

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>22/09/2010</b>
<b>(Members Briefing)</b>		N/A	<b>Consultation Expiry Date:</b>	02/09/2010
<b>Officer</b>			<b>Application Number(s)</b>	
Jennifer Walsh			2010/3862/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
13 Agar Grove London NW1 9SL			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>				
Conversion of 1x 3 bedroom maisonette into 1 x 3 bedroom flat at lower ground floor level and 1 x1 bedroom flat at upper ground floor level with associated rear extension, access ramp to side, bin store enclosure at front and alterations to fenestration and the insertion of a new door to the side elevation (Class C3).				
<b>Recommendation:</b>		Grant Planning Permission subject to Section 106 agreement		
<b>Application Type:</b>		Full Planning Permission		

Conditions or Reasons for Refusal:	<b>Refer to Draft Decision Notice</b>					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>12</b>	No. of responses	<b>03</b>	No. of objections	<b>03</b>
			No. Electronic	<b>03</b>		
Summary of consultation responses:	<p><b>15a Agar Grove object to the application on the following grounds:</b></p> <ul style="list-style-type: none"> <li>- the planning application does not consider the foundations of the building</li> <li>- they believe that, while 15 Agar Grove is underpinned, 13 Agar Grove is not. This is evident in the way 13 Agar Grove slopes against 15 Agar Grove. The underpinning of 13 Agar Grove was a task Camden Council was to prioritise before it recently sold the property.</li> <li>- They would like to draw attention to the case of near neighbours at 53 Agar Grove. In the summer of 2009, development of a sub basement in the adjoining property without properly securing the foundations led to it peeling away from No. 53 and both properties being condemned. The houses have been uninhabitable since that time and are still being rebuilt. <i>(Officer response- please refer to paragraph 9.1)</i></li> <li>- The two storey part of the extension against my boundary will seriously reduce the light available to the kitchen and back bedroom at 15a Agar Grove. <i>(Officer response- this element has been removed from the application)</i></li> <li>- The extension will be built next to the roof sky-light in the kitchen, a primary source of natural light for that room. It will also be built two metres from, and higher than, the single window for the rear bedroom and will further stop already limited daylight particularly in the evening when the sun comes from the direction of the extension. <i>(Officer response- This element has been removed from the application)</i></li> <li>- the proposed balcony on the two storey part of the extension brings an occupier of that flat very close to the garden of 15a Agar Grove. This results in a certain loss of privacy. <i>(Officer response- This element has been removed from the application)</i></li> <li>- the architect's drawings of the extension at the back of 13/15 Agar Grove, attached to the planning application, are wrong and possibly misleading. The rear extension to 15 is half the width of the property, not full width. <i>(Officers response – This was noted after a site visit, and the report reflects such findings)</i></li> <li>- The building work will be noisy and disruptive. <i>(Officer response- A condition is advised to be added to the permission to ensure that the applicant is aware of the hours of construction)</i></li> </ul> <p><b>15b Agar Grove object to the plans on the following grounds:</b></p> <ul style="list-style-type: none"> <li>- There is no mention of underpinning the property. <i>(Officer response- please refer to paragraph 9.1)</i></li> <li>- Concern that back garden is going to be overlooked. <i>(Officer response- please refer to paragraph 4.1)</i></li> </ul> <p><b>1 Cobham Mews object to the application on the following grounds:</b></p> <ul style="list-style-type: none"> <li>- the application provides for an elevated first floor balcony some 3 metres proud of the existing rear façade. As such it has direct views to habitable rooms of No1 Cobham Mews which is only approx 15 metres away to the north. <i>(Officer response- the second floor element has been removed from the application)</i></li> <li>- A loss of privacy would be had to both properties. <i>(Officer response- please refer to paragraph 4.1)</i></li> <li>- The increase of dwelling units after the conversion from a single maisonette to two apartments intensifies the use of the property and will lead to a commensurate increase in noise and a direct loss of amenity of both No 15 Agar Grove and No 1 Cobham Mews.</li> </ul>					
CAAC/Local groups comments:	No comments have been received from Camden Square CAAC.					
<b>Site Description</b>						
The application site is a large semi detached property located on the north side of Agar Road. The property is currently split into three flats. There is a side access to the rear garden. The property is not a listed building, but it is located within the Camden Square Conservation Area. There are two trees which have TPO's on them which are situated in the front garden.						
<b>Relevant History</b>						
None relevant						

## Relevant policies

### London Borough of Camden Unitary Development Plan 2006

SD4 - Density of development  
SD6 – Amenity for occupiers & neighbours  
B1 – General design principles  
B3 – Alterations and additions  
B7 – Conservation areas  
H1 – New housing  
H3 – Protecting existing housing  
H7 – Lifetime homes and wheelchair housing  
H8 – Mix of units  
N5 – Biodiversity  
N8 - Ancient Woodlands and Trees  
T8 - Car-free housing and car capped housing  
T12 - Works Affecting Highways

### Camden Planning Guidance 2006

### Camden Square Conservation Area Statement

### LDF Core Strategy and Development Policies

The Inspector's Report into the Camden Local Development Framework Core Strategy and Development Policies Development Plan documents ("DPD"s) was published on 13th September and found the policies in the DPDs to be sound. This means "considerable weight" can now be given to these LDF policies even though at this stage they have yet to be formally adopted by the Council. Where there is a conflict between UDP policies and these LDF policies the Planning Inspectorate would consider it reasonable to follow the latter. However prior to formal adoption UDP policies should still be taken into account as the Council's adopted Development Plan.

