

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	08/11/2011
		N/A		Consultation Expiry Date:	14/10/2011
Officer			Application Number(s)		
Ben Le Mare			2011/4394/P		
Application Address			Drawing Numbers		
262 Finchley Road London NW3 7AA			Refer to draft decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Change of use of lower ground floor storage area to 1 x 2-bedroom self-contained flat (Class C3), installation of 5 x windows (1 replacement and 4 new) and 2 x doors (1 replacement and 1 new) on the side elevation at lower ground floor level and creation of ramp with balustrading adjacent to side elevation.					
Recommendation(s):		Grant conditional permission subject to Section 106 Agreement			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	38	No. of responses	02	No. of objections	02
			No. Electronic	00		
Summary of consultation responses:	<p>One letter of objection has been received from the occupier of Flat B, 262 Finchley Road which raises the following concerns:</p> <ul style="list-style-type: none">• Use of the basement for residential accommodation will result in noise and disturbance to the occupiers of the flats above.• The property has had a subsistence problem and any construction works could bring further instability.• The central heating and water supplies in the basement need to be carefully re-routed (not a planning consideration). <p>One letter has been submitted from the Director of the Freeholders for 262 Finchley Road who states that they support the application in principle, but have some concerns:</p> <ul style="list-style-type: none">• Potential impact on underground watercourse.• Subsidence problems led to underpinning of the building some 6 years ago, no further digging is therefore advised.					
Local groups comments:	N/A					

Site Description

The application site is a large 3 storey with basement property which has been sub-divided into seven flats. Whilst not listed or located with a designated conservation area the property is considered to have an attractive late 19th Century eclectic design and forms one of a pair with No.260 Finchley Road.

Relevant History

PW9702219 - Installation of french doors and erection of a metal balcony to the rear at first floor level – Granted.

Relevant policies

London Plan 2011

Local Development Framework - Core Strategy and Development Policies 2010

CS1 (Distribution of growth)
CS3 (Other highly accessible areas)
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)
CS18 (Dealing with our waste and encouraging recycling)

DP2 (Making full use of Camden's capacity for housing)
DP5 (Homes of different sizes)
DP6 (Lifetime homes and wheelchair housing)
DP17 (Walking, cycling and public transport)
DP18 (Parking standards and limiting the availability of car parking)
DP24 (Securing high quality design)
DP26 (Managing the impact of development on occupiers and neighbours)

Camden Planning Guidance 2011

CPG1 (Design)
CPG2 (Housing)
CPG4 (Sustainability)
CPG6 (Amenity)

Assessment

The Proposal

The application proposes to change the use of a lower ground floor storage area to provide a 2-bedroom self-contained flat (Class C3). External works comprise the installation of 5 x windows (1 replacement and 4 new) and 2 x doors (1 replacement and 1 new) on the side elevation at lower ground floor level. In order to provide access for the future occupier a ramp with balustrading adjacent are proposed adjacent to the side elevation of the property.

Assessment

The main planning issues raised by the application are:

- Land use
- Standard of accommodation
- Visual Impact
- Amenity
- Transport
- Other issues

These issues are addressed below in the context of planning policy and other material considerations.

Land use

The existing basement storage area is vacant and underused residential floorspace. In terms of the provision of new housing, Policy DP2 of the LDF seeks to maximise the supply of additional homes in the Borough. The proposed creation of a new housing unit in the existing basement of the residential property therefore complies with the Policy DP2. In addition, the Dwelling Size Priority table set out in Policy DP5 of the LDF identifies market 2-bedroom flats has 'very high' priority. The proposal is considered therefore in accordance with Policy DP5.

Standard of accommodation for future occupiers

The new flat complies with the minimum space standards for 3 person residential units (61m² in the London Plan) and bedrooms (11m² for first and double bedrooms and 6.5m² for single bedrooms) and proposes 36m² of private outdoor amenity space.

Although located at lower ground floor level all the rooms have unobstructed windows providing light and outlook. There is adequate space within the courtyard for the storage of waste and recycling.

All new homes should comply with Lifetime Homes criteria as far as possible. The applicants have submitted a Lifetime Homes Assessment which addresses the 16 points of the criteria. The proposal meets the majority of the criteria and proposes minimum door widths of 0.8m, ramped access and circulation space for wheelchairs. Where the criteria is not met this relates to the lack of parking or because the criteria is not applicable to the development (e.g. no communal areas). The measures proposed are considered acceptable in this instance. The new flat has level access provided by a ramp which has a 1:16 gradient over a distance of 6m which is considered to be acceptable.

Visual Impact

The proposed sash windows and doors on the side elevation match the existing in terms of their design and use of materials. The proposed windows also are appropriately positioned and proportioned in relation to the existing windows at lower ground and on the upper floor levels and therefore respect the character of the property.

The proposed ramped access and associated balustrade are of a modest size and design and will not be visible from the street scene or from public view points. They are considered not to detract from the character of the host building or area, in accordance with Policy CS14 and DP24 of the LDF and the guidance in CPG1 (Design).

Amenity

The proposed new windows on the side elevation of the property directly face a private courtyard and an existing 2m high boundary wall and will not result in a loss of privacy to the occupiers of neighbouring properties. In addition, the proposed residential use of the basement is appropriate and unlikely to result in additional noise and disturbance to the occupiers of other flats within the building

In order to reduce the impact of construction noise, the applicant will be reminded by informative that noisy work cannot take place outside of the hours of between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on a Sunday or Bank Holiday. The hours are regulated under the Control of Pollution Act.

It is considered that the proposal would not have a detrimental impact on neighbour amenity and is therefore in accordance with Policy CS5 and DP26 of the LDF.

Transport

The site has a high level of accessibility to public transport through being located along Finchley Road. The site is also within a controlled parking zone for which there are relatively few parking bays. Policy DP18 states that the Council expects all development located within the area to be car free. It is proposed that the new residential unit be secured as car free through a Section 106 Agreement.

There are no cycle parking spaces proposed by the application. However, the property does have a secure area of outdoor amenity space of 32m² which would facilitate the provision of cycle parking.

Other Issues

Whilst concerns have been raised by the occupiers and freeholders regarding the structural stability of the property, the basement is existing and no excavation works or the removal of load bearing walls are proposed by the change of use to residential. The proposed conversion will therefore not harm the structural stability of the property or hydrology within the area.

Recommendation: Grant conditional permission subject to a Section 106 Agreement.

DISCLAIMER

Decision route to be decided by nominated members on Monday 7th November 2011.

For further information see

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