

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>19/04/2012</b>
		N/A / attached		<b>Consultation Expiry Date:</b>	28/03/2012
<b>Officer</b>			<b>Application Number(s)</b>		
Neil Zaayman			2012/1293/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Rear of 78 Fortune Green Road London NW6 1DS			Refer to 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 two storey dwellinghouse (Class C3) facing onto Rose Joan Mews (following demolition of existing garage).					
<b>Recommendation(s):</b>		Grant Planning Permission subject to S106 Legal Agreement			
<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>24</b>	No. of responses	<b>00</b>	No. of objections	<b>03</b>
			No. Electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>Site notice displayed from 07/03/2012 until 28/03/2012.</p> <p>Three letters of representation was received raising objections in respect of the following:</p> <ul style="list-style-type: none"> <li>- a 3-storey building would be harmful to 1<sup>st</sup> floor flat approved to the rear of No. 80 Fortune Green Road.</li> <li>- Out of keeping with narrow alleyway</li> <li>- 2-storey building would dominate</li> <li>- The area is already over-populated</li> <li>- Parking and movement would restrict access to existing buildings</li> <li>- Access to the narrow alleyway would be problematic during and after construction</li> <li>- Access to the site by emergency services is not possible</li> <li>- View from top-floor of No. 74 Fortune Green Road would be restricted.</li> </ul> <p>Response to objections:</p> <ul style="list-style-type: none"> <li>- The proposal is for a 2-storey development as it has been reduced from a 3-storey development which was refused previously.</li> <li>- The character, design, height, bulk and impact of the development on neighbouring amenity and the character of the area will be discussed in the report below.</li> <li>- The development proposes no car parking and would therefore not impact on parking pressure in the area.</li> <li>- Construction vehicles can be controlled by means of a Construction Management Plan.</li> <li>- The proposal is similar to other developments approved along this alleyway and would not further encroach on the access road or restrict access for emergency vehicles.</li> </ul>					
<b>CAAC/Local groups* comments:</b> *Please Specify	N/A					

## Site Description

The site consists of a car parking garage (currently used for private storage) and hardstanding area which fronts onto an un-adopted lane that connects to Fortune Green Road. This site is known as rear of no.78 Fortune Green Road for the purposes of this application. There is a courtyard/garden area between the garage and the main building at no.78 (occupied by a hairdresser at ground floor with residential above). Within the lane/mews there are several new developments, most notably a new 10 unit development known as Rose Joan Mews and other sites which have extant permission for redevelopment.

The site is not within a conservation area.

## Relevant History

**2006/1160/P:** Erection of two storey, 2 bedroom dwelling house at rear facing access way, following demolition of garage – **Refused**.

The application was refused for the following reasons:

- 1) by reason of its height and location, which would be detrimental to residential amenity of neighbouring buildings in terms of loss of outlook and privacy.
- 2) by reason of its scale, height and bulk, which would have a visually detrimental impact on the immediately surrounding area, mainly characterised by single storey mews type buildings.

Following refusal of the above application, the decision was appealed (Ref: APP/X5210/A/06/2021771). The Inspector dismissed the appeal and was of the opinion that the projecting grilles proposed would not be effective in preventing intervisibility between the first floor rooms in the existing and proposed dwellings, owing to the fact that the facing windows would be at roughly the same level.

**2011/5882/P:** Erection of part two, part three-storey dwellinghouse (Class C3) facing onto Rose Joan Mews (following demolition of existing garage) – **Refused**.

The application was refused for the following reasons:

- 1) the combination of height, bulk and projection beyond the rear building line of adjoining properties, appearing overly dominant and incongruous feature in the street scene.
- 2) its proximity and relationship with neighbouring properties, in particular the residential flats at 1<sup>st</sup> and 2<sup>nd</sup> floor of No. 78 Fortune Green Road, which would result in harmful levels of overlooking and invasion of privacy.
- 3) its design, use of glazed windows and lack of outlook, presenting sub-standard living accommodation.

## Other development:

### No. 80 Fortune Green Road:

**2008/2396/P:** Erection of first floor extension above the existing rear ground floor and change of use of part of the ground floor D1 floorspace to create a first floor studio flat accessed from Rose Mews – **Approved**.

