
<b>Recommendation(s):</b>		Grant conditional permission			
<b>Application Type:</b>		Full Planning Permission			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>41</b>	No. of responses	<b>02</b>	No. of objections	<b>02</b>
			No. Electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>A site notice was displayed from 01/05/2012 to 22/05/2012. A notice was placed in the Ham &amp; High on 10/05/2012.</p> <p>Two letters of objection have been received from: Fitzjohns House 46 Fitzjohns Avenue; 3 Nutley Terrace, the following issues relevant to this application are:</p> <ul style="list-style-type: none"> <li>• Objection to the placement of rubbish bins which will be unsightly, a haven for many foxes which are already a nuisance and danger; and will emit unsavoury aromas.</li> <li>• The combined noise from air conditioning units and refuse storage will add to this noise level from slamming lids and associated noise from refuse removal. The existing refuse area is in a constant state of filth.</li> <li>• If the adjacent construction at 5 Nutley Terrace were appropriate in size and proportion to the property rather than taking up 100% of the space, the relocation of refuse storage would not be required.</li> <li>• Concerned with the proposal. In order to accommodate the proposed area a wall that supports the building and connects it to the surrounding wall needs to be broken to allow access (access to area c from Nutley Terrace).</li> <li>• Worried of the long term implication that this may cause – in addition to basement excavation adjacent. The refuse storage would be placed underneath our kitchen (flat 6) and no doubtfully attract animals, insect and smells.</li> <li>• The proposed path between Fitzjohns House and the new development around the master bedroom will suffer from noise. The path seems too narrow to allow comfortable access.</li> <li>• There is an approved application for a new storage area which is partially built – site is between Fitzjohns House and Fitzjohns Avenue. It allows good access and does not involve any build outs or wall removal.</li> </ul> <p>Officer response: See assessment below.</p>					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	<p>Hampstead CAAC raised no objection to the repositioning of the bin store which would improve the street-scene.</p> <p>The Heath &amp; Hampstead Society objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> <li>• The previous permission has now expired and therefore all new applications should be judged against the new LDF and new consultations.</li> <li>• All previous comments should now be applied to this application – not just the a/c units but the layout, architecture, of the scheme as a whole.</li> <li>• The need for a BIA; intrusion into the privacy of the gardens of 48-50 Fitzjohns; and on tree losses.</li> </ul> <p>Officer's response: The application form notes that work commenced on-site October 2010 there is also photographic evidence to show that this work relates to basement excavation. As such the development associated with application reference 2007/6230/P remains extant.</p>					

## Site Description

Fitzjohn's House, is a 1940s, red brick block of flats, sited on Fitzjohns Avenue on the corner junction with Nutley Terrace. The main entrance to Fitzjohns House is located on Nutley Terrace. The application site is within the Fitzjohns/ Netherhall Conservation Area.

The site adjacent consists of a block of six lock-up garages located on a modest plot of land on the northern side of Nutley Terrace, between Fitzjohn's Avenue and Daleham Gardens.

## Relevant History

Planning application, reference 2012/0659: Amendment to planning permission granted 19/11/08 (ref: 2007/6230/P) for the erection of a part 3 and part 4 storey building with basement to accommodate two new residential units (Class C3), namely enlargement of basement area. REGISTERED.

Approval details:

2011/4124/P: Details of hard & soft landscaping, green roof, windows and external cladding materials required by conditions 2, 4, 7 & 8 of planning permission dated 19/11/2008 (Ref. 2007/6230/P) for (Redevelopment of the garages at rear of Fitzjohn's House, by the erection of a part 3 and part 4 storey building with basement to accommodate two new residential units (Use Class C3) comprising one 2-bed unit at basement to second floor levels and one 4-bed unit at basement to third floor levels with roof terraces at second and third floor levels, and 5 garages at ground floor level, following the demolition of existing garages).

