

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>06/10/2011</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		7/9/2011	
<b>Officer</b>				<b>Application Number(s)</b>			
Hugh Miller				2011/3883/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
37 Brecknock Road London N7 0BT				Please 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 rear infill extension at upper ground floor level and separate rear extension at first floor level to dental surgery (Class D1).							
<b>Recommendation(s):</b>		<b>Grant</b>					
<b>Application Type:</b>		<b>Full Planning Permission</b>					
<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>11</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
				No. Electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		N/A.  Thames Water: Comment.					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>		N/A.					
<b>Site Description</b>							
A 4-storey end of terraced property situated on the west side of Brecknock Road, north of the junction with Hargrave Place and south of the junction with Leighton Road. The lower ground and upper ground (front) floors comprise a retail shop use occupied by a bakery and the upper ground (rear), first and second floors were seen to comprise a dental surgery. However, the planning history of the site (see below) would appear that the second floor of the building has a lawful use for residential purposes (see assessment below for discussion in this regard). The building is not within a conservation area neither is it listed. The building is located within a designated Neighbourhood retail centre.							

## Relevant History

### 37-37A Brecknock Road

November 2004 – **Granted** - Certificate of Lawfulness for the existing use of first floor as a Dental Surgery (Class D1); ref. 2004/2110/P

### 37-37A Brecknock Road

November 2003 – PP **Refused** - The continued use of the first floor of the premises as a dental surgery (class D1) and the change of use of the second floor from residential use (class C3) to dental surgery (class D1); to create additional floorspace for the existing dental surgery on the ground floor; ref. PEX0200978. NB Refused and Warning of Enforcement Action to be Taken.

### 37 Brecknock Road

March 1989 – PP **Refused** -Change of use of 1st and 2nd floors from residential to dental surgery; ref. 8802682

### 37 Brecknock Road

April 1979 – PP **Granted** - Change of use of the basement and ground floor of the building at rear from stores and premises ancillary to the shop unit to Dental Surgery and Waiting Room on ground floor, and rooms ancillary to the Surgery in the basement; ref. CTP/F13/15/29/27984.

## Relevant policies

### **LDF Core Strategy**

CS5 (Managing the impact of growth and development),  
CS14 (Promoting high quality places and conserving our heritage)  
CS16 (Improving Camden's health and well-being)

### **Development Policies**

DP24 (Securing high quality design),  
DP26 (Managing the impact of development on occupiers and neighbours).

### **Camden Planning Guidance 2011**

## Assessment

### **Proposal**

- ✓ Erection of rear infill extension at upper ground floor level and separate rear extension at first floor level to dental surgery (Class D1).

During the course of the assessment the proposal was amended to reduce the width and height of the extension which is now an infill addition at upper ground floor level and 1 –storey on existing 2-storey closet wing.

The occupier of the dental surgery also submitted some written information (*Department of Health – Decontamination, Health Technical Memorandum 01-05: Decontamination in primary care dental practices plus email*) that moderately explained and seek to support the rationale for the increase in floor space.

### **Land use**

In line with CS16 the provision of additional space for a dentist surgery is welcomed in principle, by virtue of providing improved health facilities in the borough.

### **Design & appearance**

The revised extension at ground and first floor levels rear replaces the 3-storey part full-width extension originally submitted at upper ground, first and second floor levels (which was considered inappropriate by officers). The revised scheme comprises a new infill extension (upper ground floor) above the existing lower ground floor rear extension which will be retained and is associated with the bakery. It also involves a new extension at 1<sup>st</sup> floor level to the existing closet wing. The new infill extension at ground floor would mirror the height and depth of the existing closet wing and also the

closet wing at no.35; whilst the 1<sup>st</sup> floor level, the extension also matches the depth and width of the closet wing.

The revised extension is considered acceptable in design terms and would be in compliance with policies LDF DP24 & DP26 and CPG rear extension guidelines; because:

- a) In terms of height, the proposed extension at 1<sup>st</sup> floor level would be one-full storey below the main roof eaves;
- b) The 1<sup>st</sup> floor extension would be of matching scale and proportions would appear less bulky and is sympathetic in its appearance when compared with the original proposal;
- c) The 1<sup>st</sup> floor extension although not a common feature of the terrace (nos.27-37) would not appear out of keeping because its small scale, overall size, discernible visual bulk and appearance would not be visible from the public realm due to the very limited views from Peace Passage a narrow public path between nos.37 & 39; Neither would the extension be visible from the public realm from the rear of the site due to the high boundary walls and buildings that act as a screen;
- d) Overall, the proposed extensions would be subordinate to the main property in term of its location, size, height and footprint and it would not have a detrimental impact on the appearance of the building;

In purely design terms therefore, the revised proposal is more in harmony with the pattern of development within this group of buildings and is considered acceptable for the reasons noted above.

### ***Neighbour amenity***

The windows closest to the proposed extension are at no.35 and no.39. The windows are related to the access stairs and therefore no harm would be cause in terms of overlooking / loss of privacy or loss of day/ sunlight. Neither would the proposed extension cause harm through loss of outlook or harm views and is therefore acceptable. The proposal is in compliance with LDF CS5 & DP26.

### ***Other matters / second floor plans/ unauthorised dental surgery use***

A check of the sites' planning history (see history above) shows that there is no planning record for the loss of the residential use that was seen from the history to exist at the second floor level (and shown as dentist space on both the existing and proposed plans submitted). The planning record shows that the second floor residential use was refused planning permission on two previous occasions, March 1989 and November 2003. The current proposal submitted floor plans which shows the upper ground (rear), first & second floors as dental surgery Use Class D1. On this basis, the current dental surgery use at second floor level (for which the proposals in this application form no part) would be unauthorised because it would appear to have been in use for less than ten years continuously. However, given that the proposed extension excludes the second floor level, it is considered that on balance and in this instance, the proposed extension will be considered on its merits, and it is acceptable as a matter of fact and degree.

However, given the above information, the applicant is advised by way of an informative attached to this permission of the need to regularise dental surgery use at second floor level by submitting either a lawful development certificate or a planning application at the earliest convenience to the Council for its consideration. An informative is attached warning of Enforcement Action to be taken if nothing is forthcoming in the near future in this regard.

***Recommendation:*** Approval

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