### Rear of No. 84 – 86 Fortune Green Road:

**2008/1662/P:** Erection of part 2/part 3-storey building fronting onto Rose Joan Mews with roof terraces at second floor level to provide 2 self-contained residential dwellinghouses and two ancillary single-storey buildings in rear garden (following demolition of two single-storey lock up garages) – **Approved**.

### Rear of No. 88 Fortune Green Road:

**2008/0155/P:** Demolition of existing single storey storage/workshop and redevelopment by the erection of a two storey single family dwelling house – **Approved**.

### Rear of Nos. 92, 94, 98 and 100 Fortune Green Road:

**2005/2841/P:** Demolition of 6 existing garage/storage units on the site and the erection of 4 x 2-storey residential dwellinghouses (1 x studio dwellinghouse, 2 x 1-bed dwellinghouses and 1 x 2-bed dwellinghouse) including 1 x off-street parking space – **Approved**.

## Relevant policies

### LDF Core Strategy and Development Policies

CS5 (Managing the impact of growth and development)  
CS6 (providing quality homes)  
CS14 (Promoting high quality places and conserving our heritage)  
  
DP5 (Homes of different sizes)  
DP18 (Parking standards and limiting the availability of car parking)  
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

CPG 1 (Design)  
CPG 6 (Amenity)

### London Plan (2011):

3.5 (Quality and Design of Housing Developments)  
7.4 (Local Character)  
7.6 (Architecture)

### Government Guidance:

National Planning Policy Framework (March 2012)

## Assessment

### Proposal:

This application follows from a previously refused application (Ref: 2011/5882/P). The proposal is to demolish the existing garage and construct a 2-storey residential dwelling, at a height of 6.4m. On ground floor level, the development would be in line with the existing built line of garages to the rear of Nos. 74 - 76 and 80 – 82, having a set-back of 4.3m from the edge of the access road. At first floor level, the proposal would have a slight overhang of 1m, being approximately 3.1m from the edge of the access road. The dwelling would have a maximum depth of 12.5m, adjoining the main property towards the west (No. 78 Fortune Green) at ground floor level with a set-back of 5m at 1<sup>st</sup> floor level.

On ground floor level would be an open plan living / kitchen area with a w.c towards the rear. The living room would benefit from a large skylight above. On first floor level would be 2 bedrooms and a bathroom. Skylights are proposed above the landing and above the main bedroom. Towards the rear (facing No. 78), the main bedroom would have an outlook in the form of a vision screen, allowing for controlled views only. The 2<sup>nd</sup> smaller bedroom would have windows facing Rose Joan Mews to the east.

There would be a timber enclosed waste and recycling area towards the front. Hardstanding in the form of permeable paving will be provided. No parking is provided.

### Assessment:

The main issues for consideration is the principle of the development, its design and impact on the street scene and the impact of the development on neighbouring amenity.

### Principle:

The application site comprises a single privately owned garage to the rear of terraced properties fronting onto Fortune Green Road. The garage is currently used for storage and not parking of vehicles.

It is evident from the planning history that the Council has previously accepted the loss of similar garages along this access road to be acceptable. The application therefore involves the loss of a garage which is not used for off street parking for any nearby residents and as such it is considered that its loss will not contribute to on street parking congestion.

The proposed redevelopment of the site to incorporate new residential development is encouraged by the LDF

policy DP2. In light of similar development which have previously been accepted along this access road and the proposal to introduce a new residential dwelling, there are no in principle objection against the development and the proposal is therefore acceptable in land use terms.

### **Design:**

The proposal is to the rear of properties along Fortune Green Road and therefore not visible from the main road. The proposal would form part of the access way towards the rear. Until recently, the access road of which the application site forms part, were characterised by low profile, single storey development. Permission has however been granted for a number of 2 and 3-storey developments along the access road, including developments at the rear of Nos. 84, 88, 92, 94, 98 and 100 Fortune Green Road (see planning history). The area in general is characterised by 2/3-storey developments along the access road with No. 68a a 3-storey residential block. There are 2-storey developments on the opposite side of the access road comprising 10 dwellings with basement parking.