### LDF Core Strategy

CS1 - Distribution of growth  
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  
CS15 - Protecting and improving our parks and open spaces & encouraging biodiversity

### LDF Development Policies Development Plan

DP2 - Making full use of Camden's capacity for housing  
DP5 - Housing size mix  
DP6 - Lifetime homes and wheelchair homes  
DP18 - Parking standards and the availability of car parking  
DP19 - Managing the impact of parking  
DP21 - Development connecting to the highway network  
DP24 - Securing high quality design  
DP25 - Conserving Camden's heritage  
DP26 - Managing the impact of development on occupiers and neighbours

## Assessment

### The proposal

1.1 The application seeks planning permission for the change of use from 1x 3 bedroomed maisonette to 1 x 1 bedroom property on the upper ground floor and 1x 3 bedroom property to be located on the lower ground floor. A single storey side and rear extension is proposed to accommodate the proposed 3 bedroomed property at lower ground floor level. The rear extension would be built up to the neighbouring property and double doors would open up onto a small terrace with steps leading to the existing rear garden. The corner of the proposed rear extension, closest to the side passage is to have a glazed corner window inserted, which wraps around the front and side elevation. A smaller window is also proposed on the rear elevation and a new window is proposed to be located on the side elevation along with a proposed entrance door to the lower floor flat.

1.2 The side extension is proposed to extend 6.3m from the existing building line of the external staircase which provides access to the upper flats. The extension is to be 4.8m wide to a set back of 1.5metres to the proposed depth of the rear extension which then abuts the party wall. The proposed extension is to be 3m in height when taken from the lower ground height. Two refuse bins are to be located in the front garden with a ramp of 1.2m wide and 6.5m long, providing side level access to the lower ground floor flat. The proposed bin stores are to be located behind the existing brick piers. They are to be retained, and the wall between them is to be built up to conceal the new bin store proposed, the wall is proposed to be 1.2m in height. This bin store will accommodate two bins and the other two bins are to be located alongside the access to the upper floor flats.

### Revisions

2.1 Revisions have been made to the previously submitted application. The proposed upper floor extension has been

omitted from the scheme and the proposed 1 bedroom flat has been redesigned. The depth of the proposed lower ground floor extension has been reduced by 0.6m and the associated terrace by 0.75m. The proposed parapet level has also been reduced and the detailed design has been changed. A corner window has been introduced with a lowered roof.

2.2 The main issues to consider are:

- Change of use, design, Impact on the amenity of the adjoining residents, standard of accommodation, policy implications, and transport issues.

## **Design**

3.1 Revisions have been received which show a reduced design in height, scale and bulk. The lower ground floor extension is now considered to respect the scale and detailed design of the host building and the wider terrace. Reducing the height, inserting a corner window which also includes lowering the roof level of the north west corner of the proposed extension, is considered to reduce the overall dominance of the extension. There is an existing terrace close to the boundary with the neighbouring property of 15 Agar Grove, this is to be built over, with the depth of the extension being similar to the neighbours existing lean-to half width extension. The terrace will then be built into the existing garden extending across the back of the proposed extension meeting up with stairs which links to the side access. Double doors are proposed to the rear elevation opening up onto the terrace. The rear extension wraps around the proposed terrace and extends at a depth of 1.5metres into the garden. A door will be provided on this side elevation to provide access from the living area to the terrace. A single square window is to be incorporated into the rear elevation along with the corner window. A new flat roof with a sedum cover is to be incorporated to the extension.

3.2 Permission is sought to extend the existing side external stair case backwards, to incorporate the rear extension. The height will be dropped slightly to reflect the height of the rear extension. The side extension will be approx 6.3m to join up with the rear extension. It is considered that this extension to the existing external stairs would not be read as a dominate feature to the host property. The access to the lower ground flat will be incorporated into this side extension as well as a new window. The side extension would respect the existing scale of the stairs and would not be read as a detrimental addition to the host building nor the wider conservation area.

3.3 Two bin stores are proposed to be located in the front garden of the existing property. Their design is considered to match the existing boundary treatment of neighbouring properties. Through incorporating two bins into the front boundary wall as well as two being parallel to the entrance pathway, they not be a dominate feature in the front garden and are of acceptable height.