Planning permission, reference 2007/6230/P, was granted for: Redevelopment of the site by the erection of a part 3 and part 4 storey building with basement to accommodate two new residential units (Use Class C3) comprising one 2-bed unit at basement to second floor levels and one 4-bed unit at basement to third floor levels with roof terraces at second and third floor levels, and 5 garages at ground floor level, following the demolition of existing garages. Decision date: 19<sup>th</sup> November 2008.

2007/0508/c: Demolition of six existing single storey garages. granted

## Relevant policies

### The London Plan: Spatial Development Strategy for Greater London: 2011

#### LDF Core Strategy and Development Policies 2011

Core Policies

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS14 Promoting high quality places and conserving our heritage

CS18 Dealing with our waste and encouraging recycling

Development Policies

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

DP28 Noise and vibration

Camden Planning Guidance 2011

CPG1 Design

CPG6 Amenity

Fitzjohns/Netherhall Conservation Area Appraisal and Management Plan 2001

## Assessment

### Proposal & background

As existing, there are 2x Eurobins to the side of Fitzjohn's House which are positioned to the side of the boundary hedge adjacent to garages on Nutley Terrace.

The development approved at the garage site adjacent, reference 2007/6230/P, to accommodate 1x 2 bedroom unit and 1x 4 bedroom unit, retained the location of refuse bins to its frontage. This storage arrangement would however result in storage bins directly in front of the main entrance to the 4 bedroom unit. The application proposes to relocate the existing refuse storage for Fitzjohns House to the rear of the house together with the formation of 2x timber clad enclosures, sited at the front and rear of the house.

### Design & appearance

A new side access for refuse collection would be created directly adjacent to the boundary of the Nutley Terrace garages through the removal of the existing established side hedge. A new timber clad bin enclosure (1.3h x 1.85l 1.25w) with slatted timber roof would be sited adjacent to the new access, positioned behind the retained front hedge. This would contain 2x wheeled recycling bins 660 w x 880 l x 1100h. A further 3x recycling bins of the same dimensions will be sited to the end of the new paved access and would be enclosed by timber cladding with a timber slatted roof 1.9m in height. The existing 2x eurobins for refuse (1370 h x 1260 w x 990 d) would be sited to the rear of the block.

The new access would be approximately 1.1m wide which would just accommodate the depth of the refuse bins, albeit through an awkward route.

Trees:

The proposed relocation of refuse storage and new recycling storage would involve the removal of the side boundary hedge and low brick wall, which is visible from Nutley Terrace. The section of hedge to be removed is the least prominent in the streetscape though it does provide a biodiversity function which would be lost and therefore a tree should be planted to mitigate this impact.

An Arboricultural assessment has been submitted with the application. This has identified 2x Sycamore trees to the rear of the application site which facilitate some screening of the rear of the existing flats. Tree and Landscape officers note the detail contained within the report is acceptable providing that the recommendations are fully complied with such as, site supervision and implementation of method statement. These details shall be included with the approved plan numbers and conditioned.

### Amenity

Residents have raised objection to the additional storage by reason of: noise; appearance; attraction to vermin; and smells. In consideration to the character and appearance of the street the proposal would remove existing bins from the streetscape thereby serving to improve the appearance of Nutley Terrace. The proportion of refuse storage would not increase and whilst this would be relocated to the rear of the block, the nearest affected window would be approximately 3m from the storage location. The location of refuse storage is not deemed detrimental to amenity providing that the bins are secured in this location and properly maintained, this shall be conditioned.

At the time of collection there would be noise associated with bin movement however; this would be no different to general waste collection. In noting the concern raised by residents, a condition will be attached to ensure that the bins are secured in their positions as indicated on plan number 46FH/P101.

**Conclusion**

The proposed alterations to the boundary treatment, relocation of refuse storage and new bin enclosure for recyclable waste is considered acceptable in relation to policies: CS14; DP24; DP25 and DP26 of Camden's LDF subject to the following details to be submitted: paving for new access & tree planting.

**Recommendation**

Grant conditional permission.

**DISCLAIMER**

**Decision route to be decided by nominated members on Monday 18<sup>th</sup> June 2012. For further information please click [here](#).**