The proposal would introduce a new 2-storey development on the application site. Planning permission has previously been refused for a 2-storey development due to its scale, height and bulk, which was considered to have a visually detrimental impact on the immediately surrounding area. On appeal, the Inspector raised no concerns in respect of the 2-storey height of the proposal and it is acknowledged that planning permission has since been granted for other 2 and 3 storey developments along this access road. It is therefore not considered that a 2-storey development would be out of place or character with the surrounding street scene.

Since permission was previously refused, the proposal has been reduced in height and its overall bulk by setting it back from the edge of the access road. On ground floor level, the proposal would be slightly set behind the building line of adjoining properties and by 4.3m from the edge of the access road. On 1<sup>st</sup> floor level would be an overhang of 1m which would still be set back from the edge of the access road by approximately 3.1m. Officers are of the opinion that this revised scheme has successfully addressed the concerns raised in the previous proposal which resulted in a refusal of the application. The set back from the access road and reduction in overall bulk and height would introduce a dwelling more in keeping with the character of this part of the access road. By bringing the development more in line with the existing building line of adjoining properties, the development would not appear out of place or character, nor would it result in an intrusive form of development in this location.

Overall the design and massing is considered appropriate to the setting and more contemporary character of development along this access road. The proposal is therefore considered to be acceptable in terms of its design and character.

### **Impact on amenity:**

#### Outlook and natural light

There would be an increase in the profile of the proposed building in comparison to the existing situation, both in terms of its proximity to Rose Joan Mews and its height. Notwithstanding, due to a narrow site and the orientation of the application site, Rose Joan Mews would be presented with a small profile of the proposed development. The proposed relationship with Rose Joan Mews would not be significantly different compared to recent planning permission granted at No. 84 – 86 further north of the application site. It is therefore considered that the proposed building will not result in a significant impact on the outlook of the occupiers of Rose Joan Mews.

With regards to the properties at the rear of Fortune Green Road, the development has been significantly reduced in size compared to the previously refused scheme. The reduction in scale involves a reduced height (from 3-storeys to 2-storey development) and at 1<sup>st</sup> floor level, a set-back from the properties along Fortune Green Road. The previous, substantially bulkier proposal was considered acceptable in terms of its impact on loss of light and overshadowing to the properties along Fortune Green Road. In light of this less bulkier scheme, it is not considered that the proposal would result in unacceptable levels of overshadowing or loss of daylight to those properties most likely to be affected. The main living areas at ground and first floor levels would receive acceptable levels of natural light and no unreasonable levels of overshadowing would occur.

The application site would have windows to the front and rear of the development with large skylights above the main living room area and above the main bedroom. It is considered that this would provide the proposal with sufficient levels of light and would therefore be acceptable in this respect.

## Privacy

The proposed dwellinghouses will face towards the recently constructed development at Rose Joan Mews, which has a curved roof and windows which face north and south; whereas the windows in the proposed development are small in size and will face east. Loss of privacy as a result of the proposed windows on the front elevation is therefore not considered to be an issue.

At the rear of the dwelling, the proposed window of the main bedroom at 1<sup>st</sup> floor level would face the existing windows of No. 78 Fortune Green Road (located approx. 5m away). The drawings indicate these windows are fixed shut and obscure glazed; although in dismissing the previous appeal, the Inspector was of the opinion that obscure glazing these windows could be harmful to the amenities of existing occupiers at No. 78. However in addressing this concern, the new scheme proposes the main bedroom to have large sky lights whilst the window facing No. 78 Fortune Green Road would have a powder coated aluminium vision screen instead of obscure glazing. The vision screen limits views at an angle of approximately 45degrees. This limitation will prevent occupiers from looking into bedroom windows at No. 78 and would only allow views upwards at an angle towards the roof terrace at No. 78. As such, it is considered that overlooking issues have been overcome, subject to a sample of the vision screen submitted to the Council for approval.

The proposal's reduction in scale and height would prevent the development from creating a sense of enclosure to neighbouring occupiers. Similar to development proposed at the rear of Nos. 92, 94, 98 and 100 Fortune Green Road, the proposal has now been significantly reduced and measures put in place to overcome concerns raised in respect of outlook and overlooking. The proposal in its current form achieves an acceptable visual impact within the lane and will safeguard the outlook from adjacent residential accommodation.