3.4 It is considered that the detailed design of the extension is sympathetic to the host building, and its introduction is not considered to have a detrimental impact on the host property nor the wider conservation area. It is considered that due to the scale, height and bulk of the proposal, as well as the detailed design, the appearance of the street and wider conservation area will be maintained. The proposals would not have a detrimental impact on the neighbouring properties or the wider conservation area as it respects the buildings either side yet accommodating the modern elements required for a new residential unit. The proposal is therefore considered acceptable in design terms.

## **Impact on the adjoining properties**

4.1 Although the proposal includes a rear extension, it is not considered that the proposals would have a detrimental impact on the amenity of neighbouring properties as the proposal respects the existing building line of the neighbouring property and projects 1.5m deeper than the neighbouring property, but 2 metres away from the party wall. Due to the neighbouring property having a half width projecting lean-to, there is not considered to be a detrimental impact of the neighbour's amenity. The revised application does not go any higher than the neighbouring extension. Therefore, overall it is considered that the works do not adversely impact on the amenity of the adjacent properties with regard to overlooking, visual bulk or sense of enclosure.

## **Policy implications**

5.1 Camden's Planning Policy seeks to ensure that the Borough retains a wide mix of units in order to cater for varying demand. In particular, the Housing Needs Survey has identified an overall shortfall in the amount of adequate larger dwellings suitable for families within the Borough. The proposal includes the retention of a family unit and therefore the proposal is inline with policy. The applicants have submitted a short assessment outlining how the unit can comply with the 16 criteria of the Lifetime Homes requirements. This is considered acceptable and all elements as noted on the drawings should be incorporated into the final design.

## **Change of use**

5.2 The application seeks the addition of a 1x 1 bedroomed unit. The unit has been revised and is now has an internal area of 39sqm. This falls under the Councils guidelines for a 1 bed, 2 persons new build unit, yet it is considered that as it is a refurbishment, the room has enough circulation space to create a decent 1 bedroom unit. The unit benefits from having large windows to both the front and rear elevations. The unit is therefore considered to be an acceptable standard

in this instance.

5.3 The application seeks to retain a three bed unit within the proposals. This is to be relocated from a maisonette to a lower ground floor flat. The proposal is considered to be fully consistent with lifetime homes standards. In particular, the Housing Needs Survey has identified an overall shortfall in the amount of adequate larger dwellings suitable for families within the Borough. The Councils standards for a 5 persons unit are 84sqm. The application seeks approval for a unit which is 78sqm. There are two double bedrooms and a single bedroom proposed. It is considered that due to the internal circulation space which is included within the floorplan, as well as the size of the living area, the unit is considered to be laid out to an acceptable standard in this location.

### **Transport**

6.1 The site is located within an area with a Public Transport Accessibility Level of (PTAL) of 4 (good) and is within a Controlled Parking Zone. Therefore, as there is one 'new' flats being proposed within this application, the 1x 1 bedroom flat is required to be subject to a car free agreement. This will be secured through a section 106 legal agreement. The agreement will ensure that the address will not be issued with on-street parking permits to reduce the parking stress within the area.

### **Highways**

7.1 In order to tie the development into the surrounding urban environment, a financial contribution should be required to repave the footway adjacent to the site. This work and any other work that needs to be undertaken within the highway reservation will need to be secured through a Section 106 (Town and Country Planning Act 1990) Agreement with the Council. The Council will undertake all works within the highway reservation, at the cost to the developer. The Councils surveyor has totalled the contribution to be a figure of £2,060. such a figure will be included within the legal agreement.

### **Trees**

8.1 There are two TPOs listed at the property. The Plane tree in the rear garden and the largest of the two Plane trees at the front. There is another Plane tree at the front which is not the subject of a TPO. The excavations are sufficiently far from the Plane tree at the rear not to be of direct damage to the tree however the tree may be damaged indirectly as a result of construction activity in the rear garden. This could be mitigated by tree protection to the standards set out in BS 5837: Trees in relation to construction.

8.2 The front boundary treatment involves the retention of a picket fence at the front, adjacent to the two Planes trees. This is preferable in terms of the retention of both tree although the existing fence is in fairly poor repair at will at some stage soon require either repair or replacement. It is also proposed the raise the height of a section of brick wall to the left hand side of the front gate to conceal the construction of a bin store. This is considered to be acceptable provided the additional brickwork matches that existing. It is also proposed to construct a second bin store on the right hand side of the path leading up to the entrance steps. This existing area is currently grassed with a fence between the path and the remainder of the frontage. Both bin stores are indicated as being constructed of brick enclosures to match existing brick work with polyester powder coated steel grill doors.

8.3 Further details in terms of a method statement in respect to the trees is recommended to be added through the use of a condition to the planning permission to ensure that the trees are not affected during construction works.

### **Other issues**

9.1 Many of the objections relate to underpinning the property. This is not a planning consideration or material consideration and is a civil matter which could be dealt with by the Councils Building Control department, once planning permission has been approved.

**Conclusion: Grant Planning Permission Subject to a Section 106 Agreement to secure the 1 bedroom unit as car free and a financial contribution towards highways improvements.**

### **Disclaimer**

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