## Quality of accommodation

Based on the drawings and bedroom sized, the dwelling would be a 2-bedroom, 3-person unit with an internal floor area of 62sq.m. According to the minimum space standards as set out in the London Plan (2011), a dwelling of this size should have an internal floor area of at least 61sq.m. The proposal therefore complies with the guidance in this respect.

The unit would have no flank windows with fenestration to the eastern and western elevations. Windows to the east would face the development at Rose Joan Mews which have blank walls facing the alley way, approximately 6.5m from the front (east facing) windows of the proposed dwelling (on 1<sup>st</sup> floor). The only other windows are those towards the rear (west facing) elevation, serving the main bedroom. As mentioned before in this report, the main bedroom would have a large skylight with a window controlled by a vision screen. The vision screen would restrict outlook however, it is considered that the combination of a large skylight and the vision screen providing views at a 45degree angle upwards towards No. 78 would provide a sufficient level of outlook for accommodation of this type in central London.

It is acknowledged that the outlook is not of high quality, however, it is not dissimilar to the developments approved to the rear of Nos. 84 – 94. Although natural ventilation may be limited, it is considered that overall the development would be acceptable and ventilation in its own would not be a sufficient reason to refuse permission and prevent additional housing in the borough. It is considered that the proposal would provide adequate living accommodation within this location and would comply with the overall aims and objectives of Camden Policy Guidance (CPG2) which states that all habitable rooms should have access to natural daylight; windows in rooms should be designed to take advantage of natural sunlight, safety and security, visual interest and ventilation.

## **Transport and Access Issues:**

Fortune Green Road lies within a neighbourhood shopping and service centre and as such there is good access to facilities, services and public transport accessibility. The proposed dwelling would be accessed via a small unnamed access road off Fortune Green Road. This access road also serves the Rose Joan Mews development which is gated.

Should planning permission be granted, the development should be made car-free and this can be secured by means of a legal agreement.

No provision has been made for cycle storage. Should planning permission be granted, a condition will be attached to require details of secure cycle storage to be submitted. One cycle storage space is required.

A Construction Management Plan will be requested by means of a planning condition.

**Sustainability:**

Although not a strict requirement in terms of a proposal of this size, the applicant has submitted an energy efficiency and sustainability statement. This statement predicts that the development will reach code level 3 for the code for Sustainable Homes which is considered to comply with Policy DP22 of the LDF.

**Lifetime Homes:**

A Lifetime Homes assessment has been provided with the application that shows that the proposal would comply with all lifetime homes criteria that's applicable to the site and development of a single residential unit.

**Community Infrastructure Levy (CIL):**

The proposal is not affected by the Mayor of London's CIL as the new floorspace created is below the 100sq.m threshold.

**Conclusion:**

The loss of the garage/storage unit is considered acceptable, and the principle of the provision of residential accommodation on the site is appropriate in land use terms.

The proposal is considered to be an improvement on the previously refused scheme and would have an acceptable relationship with the adjoining development. It is not considered that the proposal's design would detract from the character of the area and its reduction in scale and height would result in the development not appearing incongruous or visually intrusive.

The development is not considered to have a harmful impact on neighbouring amenity as no concerns are raised in respect of privacy, overlooking or overshadowing. Future occupiers would have an acceptable degree of outlook although it is acknowledged that natural ventilation may still be limited.

The application is therefore considered acceptable in its current form. Notwithstanding the acceptability of the proposal, it is considered that the site will be developed to its full potential and any further additions to the proposed dwelling may be harmful to the character of the area and neighbouring amenity. For this reason, it is considered appropriate to remove permitted development rights for the dwelling. Any future additions or extensions would be subject to a planning application in order for its impact to be assessed.

**Recommendation:**

Grant permission, subject to conditions and a S106 Legal Agreement to make this a car-free development.

**DISCLAIMER**

**Decision route to be decided by nominated members on Tuesday 10<sup>th</sup> April 2012. For further information see**

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>